

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<sup>00</sup>

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 HIGHLAND LAKES 11TH  
SECTOR PARK.**

Mineral and mining rights excepted.

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 2000 and subsequent years, and (iii) all matters that would be revealed by a current and accurate physical survey of the subject property.

The Property conveyed herein shall be used for Park purposes only and shall be part of the Common Area of the Association. In the event the property ceases to be used as a park, the title to said Lot 367A shall revert to the Grantor, Highland Lakes Properties, Ltd., its successors and assigns.

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.

CLAYTON T. SWEENEY, ATTORNEY AT LAW

Inst # 2000-31985

09/14/2000-31985  
10:42 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
003 CJ1 14.50

IN WITNESS WHEREOF, the said Grantor has hereunto set its hand by its duly authorized officer this 6<sup>th</sup> day of July, 2000.

GRANTOR:

HIGHLAND LAKES PROPERTIES, LTD.

an Alabama Limited Partnership

By: Eddleman Properties, Inc.

Its General Partner

By:

  
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 6<sup>th</sup> day of July, 2000.

  
NOTARY PUBLIC

My Commission expires:

6-5-2003

**EXHIBIT "A"**

Highland Lakes - 11<sup>th</sup> Sector - Park

A parcel of land situated in Section 4, Township 19 South, Range 1 West, Shelby County, Alabama, being more particularly described as follows:

Begin at the Northeast corner of the Northwest quarter of the Northeast quarter of said Section 4 and run in a Southerly direction along the East line of said quarter-quarter section for a distance of 1,224.49 feet to a point; thence turn an angle to the right of 79 degrees, 24 minutes, 05 seconds and run in a Southwesterly direction for a distance of 143.11 feet to a point; thence turn an angle to the left of 90 degrees, 00 minutes, 00 seconds and run in a Southeasterly direction for a distance of 12.04 feet to a point; thence turn an angle to the right of 90 degree, 00 minutes, 00 seconds and run in a Southwesterly direction for a distance of 60.00 feet to the point of beginning; thence turn an angle to the right of 90 degrees, 00 minutes, 00 seconds and run in a Northwesterly direction for a distance of 270.68 feet to a point on a curve to the right having a central angle of 07 degrees, 46 minutes, 54 seconds and a radius of 892.83 feet; thence run in a Northwesterly direction along the arc of said curve for a distance of 121.25 feet to a point on a curve to the left having a central angle of 86 degrees, 33 minutes, 52 seconds and a radius of 25.00 feet; thence run in a Northwesterly direction along the arc of said curve for a distance of 37.77 feet to a point; thence run tangent to last stated curve in a Northwesterly direction for a distance of 6.65 feet to a point on a curve to the left having a central angle of 31 degrees, 07 minutes, 46 seconds and a radius of 420.28 feet; thence run in a Northwesterly to Southwesterly direction along the arc of said curve for a distance of 228.34 feet to a point; thence run tangent to last stated curve in a Southwesterly direction for a distance of 14.86 feet to a point on a curve to the left having a central angle of 90 degrees, 00 minutes, 00 seconds and a radius of 25.00 feet; thence run in a Southwesterly to Southeasterly direction along the arc of said curve for a distance of 39.27 feet to a point; thence run tangent to the last stated curve in a Southeasterly direction for a distance of 78.67 feet to a point on a curve to the right having a central angle of 51 degrees, 42 minutes, 10 seconds and a radius of 408.64 feet; thence run in a Southeasterly to Southwesterly direction along the arc of said curve for a distance of 368.74 feet to a point on a curve to the left having a central angle of 90 degrees, 00 minutes, 00 seconds and a radius of 25.00 feet; thence run in a Southwesterly to Southeasterly direction along the arc of said curve for a distance of 39.27 feet to a point; thence run tangent from last stated curve in a Southeasterly direction for a distance of 56.33 feet to a point on a curve to the left having a central angle of 121 degrees, 47 minutes, 26 seconds and a radius of 148.15 feet; thence run in a Southeasterly to Northeasterly direction along the arc of said curve for a distance of 314.90 feet to the point of beginning. Said parcel of land containing 3.09 acres, more or less.

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