

**This instrument prepared by:**  
Mary Thornton Taylor, Esquire  
421 Office Park Drive  
Birmingham, Alabama 35223

**Send tax notice to:**  
Chesser Plantation, Inc.  
421 Office Park Drive  
Birmingham, Alabama 35223

## STATUTORY WARRANTY DEED

STATE OF ALABAMA     )  
  ) **KNOW ALL PERSONS BY THESE PRESENTS:**  
SHELBY COUNTY         )

That for and in consideration of Forty Three Thousand and No/100 Dollars (\$43,000.00) and other good and valuable consideration to the undersigned **CHESSER PLANTATION, LLC**, an Alabama limited liability company ("Grantor"), in hand paid by **CHESSER PLANTATION, INC.**, an Alabama corporation ("Grantee"), the receipt and sufficiency of which are hereby acknowledged, Grantor does by these presents grant, bargain, sell and convey unto the said Grantee the following described real estate situated in Shelby County, Alabama, to-wit:

Lot 57 according to the Amended Survey of Chesser Plantation, Phase I, Sector 1, as recorded in Map Book 31, Page 21 A & B, in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama (the "Property").

**TOGETHER WITH** the nonexclusive easement to use the Common Areas as more particularly described in the Chesser Plantation Declaration of Covenants, Conditions and Restrictions recorded as Instrument # 2002-10788 in the Probate Office of Shelby County, Alabama, as may be amended from time to time (which, together with all amendments thereto, is hereinafter collectively referred to as the "Declaration").

The full consideration quoted above was paid from a mortgage loan closed simultaneously herewith.

The Property is conveyed subject to the following:

- (1) Ad valorem taxes due and payable October 1, 2004 and all subsequent years thereafter;
- (2) Fire district and library district assessments for 2004 and subsequent years not yet due and payable;
- (3) Mineral and mining rights not owned by Grantor;
- (4) Chesser Plantation Owners Association, Inc. assessments and architectural control;
- (5) The easements, restrictions, covenants, agreements and all other terms and provisions of the Declaration;
- (6) Transmission Line Permits to Alabama Power Company as set out in Deed Book 127, page 317; Deed Book 102 page 138; and Deed Book 104, page 525 in said Probate Office;
- (7) Declaration of Easement as set out in Instrument # 2001-21357 in said Probate Office;
- (8) Title to all minerals within the underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto, including rights set out in Deed Book 69, page 177 in said Probate Office;
- (9) Restrictions, limitations and conditions as set out in Map Book 31, page 21 A & B in said Probate Office;
- (10) Building setback line as shown by Map Book 31 page 21 A & B in said Probate Office.

The entire purchase price stated herein was paid from the proceeds advanced from a Mortgage Loan closed contemporaneously herewith.

*Mortgage Recorded Inst # 20040804000435860*



