

This Instrument Prepared By:
James F. Burford, III
Attorney at Law
1318 Alford Avenue
Suite 101
Birmingham, Alabama 35226

Send Tax Notice To:

51620 DUE 12/11/02
253X ROCKY MOUNT RD
D'ham. AL. 35241
35243

Inst # 2002-04373

STATUTORY WARRANTY DEED

STATE OF ALABAMA)

SHELBY COUNTY)

01/25/2002-04373
09:56 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
001 CH 12.00

KNOW ALL MEN BY THESE PRESENTS: That in consideration of Two Hundred Four Thousand Seven Hundred and No/100 Dollars (\$204,700.00), to the undersigned Grantor (whether one or more), in hand paid by the Grantee herein, the receipt whereof is acknowledged, I, Timberline Development, LLC, (herein referred to as Grantor, whether one or more), grant, bargain, sell and convey unto Executive Homes/Jim Scott Builder, Inc., (herein referred to as Grantee, whether one or more), the following described real estate, situated in Shelby County, Alabama, to-wit:

Lots 6, 43 and 44 according to the Map and Survey of Timberline, Phase 2 as recorded in Map Book 29, Page 49 in the Probate Office of Shelby County, Alabama.

SUBJECT TO: (1) Taxes due in the year 2002 and thereafter; (2) Easements, Restrictions and rights-of-way of record; (3) Mineral and Mining Rights not owned by the Grantor; (4) Articles of Incorporation of Timberline Homeowners Association, Inc., and the By-laws therefore as they currently exist and may be amended from time to time; (5) Grantor makes no warranty as to any title matter(s) which may affect the property conveyed herein which title matter(s) is/are not disclosed in title commitment under file number 138004 issued by Cahaba Title, Inc.

Grantor represents and warrants as follows: There are no dues owing the Timberline Homeowners Association at this time, no certificate of compliance is necessary from any architectural control committee until such time as improvements are to be constructed on the properties conveyed and there are no assessments due the City of Calera.

All of the consideration was derived from a mortgage loan closed simultaneously herewith.

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

23 **IN WITNESS WHEREOF**, the undersigned has hereunto set his hand and seal, this the day of January, 2002.

Timberline Development, LLC

By: W. Larry Clayton

Its: Manager

STATE OF ALABAMA)
SHELBY COUNTY)

I, the undersigned, a Notary Public, in and for said County in said State, hereby certify that W. Larry Clayton as Manager of Timberline Development, LLC, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of this instrument, he, in their capacity as such manager, executed the same voluntarily, for and as the act of said limited liability company.

Given under my hand and official seal this 23 day of January, 2002.

Suzanne C. Sellers

Notary Public

MY COMMISSION EXPIRES APRIL 24, 2005

My Commission Expires: _____