

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

Send Tax Notice to:  
Eddleman Properties, Inc.  
2700 Highway 280 East  
Suite 325  
Birmingham, Alabama 35223

STATUTORY WARRANTY DEED

STATE OF ALABAMA )  
COUNTY OF SHELBY )

KNOW ALL MEN BY THESE PRESENTS, that in consideration of ONE HUNDRED FORTY THOUSAND TWO HUNDRED TWO AND 48/100 DOLLARS (\$140,202.48) and other good and valuable consideration, paid to the undersigned grantor, HIGHLAND LAKES PROPERTIES, LTD., an Alabama Limited Partnership, in hand paid by Grantee named herein, the receipt of which is hereby acknowledged, the said HIGHLAND LAKES PROPERTIES, LTD., an Alabama Limited Partnership, (hereinafter referred to as "Grantor") does by these presents, grant, bargain, sell and convey unto HIGHLAND LAKES DEVELOPMENT, LTD., an Alabama Limited Partnership, (hereinafter referred to as "Grantee"), the following described real estate (the "property"), situated in Shelby County, Alabama, to-wit:

EXHIBIT "A" IS ATTACHED HERETO AND MADE A PART  
HEREOF.

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 Easements and Master Protective Covenants recorded in Instrument #1994-07111, in the Office of the Judge of Probate of Shelby County, Alabama and all amendments thereto, (ii) the lien of ad valorem and similar taxes (but not including "rollback" taxes) for 1996 and subsequent years, and (iii) all matters that would be revealed by a current and accurate physical survey of the subject property.

By its acceptance of this deed, Grantee hereby covenants and agrees for itself and its successors, assigns, licensees, lessees, employees and agents that Grantor shall not be liable for, and no action shall be asserted against Grantor for, loss or damage on account of injuries to the Property or to any buildings, improvements, or structures now or hereafter located upon the Property, or on account of injuries to any owner, occupant, or other person in or upon the Property, which are caused by, or arise as a result of, past or future soil and/or subsurface conditions, known or unknown, (including, without limitation, sinkholes, underground mines, and limestone formations) under or on the Property or any other property now or hereafter owned by Grantor, whether contiguous or non-contiguous to the Property. For purposes of this paragraph the term Grantor shall mean and refer to (i) the partners, agents, and employees of Grantor; (ii) the officers, directors, employees and agents of Grantor or trustees thereof; (iii) any successors or assigns of Grantor; and (iv) any successors and assigns of Grantor's interest in the Property. This covenant and agreement shall run with the land conveyed hereby as against Grantee, and all persons, firms, trusts, partnerships, limited partnerships, corporations, or other entities holding under or through the Grantee.

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

103/06/1998-0778  
09:25 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
004 NEL 156.50

CLAYTON T. SWEENEY, ATTORNEY AT LAW

82210-9661  
1998-0778  
Inst 1

IN WITNESS WHEREOF, Highland Lakes Properties, Ltd., an Alabama Limited Partnership has caused this statutory warranty deed to be executed by its duly authorized officer this 22<sup>nd</sup> day of February, 1998.

GRANTOR:

HIGHLAND LAKES PROPERTIES, LTD.,  
an Alabama Limited Partnership,  
EDDLEMAN PROPERTIES, INC., its  
General Partner

BY:

  
Douglas D. Eddleman  
ITS: President

STATE OF ALABAMA       )  
COUNTY OF JEFFERSON )

I, the undersigned, a Notary Public in and for said County in said State hereby certify that Douglas D. Eddleman, whose name as President of Eddleman Properties, Inc., General Partner of Highland Lakes Properties, Ltd., 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 as aforesaid.

22<sup>nd</sup> Given under my hand and office seal of office this the  
day of February, 1998.

  
Notary Public

My Commission Expires: 5-25-99

HIGHLAND LAKES  
9TH SECTOR



"EXHIBIT A" DHE  
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Highland Lakes 9<sup>th</sup> Sector

A parcel of land situated in the West  $\frac{1}{2}$  of the East  $\frac{1}{2}$  of Section 4, Township 19 South, Range 1 West, Shelby County, Alabama, being more particularly described as follows: Commence at the Northeast corner of the NW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of said Section 4 and run south along the East line of said  $\frac{1}{4}$  -  $\frac{1}{4}$  section for a distance of 831.17 feet to a point; thence turn an angle to the right  $59^{\circ}27'17''$  and run in a southwesterly direction for a distance of 843.99 feet to the point of beginning; thence turn an angle to the left of  $82^{\circ}00'27''$  and run in a southeasterly direction for a distance of 504.93 feet to a point; thence turn an angle to the right of  $30^{\circ}00'00''$  and run in a southwesterly direction for a distance of 235.44 feet to a point; thence turn an angle to the right of  $90^{\circ}00'00''$  and run in a northwesterly direction for a distance of 175.00 feet to a point; thence turn an angle to the left of  $90^{\circ}00'00''$  and run in a southwesterly direction for a distance of 40.00 feet to a point; thence turn an angle to the left of  $90^{\circ}00'00''$  and run in a southeasterly direction for a distance of 175.00 feet to a point; thence turn an angle to the right of  $90^{\circ}00'00''$  and run in a southwesterly direction for a distance of 469.62 feet to a point on the Northwest line of Lot 3121 Amended Map of Highland Lakes 3rd Sector Phase I as recorded in Map Book 21, on Page 124, in the Office of the Judge of Probate, Shelby County, Alabama; thence turn an angle to the right of  $38^{\circ}57'31''$  and run in a southwesterly direction along said Northwest line for a distance of 39.47 feet to an iron pin found at the Southwest corner of said Lot 3121 and also at the Northwest corner of Lot 3122 in said Amended Map of Highland Lakes 3rd Sector Phase I; thence turn an angle to the left of  $13^{\circ}14'18''$  and run in a southwesterly direction and along the Northwest line of said Lot 3122 and Lots 3123, 3124 and 3125 in said Amended Map of Highland Lakes 3rd Sector Phase I for a distance of 329.49 feet to an iron pin found at the Southwest corner of said Lot 3125; thence turn an angle to the left of  $6^{\circ}16'37''$  and run in a southwesterly direction along the Northwest line of Lots 3126 and 3127 in said Amended Map of Highland Lakes 3rd Sector Phase I for a distance of 134.72 feet to an iron pin found at the Southwest corner of said Lot 3127; thence turn an angle to the right of  $94^{\circ}37'12''$  and run in a northwesterly direction for a distance of 230.77 feet to a point; thence turn an angle to the left of  $16^{\circ}43'58''$  and run in a northwesterly direction for a distance of 62.65 feet to a point; thence turn an angle to the right of  $16^{\circ}43'58''$  and run in a northwesterly direction for a distance of 140.00 feet; thence turn an angle to the right of  $90^{\circ}00'00''$  and run in a northeasterly direction for a distance of 179.76 feet to a point; thence turn an angle to the left of  $62^{\circ}19'52''$  and run in a northwesterly direction for a distance of 57.93 feet to a point; thence turn an angle to the right of  $106^{\circ}33'43''$  and run in a northeasterly direction for a distance of 87.89 feet to a point; thence turn an angle to the left of  $42^{\circ}02'16''$  and run in a northeasterly direction for a distance of 125.42 feet to a point; thence turn an angle to the left of  $13^{\circ}19'14''$  and run in a northeasterly direction for a distance of 61.93 feet to a point; thence turn an angle to the right of  $15^{\circ}26'41''$  and run in a northeasterly direction for a distance of 117.30 feet to a point; thence turn an angle to the left of  $63^{\circ}40'08''$  and run in a northwesterly direction for a distance of 124.66 feet to a point; thence turn an angle to the right of  $1^{\circ}24'51''$  and run in a northwesterly direction for a distance of 417.12 feet to a point; thence turn an angle to the right of  $10^{\circ}29'50''$  and run in a northwesterly direction for a distance of 183.47 feet to a point; thence turn an angle to the right of  $43^{\circ}24'57''$  and run in a northeasterly direction for a distance of 179.23 feet to a point; thence turn an angle to the right of  $39^{\circ}57'42''$  and run in a northeasterly direction for a distance of 97.00 feet; thence turn an angle to the left of  $90^{\circ}00'00''$  and run in a northwesterly direction for a distance of 25.00 feet; thence turn an angle to the right of  $90^{\circ}00'00''$  and run in a northeasterly direction for a distance of 130.00 feet to a point; thence turn an angle to the right of

