

THIS INSTRUMENT WAS PREPARED BY:
Richard W. Theibert, Attorney
NAJJAR DENABURG, P.C.
2125 Morris Avenue
Birmingham, Alabama 35203

SEND TAX NOTICE TO:
J. D. Gardner Construction, Inc.
2163 County Highway 13
Cleveland, AL 35049

WARRANTY DEED

THE STATE OF ALABAMA)
COUNTY OF SHELBY) : KNOW ALL MEN BY THESE PRESENTS:

That in consideration of Twenty Thousand Eight Hundred Twenty-Seven and 55/100, (\$20,827.55), DOLLARS, in hand paid to the undersigned, Gardner Brothers Homebuilders, Inc., a corporation, (hereinafter referred to as "GRANTOR"), by J. D. Gardner Construction, Inc., a corporation, (hereinafter referred to as "GRANTEE"), the receipt of which is hereby acknowledged, the said GRANTOR does by these presents, grant, bargain, sell and convey unto GRANTEE the following described real estate, located and situated in Shelby County, Alabama, to wit:

Lot 17, according to the Survey of Camden Cove Sector 1, as recorded in Map Book 25, Page 33 A, B and C, in the Office of the Judge of Probate of Shelby County, Alabama.

SUBJECT TO:

1. Ad valorem taxes for the year, 2000.
2. Declaration of Protective Covenants for Camden Cove as recorded in Instrument #1999-10604 and amended in Instrument #1999-41873.
3. A 20 foot building set back line as shown by record plat.
4. A 20 foot sanitary sewer and lake easement and a 7.5 foot easement as shown by record plat.
5. Rights of others in and to the use of Camden Lake.
6. Restrictive Covenants and Grant of Land Easement for underground facilities in favor of Alabama Power Company as recorded in Instrument #1999-22218.
7. Sink hole exception as set out in that certain Declaration of Protective Covenants as recorded in Instrument #1999-10604.
8. Easement in favor of Alabama Power Company as recorded in Deed Book 48, Page 589.
9. Permit to Alabama Power Company as recorded in Deed Book 247, Page 839.
10. Oil and gas lease to Atlantic Richfield Company recorded in Deed Book 321, Page 626.

ALL of the purchase price recited above was paid from the proceeds of a purchase money mortgage executed simultaneously with delivery of this deed.

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TO HAVE AND TO HOLD to the said GRANTEE, its successor and assigns forever.

And said Gardner Brothers Homebuilders, Inc., a corporation does for itself, its successors and assigns, covenant with the said GRANTEE, its successors 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; that it will and its successors and assigns shall, warrant and defend the same to the said GRANTEE, its successors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the said Gardner Brothers Homebuilders, Inc., a corporation, by its President, Garry Gardner, who is authorized to execute this conveyance, has hereto set his signature and seal, this 5th day of January, 2000.

Gardner Brothers Homebuilders, Inc.


BY: Garry Gardner (SEAL)
ITS: President

THE STATE OF ALABAMA)
COUNTY OF JEFFERSON)

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Garry Gardner whose name as President, of Gardner Brothers Homebuilders, Inc., a 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, 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 and official seal this 5th day of January, 2000.


NOTARY PUBLIC
My commission expires: MY COMMISSION EXPIRES MAY 21, 2000

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10:34 AM CERTIFIED

SHELBY COUNTY JUDGE OF PROBATE
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