

20111221000387330 1/3 \$46.50
Shelby Cnty Judge of Probate, AL
12/21/2011 01:32:18 PM FILED/CERT

Shelby County, AL 12/21/2011
State of Alabama
Deed Tax: \$28.50

THIS INSTRUMENT PREPARED BY:

W. Harold Parrish, Jr.
Leitman, Siegal, Payne & Campbell, P.C.
420 North 20th Street, Suite 2000
Birmingham, Alabama 35203

SEND TAX BILL TO:

D.R. Horton, Inc. – Birmingham
3570 Grandview Parkway, Suite 100
Birmingham, AL 35243

STATUTORY WARRANTY DEED

STATE OF ALABAMA)

SHELBY COUNTY)

\$ 28.50⁰⁰

KNOW ALL MEN BY THESE PRESENTS, That for and in consideration of the sum of Ten and No/100 Dollars (\$10.00), in hand paid and other good and valuable consideration to the undersigned grantor, **THORNTON NEW HOME SALES, INC.**, an Alabama corporation ("Grantor"), in hand paid by **D.R. HORTON, INC. – BIRMINGHAM**, an Alabama corporation ("Grantee"), the receipt and sufficiency of which are hereby acknowledged, Grantor does hereby grant, bargain, sell and convey unto Grantee all of its right, title and interest in and to that certain real estate (the "Property") situated in Shelby County, Alabama, to-wit:

Lot 52, according to the Survey of Cottages at Chesser, Phase I, recorded in Map Book 33, page 45, in the Office of the Judge of Probate Shelby County, Alabama.

Together with the nonexclusive easement to use the Common Areas as more particularly described in the Declaration of Covenants, Conditions and Restrictions for Cottages at Chesser as recorded in Instrument 20040511000248910, First Amendment to Declaration as recorded in Instrument 20091008000381600 in the Probate Office of Shelby County, Alabama, as may be amended from time to time (which together with all amendments thereto, is hereinafter referred to as the "Declaration").

Subject, however, to those matters which are set forth on Exhibit "A" which is attached hereto and incorporated herein by reference (the "Permitted Encumbrances").

TO HAVE AND TO HOLD the Property unto Grantee, and Grantee's successors and assigns, forever.

IN WITNESS WHEREOF, Grantor has caused this Deed to be properly executed on this the 15th day of December, 2011.

GRANTOR:

THORNTON NEW HOME SALES, INC.
an Alabama corporation

By: [Signature]
Name: William L. Thornton, III
Title: Chief Executive Officer

STATE OF ALABAMA)

COUNTY OF JEFFERSON)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that William L. Thornton, III, whose name as Chief Executive Officer of **THORNTON NEW HOME SALES, INC.**, 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, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal this the 15th day of December, 2011.

[Signature]
Notary Public
My Commission Expires:

EMILY C. BURLESON
Notary Public, Alabama State At Large
My Commission Expires June 20, 2015

EXHIBIT "A"

PERMITTED ENCUMBRANCES

1. All taxes for the year 2012 and subsequent years, not yet due and payable.
2. Building lines, easements and restrictions as shown on Map Book 33, Page 45.
3. Easement to Alabama Power Company recorded in Deed Book 127, page 317, in the Probate Office of Shelby County, Alabama.
4. Mineral and mining rights and rights incident thereto recorded in Deed Book 69, page 177, in the Probate Office of Shelby County, Alabama.
5. Grant of Land Easement with Restrictive Covenants granted to Alabama Power Company, recorded in Instrument 20040910000504210, Instrument 20040629000355500 and Instrument 20060828000422450, in the Probate Office of Shelby County, Alabama.
6. Declaration of Covenants, Conditions and Restrictions for Cottages at Chesser as recorded in Instrument 20040511000248910, First Amendment to Declaration as recorded in Instrument 20091008000381600 in the Probate Office of Shelby County, Alabama.
7. Articles of Incorporation of Cottages at Chesser Owners Association Inc as recorded in Instrument 200406/9975, in the Probate Office of Shelby County, Alabama
8. Reciprocal Easement Agreement as recorded in Instrument 20030429000262650, in the Probate Office of Shelby County, Alabama.