

THIS INSTRUMENT PREPARED BY
AND UPON RECORDING SHOULD BE
RETURNED TO:
Stephen R. Monk, Esq.
Daniel Corporation
P.O. Box 385001
Birmingham, Alabama 35238-5001

2469 301,250.00
SEND TAX NOTICE TO:
St. Charles at Greystone, Inc.
P.O. Box 59022
Birmingham, Alabama 35259

STATUTORY WARRANTY DEED

THIS STATUTORY WARRANTY DEED is executed and delivered on this 20th day of December, 1991 by DANIEL OAK MOUNTAIN LIMITED PARTNERSHIP, an Alabama limited partnership ("Grantor"), in favor of St. Charles at Greystone, Inc., an Alabama corporation ("Grantee").

KNOW ALL MEN BY THESE PRESENTS, that for and in consideration of the sum of Ten Dollars (\$10.00), in hand paid by Grantee to Grantor and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by Grantor, Grantor does by these presents, GRANT, BARGAIN, SELL and CONVEY unto Grantee the following described real property (the "Property") situated in Shelby County, Alabama:

See Exhibit A attached hereto and incorporated herein by reference.

TOGETHER WITH the nonexclusive easement to use the private roadways, Common Areas and Hugh Daniel Drive, all as more particularly described in the Greystone Residential Declaration of Covenants, Conditions and Restrictions dated November 6, 1990 and recorded in Real 317, Page 260 in the Probate Office of Shelby County, Alabama and all amendments thereto (which, together with all amendments thereto, is hereinafter collectively referred to as the "Declaration").

The Property is conveyed subject to the following:

1. The Property shall be used for single-family residential purposes only and any dwelling built thereon shall contain not less than 3,500 square feet of Living Space, as defined in the Declaration, for a single-story house; 4,000 square feet of Living Space, as defined in the Declaration, for one and one-half story homes (with a minimum of 2,500 square feet of Living Space on the main level); or 4,500 square feet of Living Space, as defined in the Declaration, for two-story homes (with a minimum of 2,500 square feet of Living Space on the main level).

2. Subject to the provisions of Sections 6.04(c), 6.04(d) and 6.05 of the Declaration, the Property shall be subject to the following minimum setbacks:

- (i) Front Setback: 50 feet;
- (ii) Rear Setback: 50 feet;
- (iii) Side Setbacks: 15 feet.

The foregoing setbacks shall be measured from the property lines of the Property.

3. Ad valorem taxes due and payable October 1, 1992, and all subsequent years thereafter.

4. Fire district dues and library district assessments for the current year and all subsequent years thereafter.

5. Mining and mineral rights not owned by Grantor.

6. All applicable zoning ordinances.

7. The easements, restrictions, reservations, covenants, agreements and all other terms and provisions of the Declaration.

8. All easements, restrictions, reservations, agreements, rights-of-way, buildings setback lines and any other matters of record.

Grantee, by acceptance of this deed, acknowledges, covenants and agrees for itself, and its heirs, successors and assigns, that:

(i) Grantor shall not be liable for and Grantee hereby waives and releases Grantor, its officers, agents, employees, directors, shareholders, partners, mortgagees and their respective successors and assigns from any liability of any nature on account of loss, damage or injuries to buildings, structures, improvements, personal property or to Grantee or any owner, occupants or other person who enters upon any portion of the Property as a result of any past, present or future soil, surface and/or subsurface conditions, known or unknown (including, without limitation, sinkholes, underground mines, tunnels and limestone formations and deposits) under or upon the Property or any property surrounding, adjacent to or in close proximity with the Property which may be owned by Grantor;

(ii) Grantor, its successors and assigns, shall have the right to develop and construct attached and detached townhouses, condominiums, cooperatives, duplexes, zero-lot-line homes and cluster or patio homes on any of

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the areas indicated as "MD" or medium density residential land use classifications on the Development Plan for the Development; and

(iii) The purchase and ownership of the Property shall not entitle Grantee or the family members, guests, invitees, heirs, successors or assigns of Grantee, to any rights to use or otherwise enter onto the golf course, clubhouse and other related facilities or amenities to be constructed on the Golf Club Property, as defined in the Declaration.

TO HAVE AND TO HOLD unto the said Grantee, its successors and assigns forever.

IN WITNESS WHEREOF, the undersigned DANIEL OAK MOUNTAIN LIMITED PARTNERSHIP has caused this Statutory Warranty Deed to be executed as of the day and year first above written.

DANIEL OAK MOUNTAIN LIMITED
PARTNERSHIP, an Alabama
limited partnership

By: DANIEL REALTY INVESTMENT
CORPORATION - OAK MOUNTAIN,
an Alabama corporation, Its
General Partner

By:



Its:

Sr. Vice President

STATE OF ALABAMA)

SHELBY COUNTY)

I, the undersigned, a Notary Public in and for said county, in said state, hereby certify that Stephen R. Monk whose name as Sr. Vice President of DANIEL REALTY INVESTMENT CORPORATION - OAK MOUNTAIN, an Alabama corporation, as General Partner of DANIEL OAK MOUNTAIN LIMITED PARTNERSHIP, an Alabama limited partnership, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of said instrument, he, as such officer and with full authority, executed the same voluntarily on the day the same bears date for and as the act of such corporation in its capacity as general partner.

Given under my hand and official seal, this the 20th day of December, 1991.

Shirley D. Ellis

Notary Public

My Commission Expires: 2/26/94

Exhibit A

LEGAL DESCRIPTION OF GRANTEE'S PROPERTY

A parcel of land situated in Section 33, Township 18 South, Range 1 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the southwest corner of said Section 33 and thence run north along the west line of said Section 33 for a distance of 1,330.19 feet to a point on the southwest line of Lot 1, Greystone First Sector Phase I as recorded in Map Book 14, Page 91, in the office of the Judge of Probate, Shelby County, Alabama; thence turn an angle to the right of 128° 06' 40" and run in a southeasterly direction along the southwest line of said Lot 1 for a distance of 130.85 feet to a point; thence turn an angle to the left of 84° 59' 36" and run in a northeasterly direction along the southeast line of Lots 1, 2 and 3 in said Greystone First Sector Phase I for a distance of 454.48 feet to a point; thence turn an angle to the right of 8° 40' 37" and run in a northeasterly direction along the southeast line of Lots 4, 5 & 6 in said Greystone First Sector Phase I for a distance of 431.76 feet to a point; thence turn an angle to the right of 30° 30' 25" and run in a northeasterly direction for a distance of 60.00 feet to the southeast corner of Lot 7 in said Greystone First Sector Phase I; thence turn an angle to the left of 37° 45' 47" and run in a northeasterly direction along the southeast line of Lots 7, 8 & 9 in said Greystone First Sector Phase I for a distance of 569.16 feet to a point; thence turn an angle to the left of 23° 16' 58" and run in a northeasterly direction along the southeast line of Lots 10, 11 & 12 of said Greystone First Sector Phase I for a distance of 515.40 feet to a point; thence turn an angle to the right of 37° 46' 39" and run in a northeasterly direction for a distance of 359.70 feet to the point of beginning; thence turn an angle to the right of 81° 55' 50" and run in a southeasterly direction for a distance of 415.28 feet to a point; thence turn an angle to left of 23° 37' 14" and run in a southeasterly direction for a distance of 151.28 feet to a point; thence turn an angle to the left of 69° 48' 35" and run in a northeasterly direction for a distance of 177.12 feet to a point on the 810 contour; thence turn an angle to the right of 52° 27' 51" and run in a southeasterly direction along the 810 contour for a distance of 132.83 feet to a point; thence turn an angle to the left of 40° 09' 36" and run in a northeasterly direction along the 810 contour for a distance of 37.65 feet to a point; thence turn an angle to the left of 25° 38' 46" and run in a northeasterly direction along the 810 contour for a distance of 87.79 feet to a point; thence turn an angle to the right of 1° 38' 16" and run in a northeasterly direction along the 810 contour for a distance of 111.20 feet to a point; thence turn an angle to the right of 131° 05' 18" and run in a southeasterly direction along the 810 contour for a distance of 107.63 feet to a point; thence turn an angle to the left of 27° 54' 00" and run in a southeasterly direction along the 810 contour for a distance

of 58.43 feet to a point; thence turn an angle to the left of $9^{\circ} 47' 22''$ and run in a southeasterly direction along the 810 contour for a distance of 81.49 feet to a point; thence turn an angle to the right of $119^{\circ} 59' 17''$ and run in a southwesterly direction along the 810 contour for a distance of 37.39 feet to a point; thence turn an angle to the left of $7^{\circ} 42' 58''$ and run in a southwesterly direction along the 810 contour for a distance of 77.35 feet to a point; thence turn an angle to the left of $47^{\circ} 44' 30''$ and run in a southwesterly direction along the 810 contour for a distance of 62.22 feet to a point; thence turn an angle to the right of $41^{\circ} 22' 20''$ and run in a southwesterly direction along the 810 contour for a distance of 39.44 feet to a point; thence turn an angle to the left of $31^{\circ} 58' 01''$ and run in a southwesterly direction along the 810 contour for a distance of 57.68 feet to a point; thence turn an angle to the left of $56^{\circ} 13' 06''$ and run in a southeasterly direction along the 810 contour for a distance of 38.37 feet to a point; thence turn an angle to the left of $24^{\circ} 57' 18''$ and run in a southeasterly direction along the 810 contour for a distance of 35.37 feet to a point; thence turn an angle to the left of $22^{\circ} 49' 41''$ and run in a southeasterly direction along the 810 contour for a distance of 39.58 feet to a point; thence turn an angle to the right of $91^{\circ} 39' 43''$ and run in a southwesterly direction along the 810 contour for a distance of 24.04 feet to a point; thence turn an angle to the left of $49^{\circ} 44' 04''$ and run in a southeasterly direction along the 810 contour for a distance of 66.40 feet to a point; thence turn an angle to the left of $39^{\circ} 53' 07''$ and run in a southeasterly direction along the 810 contour for a distance of 57.75 feet to a point; thence turn an angle to the left of $28^{\circ} 30' 13''$ and run in a northeasterly direction along the 810 contour for a distance of 44.51 feet to a point; thence turn an angle to the right of $121^{\circ} 52' 51''$ and run in a southwesterly direction along the 810 contour for a distance of 70.26 feet to a point; thence turn an angle to the left of $24^{\circ} 02' 19''$ and run in a southeasterly direction along the 810 contour for a distance of 55.89 feet to a point; thence turn an angle to the left of $34^{\circ} 26' 55''$ and run in a southeasterly direction along the 810 contour for a distance of 57.56 feet to a point; thence turn an angle to the left of $24^{\circ} 46' 36''$ and run in a southeasterly direction along the 810 contour for a distance of 98.49 feet to a point; thence turn an angle to the right of $60^{\circ} 37' 34''$ and run in a southeasterly direction along the 810 contour for a distance of 68.85 feet to a point; thence turn an angle to the right of $58^{\circ} 59' 02''$ and run in a southwesterly direction along the 810 contour for a distance of 100.12 feet to a point; thence turn an angle to the left of $47^{\circ} 40' 52''$ leaving said 810 contour and run in a southwesterly direction for a distance of 32.32 feet to a point on the northwest right of way of Hugh Daniel Drive; thence turn an angle to the left of $121^{\circ} 22' 03''$ and run in a northeasterly direction along said northwest right of way for a distance of 419.16 feet to a point on a curve to the right having a central angle of $1^{\circ} 17' 44''$ and a radius of 2,619.92 feet; thence run in a northeasterly direction along the arc of said curve and also along said northwest right of way.

of 59.24 feet to a point; thence turn an angle to the left of $115^{\circ} 35' 15''$ from the chord of last stated curve and run in a northwesterly direction for a distance of 338.61 feet to a point; thence turn an angle to the right of $65^{\circ} 00' 00''$ and run in a northeasterly direction for a distance of 220.00 feet to a point on the southerly right of way of a proposed road; thence continue along last stated course for a distance of 60.00 feet to the northerly right of way of said proposed road, said point being on a curve which is concave to the north having a central angle of $34^{\circ} 43' 52''$ and a radius of 370.00 feet; thence turn an angle to the right of $72^{\circ} 38' 04''$ to the chord of said curve and run in a northeasterly direction along the arc of said curve for a distance of 224.28 feet to a point; thence run tangent to last stated curve in a northeasterly direction for a distance of 247.25 feet to a point on a curve to the left having a central angle of $48^{\circ} 49' 21''$ and a radius of 220.00 feet; thence run in a northeasterly direction along the arc of said curve for a distance of 187.47 feet to a point; thence turn an angle to the left of $114^{\circ} 24' 41''$ from the chord of last stated curve and run in a northwesterly direction for a distance of 33.12 feet to a point on the 765 contour; thence turn an angle to the right of $0^{\circ} 12' 33''$ and run in a northwesterly direction along said 765 contour for a distance of 73.98 feet to a point; thence turn an angle to the left of $66^{\circ} 53' 38''$ and run in a southwesterly direction along said 765 contour for a distance of 62.45 feet to a point; thence turn an angle to the right of $131^{\circ} 47' 16''$ and run in a northwesterly direction along said 765 contour for a distance of 52.28 feet to a point; thence turn an angle to the left of $20^{\circ} 33' 00''$ and run in a northwesterly direction along said 765 contour for a distance of 96.07 feet to a point; thence turn an angle to the left of $32^{\circ} 52' 36''$ and run in a northwesterly direction along said 765 contour for a distance of 114.40 feet to a point; thence turn an angle to the left of $25^{\circ} 14' 07''$ and run in a northwesterly direction along said 765 contour for a distance of 90.28 feet to a point; thence turn an angle to the right of $49^{\circ} 27' 07''$ and run in a northwesterly direction along said 765 contour for a distance of 68.76 feet to a point; thence turn an angle to the left of $25^{\circ} 31' 39''$ and run in a northwesterly direction along said 765 contour for a distance of 94.29 feet to a point; thence turn an angle to the right of $10^{\circ} 48' 59''$ and run in a northwesterly direction along said 765 contour for a distance of 126.55 feet to a point; thence turn an angle to the left of $31^{\circ} 19' 50''$ and run in a northwesterly direction along said 765 contour for a distance of 112.85 feet to a point; thence turn an angle to the left of $57^{\circ} 06' 07''$ and run in a southwesterly direction along said 765 contour for a distance of 48.99 feet to a point; thence turn an angle to the left of $28^{\circ} 42' 19''$ and run in a southwesterly direction along said 765 contour for a distance of 74.05 feet to a point; thence turn an angle to the left of $29^{\circ} 14' 54''$ and run in a southeasterly direction along said 765 contour for a distance of 103.31 feet to a point; thence turn an angle to the left of $24^{\circ} 33' 40''$ and run in a southeasterly direction

turn an angle to the right of 45° 40' 44" and run in a southwesterly direction along said 765 contour for a distance of 43.27 feet to a point; thence turn an angle to the left of 12° 56' 52" and run in a southeasterly direction along said 765 contour for a distance of 68.68 feet to a point; thence turn an angle to the left of 9° 14' 15" and run in a southeasterly direction along said 765 contour for a distance of 92.95 feet to a point; thence turn an angle to the left of 15° 40' 31" and run in a southeasterly direction along said 765 contour for a distance of 83.76 feet to a point; thence turn an angle to the right of 149° 42' 42" and run in a northwesterly direction along said 765 contour for a distance of 82.05 feet to a point; thence turn an angle to the right of 13° 45' 48" and run in a northwesterly direction along said 765 contour for a distance of 87.51 feet to a point; thence turn an angle to the right of 45° 29' 23" and run in a northwesterly direction along said 765 contour for a distance of 37.25 feet to a point; thence turn an angle to the left of 8° 17' 28" and run in a northwesterly direction along said 765 contour for a distance of 65.06 feet to a point; thence turn an angle to the left of 13° 05' 57" and run in a northwesterly direction along said 765 contour for a distance of 78.15 feet to a point; thence turn an angle to the right of 0° 38' 47" and run in a northwesterly direction along said 765 contour for a distance of 99.74 feet to a point; thence turn an angle to the right of 7° 03' 45" and run in a northwesterly direction along said 765 contour for a distance of 94.11 feet to a point; thence turn an angle to the right of 23° 49' 36" and run in a northeasterly direction along said 765 contour for a distance of 90.90 feet to a point; thence turn an angle to the left of 2° 10' 55" and run in a northeasterly direction along said 765 contour for a distance of 72.76 feet to a point; thence turn an angle to the left of 34° 37' 44" and run in a northwesterly direction along said 765 contour for a distance of 114.49 feet to a point; thence turn an angle to the right of 21° 52' 31" and run in a northwesterly direction along said 765 contour for a distance of 94.93 feet to a point; thence turn an angle to left of 6° 36' 07" and run in a northwesterly direction along said 765 contour for a distance of 119.90 feet to a point; thence turn an angle to the left of 66° 48' 45" leaving said 765 contour and run in a northwesterly direction for a distance of 597.07 feet to a point; thence turn an angle to the right of 8° 14' 24" and run in a northwesterly direction for a distance of 190.00 feet to a point on the southeast right of way of a proposed road; thence continue along last stated course for a distance of 60.00 feet to the northwest right of way of said road; thence continue along last stated course for a distance of 189.96 feet to a point; thence turn an angle to the left of 90° 09' 13" and run in a southwesterly direction for a distance of 443.92 feet to a point; thence turn an angle to the right of 42° 24' 13" and run in a southwesterly direction for a distance of 115.98 feet to the northeast corner of Lot 25 in said Greystone First Sector Phase I; thence turn an angle to the left of 105° 59' 12" and run in a southeasterly direction along the northeast line of said Lot 25 for a distance of 127.77 feet to a point.

thence turn an angle to the right of 16° 29' 05" and run in a southeasterly direction for a distance of 60.00 feet to a point on a curve to the left having a central angle of 10° 48' 35" and a radius of 430.27 feet; thence turn an angle to the left of 95° 24' 17" to the chord of said curve and run in a northeasterly direction along the arc of said curve for a distance of 81.18 feet to a point on a reverse curve to the right having a central angle of 83° 03' 41" and a radius of 25.00 feet; thence run in a northeasterly to southeasterly direction along the arc of said curve for a distance of 36.24 feet to a point; thence run tangent to last stated curve for a distance of 53.00 feet to a point on a curve to the left having a central angle of 22° 30' 00" and a radius of 405.00 feet; thence run in a southeasterly direction along the arc of said curve for a distance of 159.04 feet to a point; thence turn an angle to the right of 78° 45' 00" from the chord of said curve and run in a southwesterly direction for a distance of 209.27 feet to the point of beginning. Said parcel containing 38.76 acres, more or less.

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STATE OF ALA. SHERIFF
I CERTIFY THIS
INSTRUMENT WAS FILED

91 DEC 20 PM 1:29

JUDGE OF PROBATE

1. Deed Tax	\$ 01.50
2. Mtg. Tax	\$
3. Recording Fee	\$ 20.00
4. Indexing Fee	\$ 3.00
5. No Tax Fee	\$
6. Certified Fee	\$ 1.00

Total \$ 25.50