

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

Birmingham, AL 35223

Send Tax Notice to:
D.R. HORTON, INC.
BIRMINGHAM
2090 Columbiana Road
Suite 4000
Birmingham, AL 35216

STATUTORY WARRANTY DEED

STATE OF ALABAMA)
COUNTY OF SHELBY)

KNOW ALL MEN BY THESE PRESENTS, that in consideration of FIVE HUNDRED SEVENTEEN THOUSAND EIGHT HUNDRED SEVENTY-NINE AND 89/100 DOLLARS (\$517,879.89) and other good and valuable consideration, paid to the undersigned grantor, **SOUTH GRANDE VIEW DEVELOPMENT COMPANY, INC.**, in hand paid by Grantee named herein, the receipt of which is hereby acknowledged, the said **SOUTH GRANDE VIEW DEVELOPMENT COMPANY, INC.** (hereinafter referred to as "Grantor") does by these presents, grant, bargain, sell and convey unto **D.R. HORTON, INC. - BIRMINGHAM** (hereinafter referred to as "Grantee"), the following described real estate (the "property"), situated in Shelby County, Alabama, to-wit:

Lots 24-27, inclusive, Lots 39-50, inclusive, Lots 73-84, inclusive and Lots 122-126, inclusive, according to the Survey of Grande View Estates, Givianpour Addition to Alabaster, Grande View Garden and Townhomes, First Addition, as recorded in Map Book 26, Page 16, in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

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 Protective Covenants recorded in Instrument #1995-05892, First Amendment to Declaration of Protective Covenants recorded in Instrument #1995-28543, Supplementary Declaration of Protective Covenants for Grande View Estates, Givianpour Addition to Alabaster 2nd Addition, recorded in Instrument #1995-28544, Supplementary Declaration of Protective Covenants for Grande View Estates, Givianpour Addition to Alabaster 3rd Addition as recorded in Instrument #1996-00339, Supplementary Declaration of Protective Covenants for Grande View Estates, Givianpour Addition to Alabaster, 4th Addition, recorded in Instrument #1996-29192, Supplementary Declaration of Protective Covenants for Grande View Estate, Givianpour Addition to Alabaster, 5th Addition, recorded in Instrument #1996-37928, Supplementary Declaration of Protective Covenants for Grande View Estates, Givianpour Addition to Alabaster, 7th Addition, recorded in Instrument #1996-37929, Supplementary Declaration of Protective Covenants for Grande View Estates, Givianpour Addition to Alabaster, Grande View Garden and Townhomes, First Addition, recorded in Instrument #1999-38603, along with Articles of Incorporation of Grande View Estates Homeowners' Association, Inc. recorded in Instrument #1995-05890 and By-Laws recorded in Instrument #1995-05891, in the Office of the Judge of Probate of Shelby County, Alabama (ii) the lien of ad valorem and similar taxes for 2000 and subsequent years.

By its acceptance of this deed, Grantee hereby waives any and all claims against Grantor and agrees that Grantor shall not be liable for, and no action shall be asserted against Grantor for, any 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. 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; and (iii) any successors or assigns of Grantor.

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

IN WITNESS WHEREOF, South Grande View Development Company, Inc. has caused this statutory warranty deed to be executed by its duly authorized officer this 26th day of October, 1999.

GRANTOR:

SOUTH GRANDE VIEW DEVELOPMENT
COMPANY, INC., an Alabama Corporation

BY: CS

Charles S. Givianpour
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 Charles S. Givianpour, whose name as President of South Grande View Development Company, Inc., an Alabama Corporation, 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, in his capacity as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

26th Given under my hand and office seal of office this the day of October, 1999.

Imogene Tyson
Notary Public
My Commission Expires: _____

Notary Public, Alabama, State At Large
My Commission Expires June 15, 2001

Grande View Garden and Townhomes
First Addition - DR HORTON INC., - BIRMINGHAM

The Grantee executes this deed only to acknowledge and accept all covenants and restrictions contained hereinabove.

GRANTEE:

D.R. HORTON, INC. - BIRMINGHAM
an Alabama Corporation

By: Mike Inman

Mike Inman

Its: Vice-President

STATE OF ALABAMA)
COUNTY OF JEFFERSON)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Mike Inman whose name as Vice-President of D.R. HORTON, INC. - BIRMINGHAM, an Alabama corporation, 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, in his capacity 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 the 26th day of October, 1999.

Imogene Brenda P. Wilson

Notary Public

My Commission expires: _____

Notary Public, State At Large, Alabama.
My Commission Expires April 28, 2000

Inst # 1999-45091

3 11/02/1999-45091
08:34 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 MMS 531.50