

0038
CD

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was
prepared by:

SEND TAX NOTICE TO:

TOM LACEY CONSTRUCTION CO., INC.

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

STATE OF ALABAMA)
COUNTY OF SHELBY)

WARRANTY DEED

Know All Men by These Presents: That in consideration of THIRTY FIVE THOUSAND FOUR HUNDRED DOLLARS and 00/100 (\$35,400.00) to the undersigned grantor, SECOND UNION INVESTORS, 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 TOM LACEY CONSTRUCTION CO., INC., (herein referred to as GRANTEES, whether one or more) the following described real estate, situated in SHELBY County, Alabama, to-wit:

LOT 120, ACCORDING TO THE SURVEY OF FINAL PLAT OAKLYN HILLS PHASE 2, AS RECORDED IN MAP BOOK 30, PAGE 17 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

SUBJECT TO:

1. TAXES FOR THE YEAR 2003 WHICH CONSTITUTE A LIEN BUT ARE NOT YET DUE AND PAYABLE UNTIL OCTOBER 1, 2003.
2. EASEMENTS BUILDING LINE AND RESTRICTIONS AS SHOWN ON RECORDED MAP.
3. RESTRICTIONS AND COVENANTS APPEARING OF RECORD IN INSTRUMENT NO. 1998-27399; INSTRUMENT NO. 1999-7744; INSTRUMENT NO. 1994-29305; INSTRUMENT NO. 2002-34405 AND INSTRUMENT NO. 2002-34406.
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 INSTRUMENT NO. 1994-2305.
5. RIGHT OF WAY GRANTED TO SHELBY COUNTY AS RECORDED IN VOLUME 229, PAGE 492 AND VOLUME 39, PAGE 469.
6. RIGHT OF WAY GRANTED TO ALABAMA POWER COMPANY RECORDED IN VOLUME 165, PAGE 105.

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, SECOND UNION INVESTORS, LLC, by its MEMBER, ALBERT L. WEBER who is authorized to execute this conveyance, has hereunto set its signature and seal, this the 14th day of October, 2003.

SECOND UNION INVESTORS, LLC

By 
ALBERT L. WEBER, MEMBER

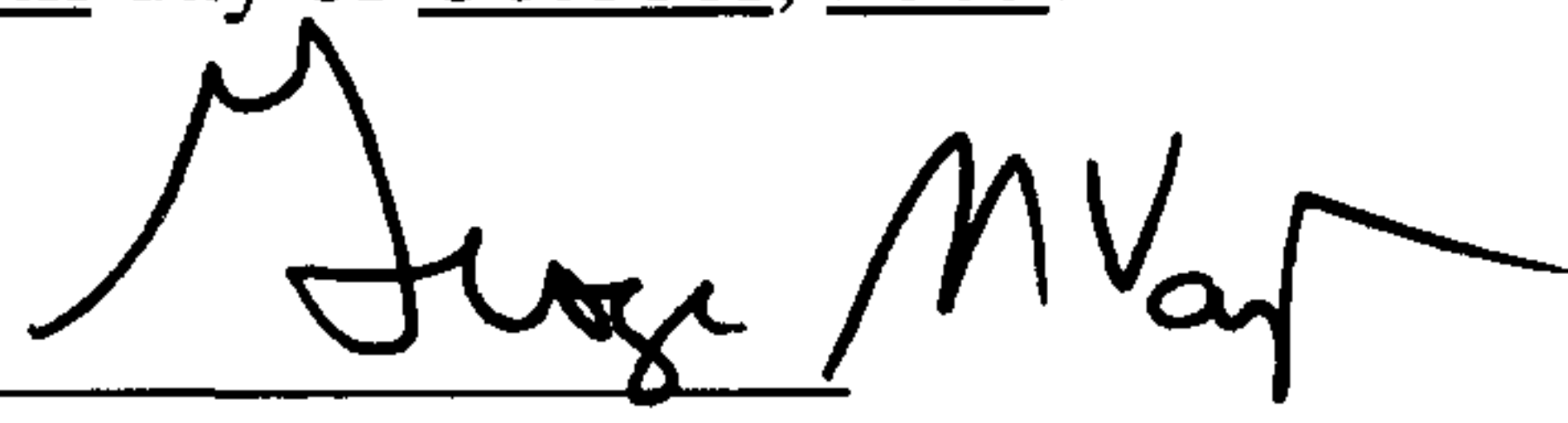
STATE OF ALABAMA)

COUNTY OF SHELBY)

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that ALBERT L. WEBER, whose name as MEMBER of SECOND UNION INVESTORS, 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 14th day of October, 2003.



Notary Public

My commission expires: 9.29.06