

This instrument was prepared by:
Josephine R. Wright
Balch & Bingham LLP
P. O. Box 306
Birmingham, Alabama 35201

SEND TAX NOTICE TO:
Larry R. House
Seven Montagel Way
Shoal Creek, Alabama 35242

STATE OF ALABAMA)

STATUTORY WARRANTY DEED

COUNTY OF SHELBY)

KNOW ALL MEN BY THESE PRESENTS, that for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) in hand paid to THE MAXIM GROUP, INC., a Delaware corporation ("Grantor"), the receipt whereof is hereby acknowledged, Grantor grants, bargains, sells and conveys unto Larry R. House, an individual ("Grantee"), the real property described on Exhibit "A" ^{attached} hereto, together with all easements and other appurtenances thereto, subject to those matters set forth on Exhibit "B" attached hereto and made a part hereof (the "Property").

And said Grantor does for itself and its successors and assigns, covenant with said Grantee, his successors and assigns, that it is lawfully seized in fee simple of said premises, that Grantor has done nothing to impair such title as Grantor received, and that Grantor will warrant and defend such title to the Property against the lawful claims of all persons claiming by, through or under Grantor, except for the exceptions set forth on Exhibit "B" attached hereto.

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

IN WITNESS WHEREOF, Grantor has hereunto caused this instrument to be executed effective as of the 17th day of May, 1999.

WITNESS OR ATTEST:

THE MAXIM GROUP, INC.

Gary F. Buzler

By: A. Seal
Its: Executive V.P. Finance

CALHOUN TITLE

Inst # 1999-20979

05/19/1999-20979
08:10 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
006 NIS 23.00

STATE OF GEORGIA

COUNTY OF Cherokee

I, Janie Stubbfield, a notary public in and for said county in said state, hereby certify that Thomas Leaney, whose name as Executive V.P. of **The Maxim Group, Inc.**, a Delaware corporation, is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of such instrument, 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 May, 1999.

Janie W. Stubbfield
Notary Public
My Commission Expires: 12-4-99

[Notarial Seal]

EXHIBIT A

DESCRIPTION OF REAL PROPERTY

Lot 1-F, according to the Brook Highland Plaza Resurvey, as recorded in Map Book 18, Page 99 in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

EXHIBIT B

Permitted Exceptions

Lot 1-F

1. General and special taxes or assessments for 1999 and subsequent years not yet due and payable.
2. Declaration of Restrictive Covenants by Brook Highland Limited Partnership dated July 7, 1994 as set out in instrument recorded in Inst. #1994-22322 in Probate Office.
3. Easement Agreement dated December 30, 1994, by and between Brook Highland Limited Partnership and Developers Diversified of Alabama, Inc. as set out by Inst. #1994-37773, reexecuted by Inst. #1995-27233 in Probate Office.
4. Restrictions Agreement dated December 30, 1994, by and between Brook Highland Limited Partnership and Developers Diversified of Alabama, Inc. as set out in Inst. #1995-27238 in Probate Office.
5. Transmission Line Permit(s) to Alabama Power Company as shown by instrument(s) recorded in Deed Book 112 page 134 in Probate Office.
6. Reciprocal Easement Agreement dated April 14, 1987 between AmSouth Bank, N.A., as Ancillary Trustee and Eddleman and Associates, as set out in instrument and recorded in Real 125 page 249 and dated August 9, 1988 recorded in Real 199 page 18 in Probate Office.
7. Easement for sanitary sewer lines and water lines by AmSouth Bank, N.A., as Ancillary Trustee and The Water Works & Sewer Board of the City of Birmingham dated July 12, 1988 as set out in Real 194 page 1 in Probate Office.
8. Declaration of Protective Covenants which relate to the Watershed Property and the maintenance thereof, as set out in Real 194 page 54 in Probate Office.
9. Matters shown and set out on the Map and Plat of the Brook Highland Plaza Resurvey, a Resurvey of Lots 1 & 2, as set out on Map Book 18 page 99 in Probate Office.
10. Underground Easement to Alabama Power Company as set out by Real 220 pages 521 and 532 in Probate Office.
11. Agreement concerning electric service dated February 5, 1988, by and between AmSouth Bank, N.A., as Ancillary Trustee and Alabama Power Company as set out in Real 306 page 119 in Probate Office.

12. Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto, including rights set out in Deed book 28 page 581 in Probate Office.
13. Declaration of Covenants, Conditions and Restrictions as to Brook Highland Common Property as set out in Real 307 page 950 in Probate Office.
14. Declaration of Easements and Restrictive Covenants by AmSouth Bank, N.A., as Ancillary Trustee dated august 29, 1990 as set out in Real 307 page 985 in Probate Office.
15. Easement from Brook Highland Limited Partnership to The Water Works and Sewer Board of the City of Birmingham dated October 14, 1993 as set out by instruments recorded as Inst. #1993-32517 in Probate Office.
16. Required Approval by Architectural Review Committee recorded as Inst. #1993-32513 in Probate Office.
17. Required Approval by Architectural Review committee recorded as Inst. #1993-32514 in Probate Office.
18. Restrictions, Agreements, Covenants and Conditions as set out in deeds from AmSouth Bank, a Ancillary Trustee, described as follows:
 - (a) Statutory Warranty Deed to Stonebrook Development Company dated December 30, 1988 by Real 220 page 339;
 - (b) Statutory Warranty Deed to JDN Enterprises, Inc. dated August 29, 1990 in Real 308 page 1;
 - (c) Statutory Warranty Deed to Brook Hills Baptist Church, Inc. dated July 20, 1992 by Inst. #1992-14567;
 - (d) Statutory Warranty Deed to Brook Highland Limited Partnership dated October 12, 1993 by Inst. #1993-32511;
 - (e) Statutory Warranty Deed to Aussie Realty Partners, L.L.C. dated July 14, 1994 by Inst. #1994-22323.
19. Restrictions, covenants and conditions as set out in Agreement between AmSouth Bank, N.A., as Ancillary Trustee and Woman's Missionary Auxillary to Southern Baptist Convention dated August 31, 1990 and recorded by Real 309 page 317 and as amended by Amendment Agreement dated April 26, 1993 as set out in Inst. #1993-32510 in said Probate Office.

20. Easement Agreement dated October 12, 1993, by and between AmSouth Bank, N.A., as Ancillary Trustee and Brook Highland Limited Partnership as recorded in Inst. #1993-32515 in said Probate Office.
21. Rights of tenants, as tenants only, under unrecorded leases.
22. Matters shown on a current and accurate survey of the property.

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006 HNS 23.00