

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was  
prepared by:

SEND TAX NOTICE TO:

MIKE MITCHELL HOMES, LLC

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

STATE OF ALABAMA)  
COUNTY OF JEFFERSON)

**WARRANTY DEED**

**Know All Men by These Presents:** That in consideration of ONE HUNDRED FIFTY NINE THOUSAND FIVE DOLLARS and 00/100 (\$159,500.00) to the undersigned grantor, CUZCO, LLC an Alabama Limited Liability company, in hand paid by the GRANTEES herein, the receipt of which is hereby acknowledged, the said GRANTOR, does by these presents, grant, bargain, sell and convey unto MIKE MITCHELL HOMES, LLC, (herein referred to as GRANTEES, whether one or more) the following described real estate, situated in SHELBY County, Alabama, to-wit:

LOTS 18, 27, 33, 34 AND 36 ACCORDING TO THE FINAL PLAT OF FOREST RIDGE, AS RECORDED IN MAP BOOK 31, PAGE 2, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

SUBJECT TO:

1. TAXES FOR THE YEAR 2002 WHICH CONSTITUTE A LIEN BUT ARE NOT YET DUE AND PAYABLE UNTIL OCTOBER 1, 2003.
2. 30 FOOT BUILDING LINE ON FRONT 35 FOOT BUILDING LINE ON FRONT AND REAR AND 10 FOOT BUILDING LINE ON SIDES AS SHOWN ON THE RESTRICTIONS RECORDED IN INSTRUMENT 2003020400064510 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
3. RIGHT OF WAY TO SOUTHERN BELL TELEPHONE AND TELEGRAPH COMPANY RECORDED IN DEED BOOK 326, PAGE 577 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
4. RIGHT OF WAY TO SHELBY COUNTY RECORDED IN DEED BOOK 211, PAGE 611 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
5. EASEMENT AS SET OUT IN THAT CERTAIN DEED RECORDED IN DEED BOOK 324, PAGE 506 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
6. DECLARATION OF PROTECTIVE COVENANTS AS RECORDED IN INSTRUMENT 2003020400064610 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

\$ 63,800.00 of the consideration herein was derived from a mortgage closed simultaneously herewith.


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

And said GRANTOR does for itself, its successors and assigns, covenant with the said GRANTEES, his, her, or their heirs and assigns, that it is lawfully seized in fee simple of said

premises; that they are free from all encumbrances, unless otherwise noted above; that it has a good right to sell and convey the same as aforesaid, and that it will and its successors and assigns 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 GRANTOR, CUZCO, LLC, by GARY L. THOMPSON ITS MANAGING MEMBER who is authorized to execute this conveyance, has hereunto set its signature and seal, this the 13th day of February, 2003.

CUZCO, LLC

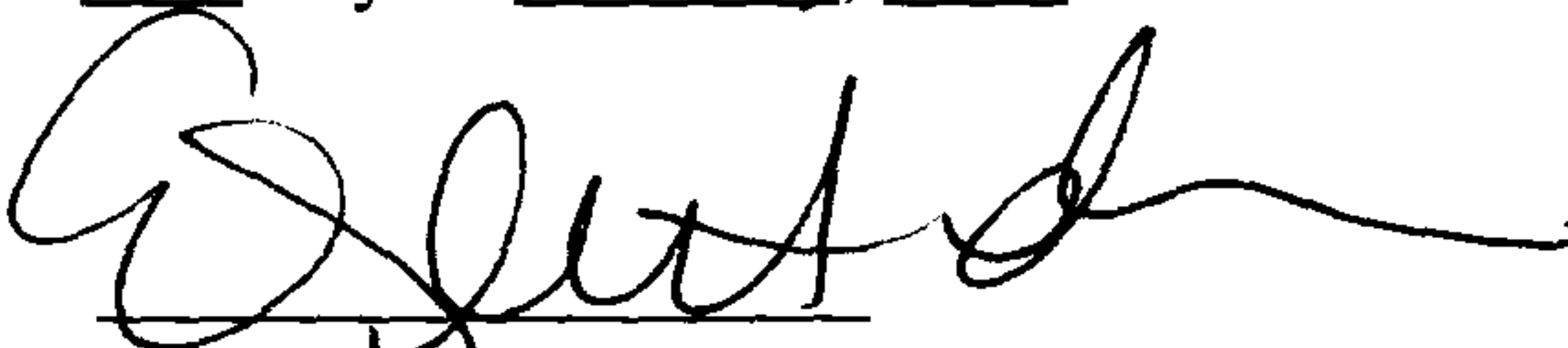
By:   
GARY L. THOMPSON  
MANAGING MEMBER

STATE OF ALABAMA)  
COUNTY OF SHELBY)

#### ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that GARY L. THOMPSON, whose name as MANAGING MEMBER of CUZCO, LLC, an Alabama Limited Liability Company, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he or she, as such officer and with full authority, executed the same voluntarily for and as the act of said limited liability company.

Given under my hand this the 13th day of February, 2003.

  
Notary Public

My commission expires: \_\_\_\_\_

10.2.05