

**THIS INSTRUMENT PREPARED BY:**  
James J. Odom, Jr.  
P.O. Box 11244  
Birmingham, AL 35202-1244

**SEND TAX NOTICE TO:**  
Carter Homes & Development, Inc.  
363 Canyon Park Drive  
Pelham, AL 35124

**STATE OF ALABAMA** )

**COUNTY OF SHELBY** )

**WARRANTY DEED**

**KNOW ALL MEN BY THESE PRESENTS THAT** in consideration of One Hundred Fifty Thousand and No/100 Dollars (\$150,000.00), and other good and valuable consideration, paid to the undersigned grantor, Roy Martin Construction, Inc., an Alabama corporation ("Grantor"), by Carter Homes & Development, Inc. ("Grantee"), the receipt and sufficiency whereof are hereby acknowledged, Grantor does by these presents, grant, bargain, sell and convey unto the Grantee the following described real estate situated in Shelby County, Alabama (the "Premises"), to-wit:

A parcel of land situated in the NE 1/4 of the NW 1/4 of Section 13, Township 20 South, Range 3 West, and being more particularly described as follows:

Commence at the NE corner of the S 1/2 of the NE 1/4 of the NW 1/4 of Section 13, Township 20 South, Range 3 West; thence North 82 deg. 58 min. 11 sec. West a distance of 612.32 feet to the point of beginning; thence continue along the last described course a distance of 431.67 feet; thence South 21 deg. 39 min. 34 sec. East a distance of 163.22 feet to a point on the Northeasterly right of way line of Canyon Park Circle (50 foot right of way), said point lying on a curve to the right having a radius of 60.00 feet and a central angle of 163 deg. 30 min. 33 sec., with the last described course being radial to said curve; thence along said right of way line and the arc of said curve a distance of 171.23 feet, said arc subtended by a chord which bears South 29 deg. 54 min. 18 sec. East a distance of 118.76 feet, to the end of said arc; thence South 38 deg. 09 min. 01 sec. East leaving said right of way line and radial to said curve a distance of 161.11 feet; thence North 32 deg. 31 min. 16 sec. East a distance of 389.60 feet to the point of beginning; being situated in Shelby County, Alabama.

Said parcel also being described as Lot 7A of the proposed Canyon Park Subdivision.

**SUBJECT TO:** (1) Current taxes; (2) Transmission Line Permit(s) to Alabama Power Company as shown by instrument(s) recorded in Deed Book 223, Page 80 Deed Book 127, Page 597; Deed Book 134, Page 37; Deed Book 102, Pages 396 and 397; Deed Book 170, Page 282, and Deed Book 108, Page 377, in Probate Office; (3) Right(s)-of-Way(s) granted to Shelby County by instrument(s) recorded in Deed Book 102, Page 17, and Deed Book 76, Page 259, in Probate Office.

\$150,000.00 of the purchase price recited above was paid from a mortgage loan closed simultaneously herewith.

**TO HAVE AND TO HOLD** to the Grantee, its successors and assigns forever.

05/02/1997-13540  
08:39 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 NCD 12.00

Inst # 1997-13540

And Grantor does for itself, its successors and assigns, covenant with Grantee, its successors and assigns, that it is lawfully seized in fee simple of the Premises; that the Premises are free from all encumbrances, except as noted above; that Grantor has a good right to sell and convey the Premises as aforesaid; that Grantor will, and its successors and assigns shall, warrant and defend the same to the Grantee, its successors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the undersigned have executed this conveyance on this the 14<sup>th</sup> day of April, 1997.

WITNESS:

Anne Marshall

Roy Martin Construction, Inc.

By:

Roy L. Martin  
Roy L. Martin, as its President

STATE OF ALABAMA )

COUNTY OF SHELBY )

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Roy L. Martin, whose name as President of Roy Martin Construction, Inc., an Alabama corporation, 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 seal this 14<sup>th</sup> day of April, 1997.

Anne P. Marshall  
Notary Public

My Commission Expires: 3/13/99

Inst # 1997-13540

05/02/1997-13540  
08:39 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 REC 12.00