

THIS INSTRUMENT PREPARED BY:  
Kristy Liggan Riley  
1950 Stonegate Drive, Suite 150  
Birmingham, Alabama 35242

SEND TAX NOTICE TO:  
DesignMark Builders, LLC  
8000 Liberty Parkway, Suite 114  
Birmingham, AL 35242

STATE OF ALABAMA  
JEFFERSON COUNTY

**GENERAL WARRANTY DEED**

**KNOW ALL MEN BY THESE PRESENTS:** That in consideration of Eighty-Seven Thousand and Nine Hundred no/100 Dollars (\$87,900.00) to **WERTH REALTY, INC. an Alabama corporation , and MULTI-VEST, INC., an Alabama corporation** (the "Grantor"), in hand paid by **DESIGNMARK BUILDERS, LLC** (the "Grantees"), the receipt and sufficiency of which is hereby acknowledged, Grantor does by these presents grant, bargain, sell and convey unto Grantees, subject to the covenants, conditions and other matters set forth below, the real estate situated in Shelby County, Alabama, more particularly described as follows (the "Property"):

Lot 240, according to the Survey of Bent River Commons, 3<sup>rd</sup> Sector, as recorded in Map Book 25, page 147, in the Probate Office of Shelby County, Alabama.

Lot 244-A, according to the Survey of Bent River Commons, 3<sup>rd</sup> Sector, 1<sup>st</sup> Addition, as recorded in Map Book 30, page 31, in the Probate Office of Shelby County, Alabama.

**SUBJECT TO:**

1. Taxes and assessments for the year 2003 and taxes for subsequent years, not yet due and payable.
2. Easement(s), building lines and restrictions as shown on recorded maps.
3. Restrictions and covenants appearing of record in Instrument No. 1999-8863; Instrument No. 1999-4401; Instrument No. 9501/3042; and Instrument No. 1999-15750.
4. Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto as recorded in Volume 33, Page 542 and Volume 236, Page 103.
5. Easement for Plantation Pipe Line being recorded in Volume 145, page 275.
6. Restrictions and covenants appearing of record in Instrument No. 1999-38777 and Instrument No. 1999-41444.

**TO HAVE AND TO HOLD** unto Grantee, and Grantee's successors and assigns forever, subject, however, to the matters described above, together with every contingent remainder and right of reversion.

And Grantor does for itself, its successors and assigns, covenant with Grantees, their heirs and assigns, that Grantor is lawfully seized in fee simple of the Property; that the Property is free from all encumbrances, unless otherwise noted above; that Grantor has a good right to sell and convey the Property as aforesaid, and that Grantor will, and Grantor's successors and assigns shall, warrant and defend the same to Grantees, their heirs, executors and assigns forever, against the lawful claims of all persons.

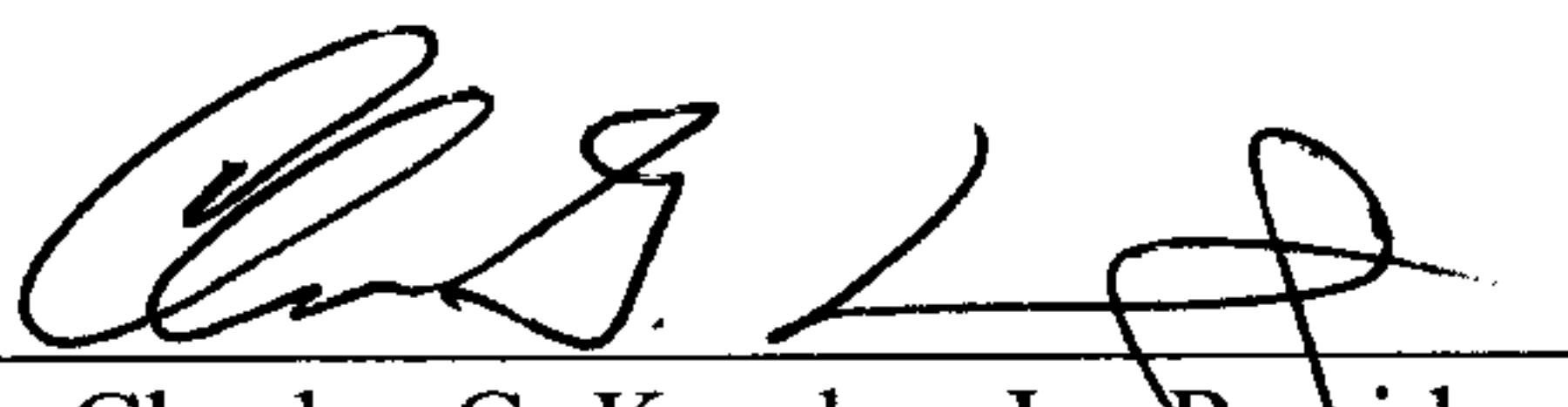
\$79,100.00 of the purchase price recited above was paid from mortgage loan closed simultaneously herewith.

IN WITNESS WHEREOF, Grantors, **WERTH REALTY, INC.** and **MULTI-VEST, INC.**, have caused this conveyance to be executed as of the 16th day of January, 2003.

**WERTH REALTY, INC.**

By:   
Bob Barnett, President


**MULTI-VEST, INC.**

By:   
Charles G. Kessler, Jr., President

STATE OF ALABAMA  
JEFFERSON COUNTY

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that BOB BARNETT, as President of WERTH REALTY, INC. an Alabama corporation, and CHARLES G. KESSLER, JR. as President of MULTI-VEST, INC., an Alabama corporation, whose names are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, they in such capacity and with full authority, executed the same voluntarily for and as the act of said corporations.

Given under my hand and official seal this 16th day of January, 2003.

  
Notary Public  
My Commission expires: 10-1-05