

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was
prepared by:

R. Shan Paden
PADEN & PADEN
Attorneys at Law
Five Riverchase Ridge, Suite 100
Birmingham, Alabama 35244-2893

STATE OF ALABAMA)

COUNTY OF SHELBY)

SEND TAX NOTICE TO:

JOE ROSE HOMEBUILDERS, INC.
117 WINDSOR CIRCLE
PELHAM, AL 35184
Inst # 1999-351840

03/22/1999-11840
11:46 AM CERTIFIED

SHELBY COUNTY JUDGE OF PROBATE
002 CRH 12.00

WARRANTY DEED

Know All Men by These Presents: That in consideration of ONE HUNDRED THIRTEEN THOUSAND FOUR HUNDRED DOLLARS and 00/100 (\$113,400.00) DOLLARS to the undersigned grantor, COALES BRANCH, L.L.C. an Alabama Limited Liability company, in hand paid by the GRANTEES herein, the receipt of which is hereby acknowledged, the said GRANTOR, does by these presents, grant, bargain, sell and convey unto JOE ROSE HOMEBUILDERS, INC., (herein referred to as GRANTEES, whether one or more) the following described real estate, situated in SHELBY County, Alabama, to-wit:

LOTS 18, 19, 20, 21, 22, 23, AND 24, ACCORDING TO THE SURVEY OF HIDDEN CREEK II, SECOND SECTOR, AS RECORDED IN MAP BOOK 25, PAGE 34 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

SUBJECT TO:

1. TAXES FOR THE YEAR BEGINNING OCTOBER 1, 1999 WHICH CONSTITUTES A LIEN BUT ARE NOT YET DUE AND PAYABLE UNTIL OCTOBER 1, 1999.
2. COAL, OIL, GAS AND OTHER MINERAL INTERESTS IN, TO OR UNDER THE LAND HEREIN DESCRIBED.
3. EASEMENT TO PLANTATION PIPELINE AS RECORDED IN VOLUME 253, PAGE 572.
4. RESTRICTIONS, PUBLIC UTILITY EASEMENTS, AND SETBACK LINES AS SHOWN ON RECORDED MAP OF SAID SUBDIVISION.
5. TERMS, PROVISIONS, COVENANTS CONDITIONS, RESTRICTIONS, EASEMENTS, CHARGES, ASSESSMENTS AND LIENS PROVIDED IN THE COVENANTS, CONDITIONS AND RESTRICTIONS RECORDED IN INSTRUMENT #1998-03074 AMENDED IN INSTRUMENT #1998-03075 AND IN INSTRUMENT #1998-03077.

\$ 272,775.00 of the consideration herein was derived from a mortgage closed simultaneously herewith.

TO HAVE AND TO HOLD Unto the said GRANTEES, their heirs and assigns, forever.

And said GRANTOR does for itself, its successors and assigns, covenant with the said GRANTEES, his, her, or their heirs and assigns, that it is lawfully seized in fee simple of said premises; that they 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 warrant and defend the same to the said GRANTEES, his, her, or their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the said GRANTOR, COALES BRANCH, L.L.C. by its MEMBER, GREG GILBERT who is authorized to execute this conveyance, has hereunto set its signature and seal, this the 4th day of March, 1999.

COALES BRANCH, L.L.C.
By: *Greg Gilbert*
GREG GILBERT, MEMBER

STATE OF ALABAMA)

COUNTY OF SHELBY)

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that GREG GILBERT, whose name as MEMBER of COALES BRANCH, L.L.C., an Alabama Limited Liability Company, 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 or she, as such officer and with full authority, executed the same voluntarily for and as the act of said limited liability company.

Given under my hand this the 4TH day of MARCH, 1999.

Ms. M. V. L.
Notary Public

My commission expires: 9.29.02

Inst # 1999-11840

03/22/1999-11840
11:46 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 CRH 12.00