

THIS INSTRUMENT WAS PREPARED BY:
Linda J. Peacock, Esq.
Gordon, Silberman, Wiggins & Childs, P.C.
1400 SouthTrust Tower
Birmingham, Alabama 35203

SEND TAX NOTICE TO:
Higginbotham Enterprises, Inc.
P. O. Box 1810
Calera, Alabama 35040

GENERAL WARRANTY DEED

STATE OF ALABAMA)
)
COUNTY OF SHELBY)

KNOW ALL PERSONS BY THESE PRESENTS:

That in consideration of One Hundred Thirty-Five Thousand and no/100 Dollars (\$135,000.00) to the undersigned **WINDY OAKS PARTNERSHIP**, an Alabama general partnership (hereinafter referred to as GRANTOR), in hand paid by the GRANTEE herein, the receipt of which is hereby acknowledged, the said GRANTOR does by these presents, grant, bargain, sell and convey unto **HIGGINBOTHAM ENTERPRISES, INC.** (hereinafter referred to as GRANTEE), the following described real estate, situated in Shelby County, Alabama, to-wit:

See attached Exhibit "A" for legal description of property

SUBJECT TO:

1. Ad valorem taxes for the year 1997 and subsequent years.
2. Transmission Line Permit(s) to Alabama Power Company as shown by instrument(s) recorded in Deed Book 101 page 97; Deed Book 103 page 486 and Deed Book 165 page 122 in the Probate Office.
3. Right(s)-of-Way(s) granted to Shelby County by instrument(s) recorded in Deed Book 244 page 129 in Probate Office.
4. Reservations, conditions and provisions pertaining to said premises as set out in instrument(s) recorded in Deed Book 273 page 870 in Probate Office.

TO HAVE AND TO HOLD to the said GRANTEE, its successors and assigns forever.

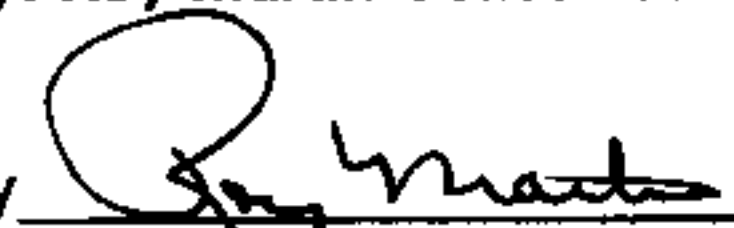
And said GRANTOR does for itself, its partners, administrators, successors assigns, and its and their respective heirs, legal representatives and assigns, covenant with said GRANTEE, its administrators, successors and assigns, that it is lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise stated above; that it has a good right to sell and convey the same as aforesaid; and that it will, and its partners, administrators, successors, assigns and its and their respective heirs, legal representatives and assigns shall, warrant and defend the same to the said GRANTEE, its administrators, successors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the said GRANTOR, by Jay W. Palmer, as Vice President of Shelby Homes, Inc., an Alabama Corporation, as a fully authorized general partner of the Grantor, who is authorized to execute this conveyance, has hereto set his signature and seal, this the 30th day of July, 1997.

WINDY OAKS PARTNERSHIP
By: Shelby Homes, Inc., a General Partner

By 
JARVIS WORTH PALMER, Vice President

By: Roy Martin Construction, Inc., a General Partner

By 
Roy Martin, President

STATE OF ALABAMA)
COUNTY OF JEFFERSON)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify **JARVIS WORTH PALMER**, whose name as Vice President of Shelby Homes, Inc., an Alabama corporation, as a general partner of Windy Oaks Partnership, an Alabama general partnership, 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

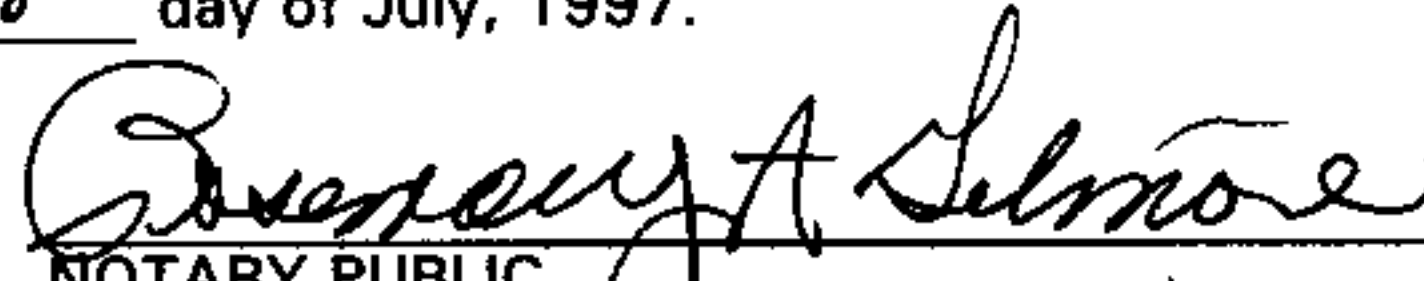
Inst # 1997-25249

Inst # 1997-25249
08/11/1997-25249
08:33 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 MCD 149.50

Carla J. Little

full authority, executed the same voluntarily for and as the act of said corporation as a general partner of Windy Oaks Partnership.

Given under my hand and official seal, this the 30th day of July, 1997.

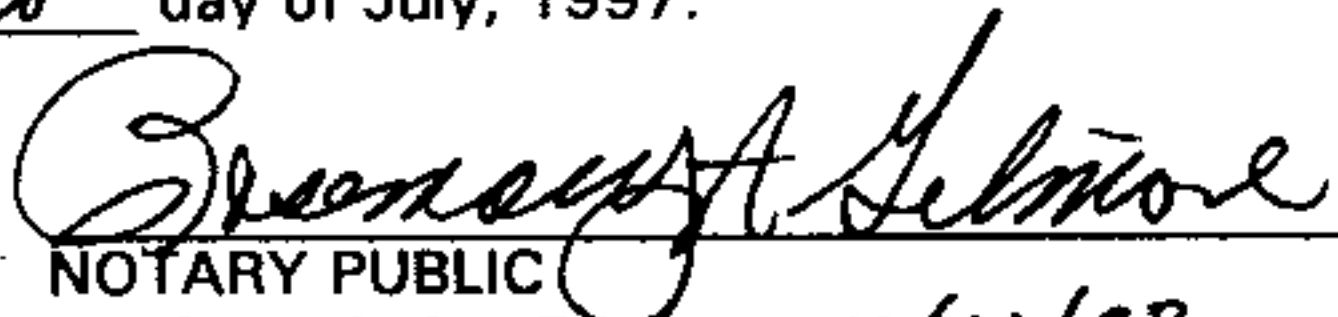

NOTARY PUBLIC
My Commission Expires: 10/10/98

STATE OF ALABAMA)

COUNTY OF JEFFERSON)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify **ROY MARTIN**, whose name as President of Roy Martin Construction, Inc., an Alabama corporation, as a general partner of Windy Oaks Partnership, an Alabama general partnership, 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 as a general partner of Windy Oaks Partnership.

Given under my hand and official seal, this the 30th day of July, 1997.


NOTARY PUBLIC
My Commission Expires: 10/10/98

K:\CORP\HIGGSON\EXCHANGE\DOC\DEED

EXHIBIT A

A parcel of land situated in the SW 1/4 of the SW 1/4 of Section 17, Township 21 South, Range 2 West, and being more particularly described as follows:

Commencing at the SW corner of the SW 1/4 of the SW 1/4 of Section 17, Township 21 South, Range 2 West; thence North 01 deg. 01 min. 18 sec. East a distance of 214.04 feet to a point on the Southerly right of way of Shelby County Highway No. 87 (80 foot right of way); thence North 64 deg. 05 min. 17 sec. East along said right of way a distance of 710.09 feet to the point of beginning; thence continue on the last described course a distance of 146.30 feet along the Southerly right of way of Shelby County Highway No. 87 (80 foot right of way) to the intersection of U. S. Highway No. 31 (100 foot right of way); thence South 73 deg. 19 min. 49 sec. East along said right of way a distance of 102.65 feet; thence South 34 deg. 40 min. 33 sec. East along the Westerly right of way of U. S. Highway No. 31 (100 foot right of way) a distance of 135.00 feet; thence South 55 deg. 19 min. 27 sec. West a distance of 208.71 feet; thence North 34 deg. 40 min. 33 sec. West a distance of 237.46 feet to the point of beginning; being situated in Shelby County, Alabama.

1997-25249

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