

GENERAL WARRANTY DEED

(IVY BROOK)

\$ 1,365,698.00  
Value

STATE OF ALABAMA     )  
SHELBY COUNTY         )

KNOW ALL MEN BY THESE PRESENTS, that in consideration of Ten and No/100 Dollars and other good and valuable consideration, in hand paid by the grantee herein, the receipt of which is hereby acknowledged, REGENCY DEVELOPMENT, INC. ("Grantor") does by these presents, grant, bargain, sell and convey unto D. R. HORTON, INC. - BIRMINGHAM ("Grantee") the following described real estate, situated in Shelby County, Alabama, to-wit:

See Exhibit "A" which is attached hereto and incorporated herein by reference.

SUBJECT TO:

1. Taxes for the year 1995 and subsequent years which are not yet due and payable.
2. Those matters appearing on Exhibit "B" which is attached hereto and incorporated herein by reference.

TO HAVE AND TO HOLD said property, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging or in anywise appertaining, to the only proper use, benefit and behoof to said Grantee its successors and assigns forever.

And said Grantor does, for itself, its successors and assigns, covenant with said Grantee, its successors and assigns, that it is

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Inst # 1995-26657

lawfully seized in fee simple of said premises, that said premises 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 forever warrant and defend the same to the said Grantee, its successors and assigns forever, against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, Grantor has executed this deed under seal on this 21 day of September, 1995.

REGENCY DEVELOPMENT, INC.

By: Dwight A. Sandlin  
Dwight A. Sandlin, President

STATE OF ALABAMA )

JEFFERSON COUNTY )

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that Dwight A. Sandlin, whose name as President of Regency Development, Inc., is signed to the foregoing General Warranty Deed, and who is known to me, acknowledged before me on this day, that, being informed of the contents thereof, he executed the same voluntarily.

Given under my hand and official seal this 21<sup>st</sup> day of September, 1995.

Pamela A. West  
NOTARY PUBLIC

MY COMMISSION EXPIRES: 8-8-99

This document was prepared by:

Phillip G. Stutts, Esquire  
LEITMAN, SIEGAL, PAYNE & CAMPBELL, P.C.  
600 North 20th Street  
Suite 400  
Birmingham, AL 35203

Send Tax Notice to:

D. R. HORTON, INC. - BIRMINGHAM  
2901 Ascension Boulevard  
Suite 100  
Arlington, TX 76006

Exhibit "A"  
(Ivy Brook)

Lot 90, according to the Survey of Ivy Brook, Phase One, as recorded in Map Book 18, page 21 in the Probate Office of Shelby County, Alabama.

ALSO:

Lots 37, 41, 42, 44, 82, and 85, according to the Survey of Ivy Brook, Phase Two, First Addition, as recorded in Map Book 19, page 35 in the Probate Office of Shelby County, Alabama.

ALSO:

Lots 45, 47, 50, 51, 52, 53, 55, 56, 57, 58, 58A, 59, 60, 62, 64, 66, and 67, according to the survey of Ivy Brook, Phase Two, Second Addition, as recorded in Map Book 20, page 4, in the Probate Office of Shelby County, Alabama.

Exhibit "B"  
(Ivy Brook)

Building line as shown by recorded Map.

Easements as shown by recorded map.

The rights of upstream and downstream riparian owners with respect to Buck Creek, bordering subject property.

Restrictions as shown by recorded map.

Coal, oil, gas and other mineral interests in, to or under the land herein described to the extent not owned by the grantor.

Right of way to Colonial Pipeline, recorded in Volume 224, page 756, in the Probate Office of Shelby County, Alabama. (Lots 37, 41, 42, 44, 45 & 47)

Restrictions or Covenants recorded in Instrument 1995-15327, in the Probate Office of Shelby County, Alabama, but omitting any covenant or restriction based on race, color, religion, sex, handicap, familial status, or national origin. (Lots 45, 47, 50, 51, 52, 53, 55, 56, 57, 58, 58A, 59, 60, 62, 64, 66, & 67)

Covenant for Storm Water Run-Off Control recorded in Instrument No. 1995-17135 in the Probate Office of Shelby County, Alabama. (Lots 45, 47, 50, 51, 55, 56, 60, 64, 66, & 67)

Covenant for Storm Water Run-Off Control recorded in Instrument No. 1995-21083 in the Probate Office of Shelby County, Alabama. (Lots 52 & 62)

Covenant for Storm Water Run-Off Control recorded in Instrument No. 1995-19820 in the Probate Office of Shelby County, Alabama. (Lots 53, 57, 58, 58A, & 59)

Declaration of Protective Covenants recorded in Instrument No. 1994-33932 in the Probate Office of Shelby County, Alabama. (Lots 37, 41, 42, 44, 82, & 85)

Covenant for Storm Water Run-Off Control recorded in Instrument No. 1994-36198 in the Probate Office of Shelby County, Alabama. (Lot 82)

Covenant for Storm Water Run-Off Control recorded in Instrument No. 1995-17142 in the Probate Office of Shelby County, Alabama. (Lot 37)

Covenant for Storm Water Run-Off Control recorded in Instrument No. 1995-13672 in the Probate Office of Shelby County, Alabama. (Lot 41)

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Covenant for Storm Water Run-Off Control recorded in Instrument No. 1995-13236 in the Probate Office of Shelby County, Alabama. (Lots 42 & 44)

Covenant for Storm Water Run-Off Control recorded in Instrument No. 1995-21081 in the Probate Office of Shelby County, Alabama. (Lot 85)

Declaration of Protective Covenants recorded in Instrument No. 1994-6173 in the Probate Office of Shelby County, Alabama. (Lot 90)

Easement to Alabama Power Company recorded in Instrument No. 1994-29750 and as shown by map attached to said document in the Probate Office of Shelby County, Alabama. (Lot 90)

Covenant for Storm Water Run-Off Control recorded in Instrument No. 1994-6674 in the Probate Office of Shelby County, Alabama. (Lot 90)

Inst # 1995-26657

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