

This instrument was prepared by:
Clayton T. Sweeney, Esquire
2700 Highway 280 East
Suite 290E
Birmingham, AL 35223

Send Tax Notice to:
NCB CONSTRUCTION, INC.

Inst # 1995-12512

STATUTORY WARRANTY DEED

STATE OF ALABAMA)
COUNTY OF SHELBY)

KNOW ALL MEN BY THESE PRESENTS, that in consideration of FORTY FOUR THOUSAND NINE THOUSAND DOLLARS (\$44,900.00) and other good and valuable consideration, paid to the undersigned grantor, **HEATHERWOOD FOREST DEVELOPMENT COMPANY, LTD.**, in hand paid by Grantee named herein, the receipt of which is hereby acknowledged, the said **HEATHERWOOD FOREST DEVELOPMENT COMPANY, LTD.** (hereinafter referred to as "Grantor") does by these presents, grant, bargain, sell and convey unto **NCB CONSTRUCTION, INC.**, (hereinafter referred to as "Grantee"), the following described real estate (the "property"), situated in Shelby County, Alabama, to-wit:

Lot 26, according to the survey of Heatherwood Forest, Sector Two, as recorded in Map Book 17, Page 129, in the Probate Office of Shelby County, Alabama.

Mineral and mining rights excepted.

The above property is conveyed subject to:

- (i) All valid and enforceable easements, covenants, conditions and restrictions of record, including, without limitation, that certain Declaration of Protective Covenants recorded in Instrument #1993-35854 and Instrument #1994-1184, in the Office of the Judge of Probate of Shelby County, Alabama , (ii) the lien of ad valorem and similar taxes for 1994 and subsequent years, and (iii) all matters that would be revealed by a current and accurate physical survey of the subject property.

TO HAVE AND TO HOLD to the said Grantee, his heirs, successors and assigns forever.

IN WITNESS WHEREOF, Heatherwood Forest Development Company has caused this statutory warranty deed to be executed by its duly authorized officer this 11th day of May, 1995.

GRANTOR:

THE ENTIRE PURCHASE PRICE ABOVE
WAS PAID BY PROCEEDS OF MORTGAGE
LOAN CLOSED SIMULTANEOUSLY HEREWITH.

HEATHERWOOD FOREST DEVELOPMENT
COMPANY, LTD.

BY: BROOKHAVEN PROPERTIES III,
INC.,
General Partner

BY: Albert F. Thomasson
Albert F. Thomasson
ITS: President
Inst. # 1995-12512

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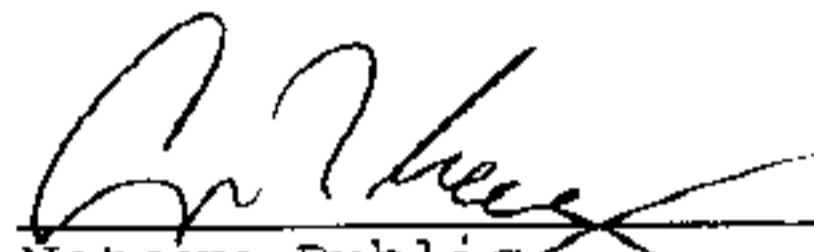
05/12/1995-12512
11:57 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 NCB 12.00

South First Mtg.

STATE OF ALABAMA)
COUNTY OF JEFFERSON)

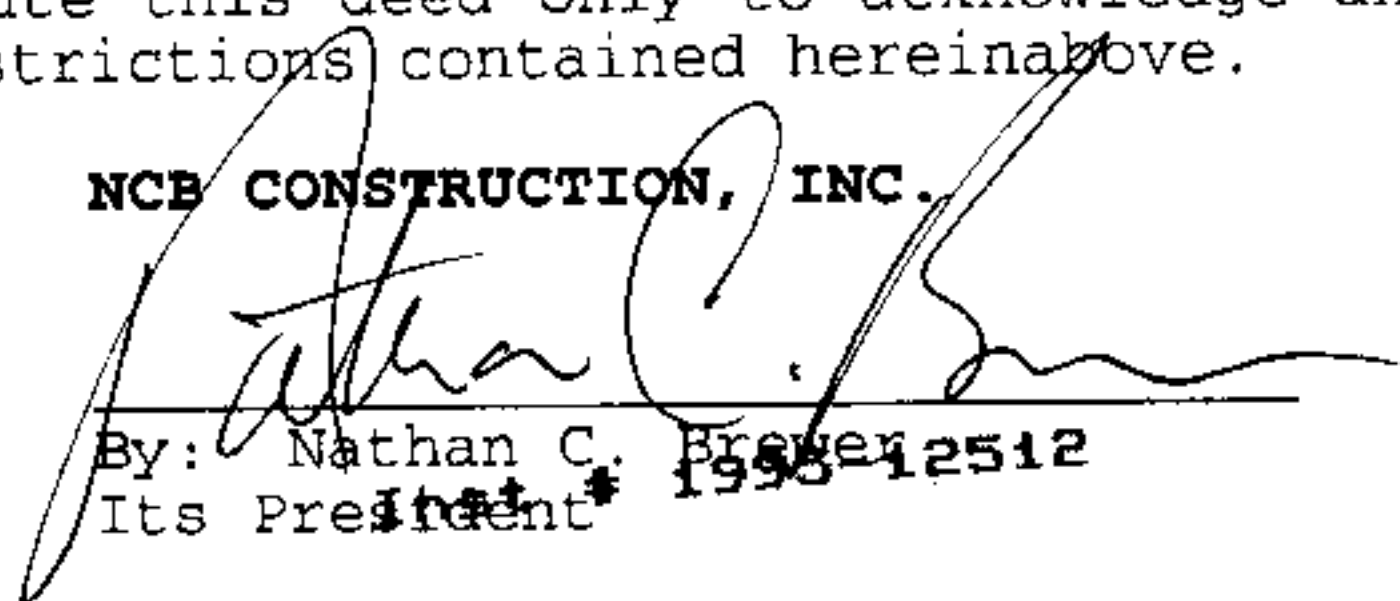
I, the undersigned, a Notary Public in and for said County in said State hereby certify that **Albert F. Thomasson** whose name as **President** of Brookhaven Properties, III, Inc., General Partner of Heatherwood Forest Development Company, Ltd., N.A., is signed to the foregoing Deed; and who is known to me, acknowledged before me on this day that, being informed of the contents of the above and foregoing Deed, he, as such officer, and with full authority, executed the same voluntarily for and as the act of said corporation acting in its capacity as General Partner of the aforesaid.

11th Given under my hand and office seal of office this the day of May, 1995.


Notary Public
My Commission Expires: 5-29-95

The Grantees execute this deed only to acknowledge and accept all covenants and restrictions contained hereinabove.

NCB CONSTRUCTION, INC.


By: Nathan C. Brewer
Its President * 1995-12512


05/12/1995-12512
11:57 AM CERTIFIED

SHELBY COUNTY JUDGE OF PROBATE
002 NCD 12.00

STATE OF ALABAMA)
COUNTY OF JEFFERSON)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Nathan C. Brewer, whose named as President of NCB CONSTRUCTION, INC., a corporation, is signed to the foregoing conveyance, and who are 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 11th day of May, 1995.


Notary Public
My Commission Expires: 5-29-95
STATE OF ALABAMA - 1997
MY COMMISSION EXPIRES: Apr. 6, 1997.
BONDED THIS NOTARY PUBLIC UNDER WRITING.