

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

SEND TAX NOTICE TO:  
D. R. HORTON, INC. - BIRMINGHAM  
2090 Columbiana Road, Suite 4000  
Birmingham, AL 35216

01990-02640

STATE OF ALABAMA )  
COUNTY OF SHELBY )

**WARRANTY DEED**

KNOW ALL MEN BY THESE PRESENTS THAT in consideration of Seventy-Two Thousand Eight Hundred Six and 22/100 Dollars (\$72,806.22), and other good and valuable consideration, paid to the undersigned grantor, Pine Brook Lakes, Inc., an Alabama corporation ("Grantor"), by D. R. Horton, Inc. — Birmingham, a Delaware corporation ("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:

Lots 38 and 43, according to the Survey of Calumet Meadow, as recorded in Map Book 21, at Page 112, in the Probate Office of Shelby County, Alabama.

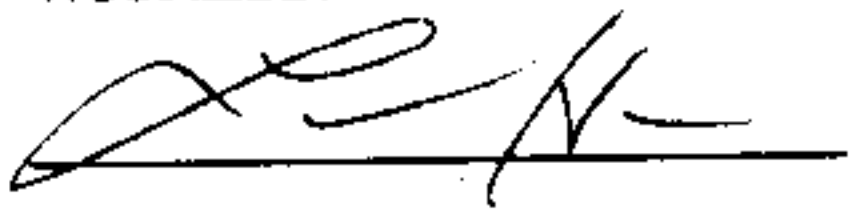
**SUBJECT TO:** (1) Current taxes; (2) Right of way granted to Alabama Power Company by instrument recorded in Volume 109, at page 502, in the Probate Office of Shelby County, Alabama; (3) Right of way to Shelby County, Alabama, recorded in Volume 135, at Page 126 in the Probate Office of Shelby County, Alabama; (4) Restrictions as shown by recorded Map; (5) Building Lines and Easements as shown by recorded Map; (6) Declaration of Protective Covenants as recorded in Instrument #1996-30329 in the Probate Office of Shelby County, Alabama.

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


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 has executed this conveyance on this the 14th day of January, 1998.

**WITNESS:**



**PINE BROOK LAKES, INC.**

By:   
Carter S. Kennedy  
As its President

01/26/1998-02640  
01:21 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 MEL 84.00

STATE OF ALABAMA                   )  
COUNTY OF JEFFERSON            )

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Carter S. Kennedy, whose name as President of Pine Brook Lakes, 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 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 14th day of January, 1998.

  
\_\_\_\_\_  
Notary Public

My commission expires: My Commission Expires November 9, 2001

Inst # 1998-02640

01/26/1998-02640  
01:21 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 MEL      B4.00