

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

Send Tax Notice to:  
Highland Lakes Residential Assn., Inc.  
2700 Highway 280 East  
Suite 325  
Birmingham, AL 35223

### STATUTORY WARRANTY DEED

STATE OF ALABAMA     )  
COUNTY OF SHELBY    )

1,000.00

KNOW ALL MEN BY THESE PRESENTS, that in consideration of TEN DOLLARS (\$10.00) 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 RESIDENTIAL ASSOCIATION, INC., an Alabama Corporation** (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, REFERRED TO AS "SWAN PARK", CONTAINING 11.42 ACRES, MORE OR LESS.**

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Mineral and mining rights excepted.

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SHELBY COUNTY JUDGE OF PROBATE  
004 CJ1 17.00

The above property is conveyed subject to:

(i) All valid and enforceable easements, covenants, conditions and restrictions of record, (ii) the lien of ad valorem and similar taxes (but not including "rollback" taxes) for 1999 and subsequent years, and (iii) all matters that would be revealed by a current and accurate physical survey of the subject property.

This conveyance is made with the express reservation and condition that by acceptance of this deed, the Grantees, for themselves and on behalf of their heirs, administrators, executors, successors, assigns, contractors, permittees, licensees and lessees, hereby release and forever discharge Grantor, its successors and assigns, from any and all liability, claims and causes of action whether arising at law (by contract or in tort) or in equity with respect to damage or destruction of property and injury to or death of any person located in, on, or under the surface of or over lands herein conveyed, as the case may be, which are caused by, or arise as a result of, past or future soil, subsoil or other conditions (including without limitation, sinkholes, underground mines, and limestone formations) under or on the Property, whether contiguous or non-contiguous. The Grantee(s) agree(s) that he (she) (they) is (are) acquiring the Property "AS IS", without any representation or warranty on the part of Grantor other than as to title. Further, the Grantee, its successors and assigns hereby acknowledges that the Grantor shall not be liable for and no action shall be asserted against Grantor in connection with any drainage easements, ditches or pipes or drainage problems associated therewith and that Grantee has inspected the same and accepts the property along with all drainage easements, ditches or pipes in its present "AS IS" condition. 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 general partners of Grantor or partners 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 Grantee.

**TO HAVE AND TO HOLD** to the said Grantee, his heirs and assigns, forever.

IN WITNESS WHEREOF, the said Grantor has hereunto set its hand by its duly authorized officer this 2nd day of September, 1999.

GRANTOR:

HIGHLAND LAKES PROPERTIES, LTD.

an Alabama Limited Partnership

By: Eddleman Properties, Inc.  
Its General Partner

By: Douglas D. Eddleman  
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., an Alabama Corporation, which is General Partner of Highland Lakes Properties, Ltd., an Alabama Limited Partnership, 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 of said limited partnership.

Given under my hand and official seal of office this the 2nd day of September, 1999.

[Signature]  
NOTARY PUBLIC

My Commission expires: 6-5-2003

**Swan Park** , situated in Section 8 , Township 19 South, Range 1 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the Southwest corner of the Southwest quarter of the Southeast quarter of said Section 8, said corner being the Northeast corner of Lot 14, Block 2 in a Subdivision of Sunrise, as recorded in Map Book 10 on Page 24, in the Office of Judge of Probate, Shelby County, Alabama and also the Southwest corner of Lot 162 in Highland Lakes 1<sup>st</sup> Sector, as recorded in Map Book 18 on Page 37 A,B,C,D,E,F & G, in the Office of Judge of Probate, Shelby County, Alabama; thence run North 46 degrees, 10 minutes, 29 seconds West along the Northeast line of said Lot 14 and along the Southwest line of Lot 162 for a distance of 113.19 feet to an iron pin found at the Northwest corner of said Lot 14, said iron pin being on the Southeast right-of-way line of Seven Barks Road in said Subdivision of Sunrise; thence run North 33 degrees, 16 minutes, 14 seconds East along the Northwest line of said Lot 162 and also along said Southeast right-of-way line for a distance of 75.48 feet to a point; thence run North 52 degrees, 36 minutes, 00 seconds East along the Northwest line of said Lot 162 and also along said Southeast right-of-way line for a distance of 79.89 feet to the point of beginning; thence run North 21 degrees, 13 minutes, 09 seconds East along the Northwest line of said Lot 162 for a distance of 125.00 feet to the Southwest corner of Lot 161 in said Highland Lakes 1<sup>st</sup> Sector; thence run North 23 degrees, 25 minutes, 38 seconds East along the Northwest line of said Lot 161 for a distance 229.86 feet to the Southwest corner of Lot 160 in said Highland Lakes 1<sup>st</sup> Sector; thence run North 23 degrees, 04 minutes, 39 seconds East along the Northwest line of said Lot 160 for a distance of 35.97 feet to a point; thence run North 02 degrees, 56 minutes, 08 seconds West along the Northwest line of said Lot 160 for a distance of 56.86 feet to a point; thence run North 08 degrees, 07 minutes, 52 seconds East along the Northwest line of said Lot 160 for a distance of 34.34 feet to point; thence run North 14 degrees, 20 minutes, 32 seconds East along the Northwest line of Lots 160 & 159 in said Highland Lakes 1<sup>st</sup> Sector for a distance of 76.89 feet to a point; thence run North 21 degrees, 24 minutes, 18 seconds East along the Northwest line of said Lot 159 for a distance of 154.39 feet to the Southwest corner of Lot 158 in said Highland Lakes 1<sup>st</sup> Sector; thence run North 26 degrees, 17 minutes, 30 seconds East along the Northwest line of said Lot 158 for a distance of 124.96 feet to a point; thence run North 38 degrees, 41 minutes, 13 seconds East along the Northwest line of Lots 158 & 157 in said Highland Lakes 1<sup>st</sup> Sector for a distance of 92.87 feet to a point; thence run North 33 degrees, 39 minutes, 39 seconds East along the Northwest line of said Lot 157 for a distance of 147.72 feet to a point; thence run North 43 degrees, 41 minutes, 45 seconds East along the Northwest line of said Lot 157 for a distance of 47.03 feet to a point on the West right-of-way line of Highland Lakes Drive in said Highland Lakes 1<sup>st</sup> Sector; said point being on a curve to the left, having a central angle of 82 degrees, 10 minutes, 11 seconds and a radius of 355.00 feet and a radial bearing in of South 43 degrees, 41 minutes, 45 seconds West; thence run in a Northwesterly to Southwesterly direction along the arc of said curve and also along said West right-of-way line for a distance of 509.12 feet to a point; thence run tangent to last stated course along said West right-of-way line South 51 degrees, 31 minutes, 34 seconds West for a distance of 108.96 feet to a point; thence run South 38 degrees, 28 minutes, 26 seconds East for a distance of 115.00 feet to a point; thence run South 51 degrees, 31 minutes, 34 seconds West for a distance of 121.45 feet to a point on a curve to the left, having a central angle of 14 degrees, 00 minutes, 00 seconds and a radius of 639.43 feet; thence run in a Southwesterly direction along the arc of said curve for a distance of 156.24 feet to a point; thence run tangent to last stated curve South 37 degrees, 31 minutes, 34 seconds West for a distance of 210.00 feet to a point on a curve to the right, having a central angle of 20 degrees, 24 minutes, 38 seconds and a radius of 372.17 feet; thence run in a Southwesterly direction along the arc of said curve for a distance of 132.58 feet to a point; thence run South 32 degrees, 03 minutes, 48 seconds East for a distance of 36.64 feet to a point on a curve to the right, having a central angle of 30 degrees, 12 minutes, 54 seconds and a radius of 408.80 feet; thence run in a Southwesterly direction along the arc of said curve for a distance of 215.58 feet to a point; thence run South 78 degrees, 39 minutes, 41 seconds East for a distance of 296.81 feet to an iron pin found; thence run South 09 degrees, 50 minutes, 47 seconds West for a distance of 196.68 feet to an iron pin found at the Northwest corner of Lot 23, Block 1, in said Subdivision of Sunrise; thence run South 87 degrees, 08 minutes, 46 seconds East for a distance of 226.60 feet to a point; thence run South 69 degrees, 05 minutes, 25 seconds East for a distance of

145.98 feet to an iron pin found at the Northeast corner of said Lot 23; thence run South 37 degrees, 24 minutes, 00 seconds East, crossing Seven Barks Road in said Subdivision of Sunrise for a distance of 30.00 feet to the point of beginning. Said Swan Park containing 11.42 acres, more or less.

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