

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

Inst # 2001-37222  
08/29/2001-37222  
1:03 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
15.00  
902 MSB

This Instrument was  
prepared by:

R. Shan Paden  
PADEN & PADEN  
Attorneys at Law  
5 Riverchase Ridge, Suite 100  
Birmingham, Alabama 35244

SEND TAX NOTICE TO:

UNITED HOMEBUILDERS, INC.  
P.O. BOX 575  
HELENA, AL 35080

STATE OF ALABAMA)

COUNTY OF SHELBY)

### WARRANTY DEED

**Know All Men by These Presents:** That in consideration of FORTY THOUSAND and 00/100 (\$40,000.00) DOLLARS to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, we, GREG BEERS, A MARRIED PERSON (herein referred to as GRANTORS) do grant, bargain, sell and convey unto UNITED HOMEBUILDERS, INC., (herein referred to as GRANTEES, whether one or more) the following described real estate, situated in SHELBY County, Alabama, to-wit:

LOT 44, ACCORDING TO THE SURVEY OF SILVERLEAF, PHASE 2, AS RECORDED IN MAP BOOK 24, PAGE 108, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

SUBJECT TO:

1. TAXES FOR THE YEAR BEGINNING OCTOBER 1, 2000 WHICH CONSTITUTES A LIEN BUT ARE NOT YET DUE AND PAYABLE UNTIL OCTOBER 1, 2001.
2. 35 FOOT BUILDING LINE ON THE WEST AND SOUTH LOT LINES AND A 7.5 FOOT UTILITY EASEMENT ALONG THE NORTH LOT LINE AND A 5 FOOT UTILITY EASEMENT ALONG THE WEST AND SOUTH LOT LINES AS SHOWN ON RECORDED MAP.
3. ANY LIEN, OR RIGHT TO A LIEN, FOR SERVICES, LABOR OR MATERIAL HERETOFORE OR HEREAFTER FURNISHED, IMPOSED BY LAW AND NOT SHOWN BY THE PUBLIC RECORDS.
4. RIGHT(S) OF WAY TO SHELBY COUNTY, AS RECORDED IN INSTRUMENT #2001-09442 AND DEED BOOK 231, PAGE 196.
5. COVENANT FOR STORM WATER RUN-OFF CONTROL, AS SET OUT IN DEED RECORDED IN INSTRUMENT #1999-14085.
6. OIL, GAS AND MINERAL LEASE AS RECORDED IN DEED BOOK 328, PAGE 549.
7. RIGHT(S) OF WAY TO PLANTATION PIPE LINE COMPANY, AS RECORDED IN DEED BOOK 113, PAGE 209 AND DEED BOOK 253, PAGE 576.
8. RIGHT OF WAY GRANTED TO ALABAMA POWER COMPANY BY INSTRUMENT(S) RECORDED IN DEED BOOK 168, PAGE 167.

9. COVENANTS AS CONTAINED IN INSTRUMENT #1998-40390.
10. COVENANT FOR ON-SITE SEWAGE DISPOSAL SYSTEM AS SET OUT IN INSTRUMENT #2001-26209.

SUBJECT PROPERTY DOES NOT CONSTITUTE THE HOMESTEAD OF THE GRANTOR NOR HIS RESPECTIVE SPOUSE.

\$184,000.00 of the consideration herein was derived from a mortgage closed simultaneously herewith.

**TO HAVE AND TO HOLD** Unto the said GRANTEES, his, her or their heirs and assigns, forever.

And I (we) do for myself (ourselves) and for my (our) heirs, executors, and administrators covenant with the said GRANTEES, his, her, or their heirs and assigns, that I am (we are) lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that I (we) have a good right to sell and convey the same as aforesaid; that I (we) will and my (our) heirs, executors and administrators shall warrant and defend the same to the said GRANTEES, his, her, or their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the said GRANTORS, GREG BEERS, A MARRIED PERSON, have hereunto set his, her or their signature(s) and seal(s), this the 8th day of August, 2001.

  
GREG BEERS

STATE OF ALABAMA)  
COUNTY OF SHELBY)

#### ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that GREG BEERS, whose name(s) is (are) signed to the foregoing conveyance, and who is (are) known to me, acknowledged before me on this day that, being informed of the contents of the conveyance he, she, or they executed the same voluntarily on the day the same bears date.

Given under my hand this the 17th day of August, 2001.

  
Notary Public

My commission expires: 12-20-2002

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