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(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was
prepared by:

SEND TAX NOTICE TO:

R. Shan Paden
PADEN & PADEN
Attorneys at Law
5 Riverchase Ridge, Suite 100
Birmingham, Alabama 35244

JOE ROSE HOMEBUILDERS, INC.
117 WINDSOR CIRCLE
PELHAM, AL 35124

Inst # 2001-34997

08/17/2001-34997
08:37 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
15.00
002 CH

STATE OF ALABAMA)

COUNTY OF SHELBY)

WARRANTY DEED

Know All Men by These Presents: That in consideration of THREE HUNDRED EIGHTY ONE THOUSAND SIX HUNDRED and 00/100 (\$381,600.00) DOLLARS to the undersigned grantor, EMCO CONTRACTING & ASSOCIATES, AN ALABAMA CORPORATION, in hand paid by the GRANTEES herein, the receipt of which is hereby acknowledged, the said GRANTOR, does by these presents, grant, bargain, sell and convey unto JOE ROSE HOMEBUILDERS, INC., (herein referred to as GRANTEES, whether one or more) the following described real estate, situated in SHELBY County, Alabama, to-wit:

LOTS 1 THRU 5; LOTS 6 THRU 12; LOTS 32 THRU 38 AND LOTS 39 THRU 45, SUGAR HILL TOWNHOMES, AS RECORDED IN MAP BOOK 28, PAGE 115, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

SUBJECT TO:

1. TAXES FOR THE YEAR BEGINNING OCTOBER 1, 2000 WHICH CONSTITUTES A LIEN BUT ARE NOT YET DUE AND PAYABLE UNTIL OCTOBER 1, 2001.
2. BUILDING LINE AS SHOWN BY MAP RECORDED IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
3. STORM DRAINAGE EASEMENT AS SHOWN BY MAP RECORDED IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA. (LOTS 1 THRU 5 AND LOTS 7 THRU 12)
4. RIGHT OF WAY EASEMENT TO SOUTH CENTRAL BELL TELEPHONE COMPANY AS RECORDED IN REAL VOLUME 50, PAGE 795 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
5. SINKHOLES, LIMESTONE FORMULATIONS, SOIL CONDITIONS OR ANY OTHER KNOWN OR UNKNOWN SURFACE OR SUBSURFACE CONDITIONS THAT MAY NOW OR HEREAFTER EXIST OR OCCUR OR CAUSE DAMAGE TO SUBJECT PROPERTY.
6. SUBJECT TO RIGHTS OF OWNERS OF PROPERTY ADJOINING PROPERTY IN AND TO THE JOINT OR COMMON RIGHTS IN BUILDING SITUATED ON SAID LOTS. SUCH RIGHTS INCLUDE BUT ARE NOT LIMITED TO ROOF, FOUNDATION, PARTY WALLS, WALKWAY AND ENTRANCE.

\$1,344,000.00 of the consideration herein was derived from a mortgage closed simultaneously herewith.

TO HAVE AND TO HOLD Unto the said GRANTEES, their heirs and assigns, forever.

And said GRANTOR does for itself, its successors and assigns, covenant with the said GRANTEES, his, her, or their heirs 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, and that it will and its successors and assigns shall warrant and defend the same to the said GRANTEES, his, her, or their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the said GRANTOR, EMCO CONTRACTING & ASSOCIATES, AN ALABAMA CORPORATION, by its PRESIDENT, PAUL MCKENZIE who is authorized to execute this conveyance, has hereunto set its signature and seal, this the 8th day of August, 2001.

EMCO CONTRACTING & ASSOCIATES

By: Paul McKenzie
PAUL MCKENZIE, PRESIDENT

STATE OF ALABAMA)

COUNTY OF SHELBY)

ACKNOWLEDGMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that PAUL MCKENZIE, whose name as PRESIDENT of EMCO CONTRACTING & ASSOCIATES, 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 or she, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand this the 8th day of August, 2001.

Ant S. R.
Notary Public

My commission expires: 7/11/22

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