

THIS INSTRUMENT PREPARED BY:

Stephen Stallcup, Esq.
MAYNARD, COOPER & GALE, P.C.
1901 Sixth Avenue North
2400 AmSouth/Harbert Plaza
Birmingham, AL 35203

SEND TAX NOTICE TO:

THOMPSON REALTY CO., INC.
103 Carnoustie
Shoal Creek, AL 35242

WARRANTY DEED

STATE OF ALABAMA
COUNTY OF SHELBY

Inst # 2001-40487

09/19/2001-40487
10:05 AM CERTIFIED

SHELBY COUNTY JUDGE OF PROBATE
003 MSB 337.00

KNOW ALL MEN BY THESE PRESENTS,

That in consideration of **THREE HUNDRED TWENTY THOUSAND AND NO/100---Dollars (\$320,000.00)** to the undersigned GRANTORS in hand paid by the GRANTEE herein, the receipt whereof is acknowledged, I, **PHILIP COLE, a married man** (herein referred to as GRANTOR), do grant, bargain, sell and convey unto **THOMPSON REALTY CO., INC.** (herein referred to as GRANTEE), the following described real estate situated in Shelby County, Alabama, to-wit:

[See Attached Exhibit A for Legal Description]

SUBJECT TO:

1. All taxes due for the current year.
2. All rights, privileges, duties and obligations as set out in the Declaration of Covenants, Conditions and Restrictions pertaining to said Shoal Creek Subdivision, filed for record and the Articles of Incorporation and Bylaws of Shoal Creek Association, Inc., as recorded in the Probate Office of Shelby County, Alabama.
3. Mineral and mining rights owned by persons other than Grantor.
4. Easements and restrictions of record in the aforesaid office.

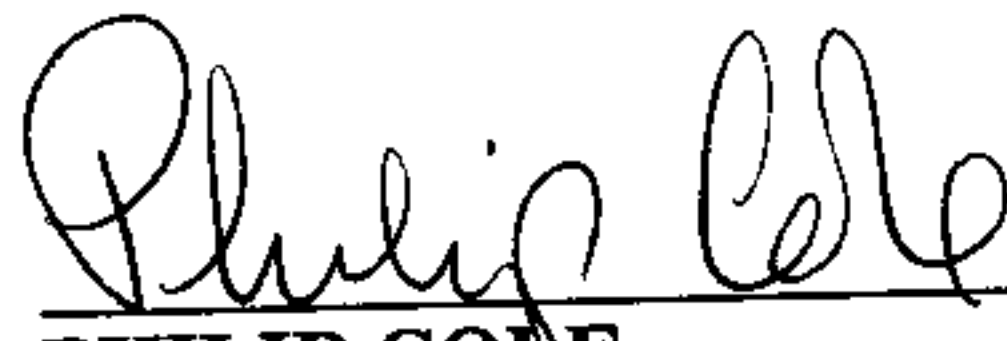
TO HAVE AND TO HOLD Unto the said GRANTEE, its successors and assigns forever.

And I do for myself and for my heirs, executors, and administrators covenant with the said GRANTEE, its successors and assigns, that I am lawfully seized in fee simple of said premises; that it is free from all encumbrances, unless otherwise noted above; that I have a good right to sell

and convey the same as aforesaid; that I will and my heirs, executors and administrators shall warrant and defend the same to the said GRANTEE, its successors and assigns forever, against the lawful claims of all persons.

None of said premises is the homestead of the Grantor or the Grantor's spouse.

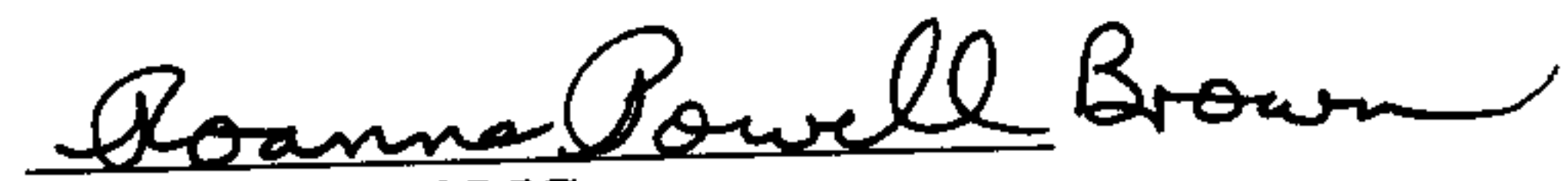
IN WITNESS WHEREOF, I have hereunto set my hand and seal this 28th day of December, 2000.


PHILIP COLE

STATE OF ALABAMA
COUNTY OF SHELBY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that **PHILIP COLE**, whose name 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 executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 28th day of December, 2000.


NOTARY PUBLIC

My Commission Expires: 7/9/04

(SEAL)

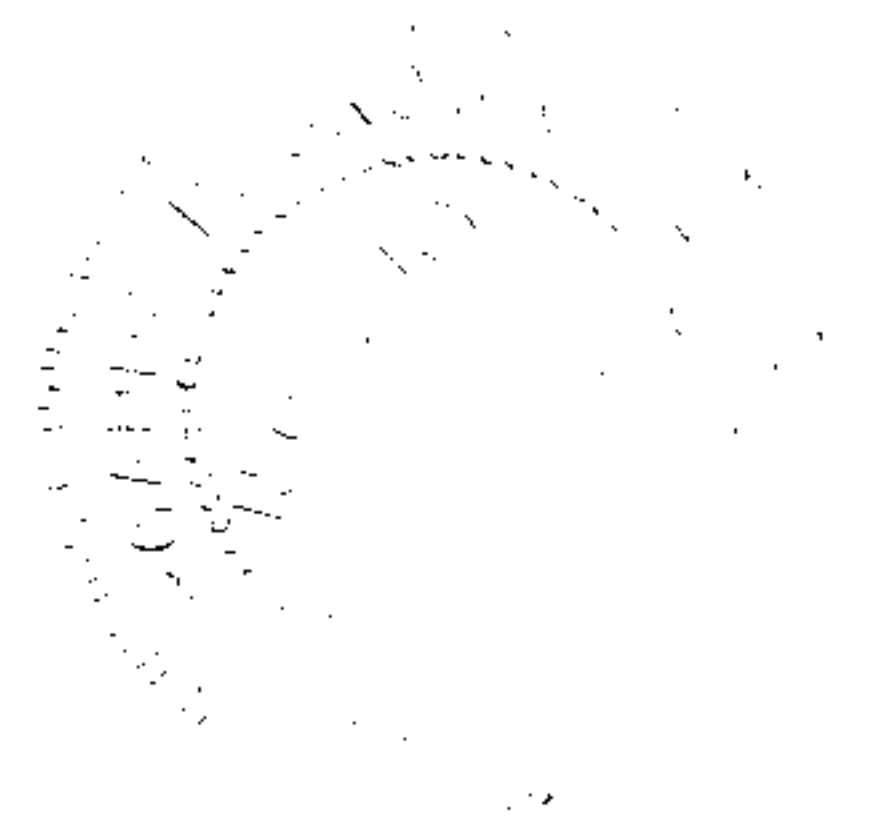


EXHIBIT A

Lots 178B1 and 179B1, according to a resurvey of Lots 177B, 178B and 179B of Montagel Subdivision, as recorded in Map Book 28, Page 60, in the Office of the Judge of Probate of Shelby County, Alabama.

00635728.1

3

Inst # 2001-40487

**09/19/2001-40487
10:05 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE**

003 MSB 337.00