

THIS INSTRUMENT WAS PREPARED BY:

SEND TAX NOTICE TO:

**Josephine R. Lowery
Balch & Bingham LLP
P. O. Box 306
Birmingham, Alabama 35201**

**Hidden Creek Residential
Association, Inc.
One Riverchase Office Plaza
Suite 200
Birmingham, Alabama 35244**

STATE OF ALABAMA)

SHELBY COUNTY)

STATUTORY WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS THAT for and in consideration of Ten and No/100 Dollars (\$10.00), in hand paid to **COALES BRANCH, L.L.C.**, an Alabama limited liability company ("Grantor"), and other good and valuable consideration, and subject to the matters hereinafter set forth, Grantor does hereby grant, bargain, sell and convey unto **HIDDEN CREEK RESIDENTIAL ASSOCIATION, INC.**, an Alabama not-for-profit corporation ("Grantee") the property located in Shelby County, Alabama, being more particularly described on **Exhibit A** attached hereto and made a part hereof (the "Property").

The Property is conveyed subject to the following:

1. Rights or claims of parties in possession not shown by the public records.
2. Easements and claims of easements.
3. Encroachments, overlaps, boundary line disputes, or other matters which would be disclosed by an accurate survey or inspection of the Property.
4. Any adverse claim to any portion of said land which has been created by artificial means or has accreted to any such portion so created and riparian rights, if any.
5. Taxes or special assessments which are not shown as existing liens by public records.
6. Any prior reservation or conveyance, together with release of damages of minerals of every kind and character, including, but not limited to gas, oil, sand, and gravel in, on and under the Property.
7. General and special taxes or assessments for 2001 and subsequent years not yet due and payable.

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8. Grantee acknowledges and agrees that the Property is conveyed by Grantor "AS IS" and "WHERE IS" and with all faults and without any representation or warranty of any kind, express or implied, except for the limited warranty of title pursuant to Section 35-4-271 of the Code of Alabama (1975).

TO HAVE AND TO HOLD to the Grantee, its successors and assigns forever.

IN WITNESS WHEREOF, Grantor has hereunto caused this conveyance to be executed effective as of the 19th day of September, 2001.

GRANTOR:

COALES BRANCH, L.L.C., an Alabama limited liability company

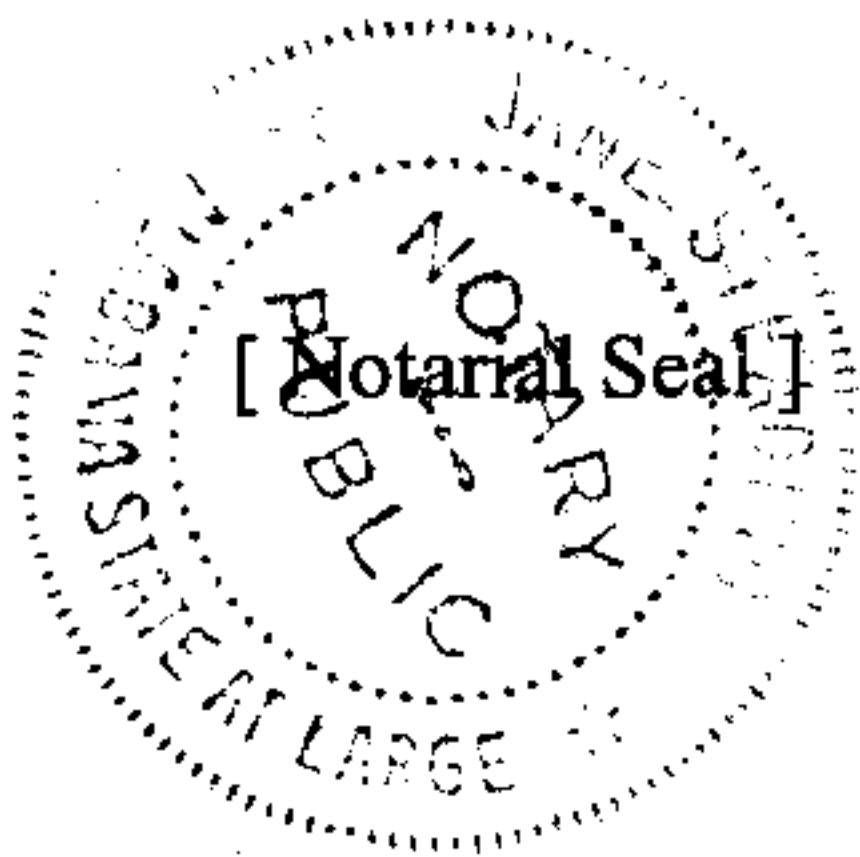
By: E. Todd Sharley Jr.
Its: Member

STATE OF ALABAMA)

COUNTY OF JEFFERSON)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that E. Todd Sharley Jr., whose name as the duly authorized Member of **COALES BRANCH, L.L.C.**, an Alabama limited liability company, is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of such instrument, he, as such member, and with full authority, executed the same voluntarily for and as the act of said company.

Given under my hand and official seal this 19th day of September, 2001.



Rebecca Jane Steadman
Notary Public
My Commission Expires: 2/28/04

EXHIBIT A

1. (2 parcels of land shown as) Lot 122-B, (shown as Common Area), Phase One Hidden Creek, III, as recorded in the Office of the Judge of Probate, Shelby County, Alabama, in Map Book 26, page 13.
2. Lot 34A (shown as Common Area), Resurvey of Lots 34 & 35 Hidden Creek Townhomes Phase II as recorded in the Office of the Judge of Probate, Shelby County, Alabama, in Map Book 28, Page 74.
3. Lot 46 (shown as Common Area) Hidden Creek Townhomes Phase II as recorded in the Office of the Judge of Probate, Shelby County, Alabama, in Map Book 28, Page 37.
4. A part of the S ½ of the SE¼ of Section 13, Township 20 South, Range 3 West, Shelby County, Alabama, being bounded on the north by the north line of said S ½ of SE ¼ of Section 13, and being bounded on the west by Lots 24 through 47, Hidden Creek as recorded in the Office of the Judge of Probate, Shelby County, Alabama, in Map Book 23, Page 97, and bounded on the south by the road right-of-way for Hidden Creek Parkway and bounded on the east by the centerline of the existing creek known as Coales Branch.
5. A part of the S ½ of the SE¼ of Section 13, Township 20 South, Range 3 West, Shelby County, Alabama, being bounded on the north by Lot 46 (shown as Common Area) Hidden Creek Townhomes Phase II, as recorded in the Office of the Judge of Probate, Shelby County, Alabama, in Map Book 28, Page 37, and the centerline of Coales Branch, on the West by the centerline of Coales Branch, on the South by Lot 122-A, Phase One Hidden Creek III, as recorded in the Office of the Judge of Probate, Shelby County, Alabama, in Map Book 26, Page 13, and on the East by Lots 36 through 45, Phase One Hidden Creek Townhomes as recorded in the Office of the Judge of Probate, Shelby County, Alabama, in Map Book 27, Page 49.

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