

THIS INSTRUMENT PREPARED BY:
James J. Odom, Jr.
P.O. Box 11244
Birmingham, AL 35202-1244

SEND TAX NOTICE TO:
Creed Construction, LLC
100 Applegate Court
Pelham, AL 35124

STATE OF ALABAMA)
COUNTY OF SHELBY)


20021114000567490 Pg 1/2 15.00
Shelby Cnty Judge of Probate,AL
11/14/2002 11:19:00 FILED/CERTIFIED

AMENDED AND RESTATED STATUTORY WARRANTY DEED

This instrument amends and restates that certain deed dated September 16, 2002, and recorded in Instrument #20020927000467880, from Nottingham, L.L.C., as Grantor, which, through a scrivener's error, wrongfully designated Brantley Homes, Inc. as Grantee. The intended and proper Grantee was Creed Construction, LLC.

KNOW ALL MEN BY THESE PRESENTS THAT in consideration of Five Hundred and No/100 Dollars (\$500.00), and other good and valuable consideration, paid to the undersigned grantor, Nottingham, L.L.C., an Alabama limited liability company ("Grantor"), by Creed Construction, LLC ("Grantee"), the receipt and sufficiency whereof are hereby acknowledged, Grantor does by these presents, grant, bargain, sell and convey unto the Grantee the following described real estate situated in Shelby County, Alabama (the "Property"), to-wit:

Lot 33, according to the Final Plat Nottingham Phase I, as recorded in Map Book 28, at Page 127, in the Probate Office of Shelby County, Alabama.

SUBJECT TO: (1) Current taxes; (2) 20' building line, as shown by recorded map; (3) 8' easement on front, as shown by recorded map; (4) Subdivision restrictions shown on record plat in Map Book 28, at Page 127, provide for construction of single family residences only; (5) Easement to Southern Natural Gas recorded in Deed Book 90, at Page 241, in the Probate Office of Shelby County, Alabama; (6) Transmission line permit to Alabama Power Company, as recorded in Deed Book 103, at Page 170, Deed Book 205, at Page 674, Deed Book 198, at Page 478, and Deed Book 177, at Page 493, in the Probate Office of Shelby County, Alabama; (7) Right of Way to Alabama Power Company by Instrument recorded in Instrument 2002-6364, in the Probate Office of Shelby County, Alabama; (8) Restrictions appearing of record in Instrument #2002-11100, in the Probate Office of Shelby County, Alabama; (9) Coal, oil, gas and other mineral interests in, to or under the land herein described are not insured.

Purchaser agrees that Seller shall have the right to approve the plans, specifications and layout for the houses to be constructed upon the Property. Purchaser further agrees that upon request by Seller, Purchaser will join in the execution of restrictions and covenants applicable to the Nottingham Subdivision, including the Property.

The terms and conditions of that certain contract dated September 16, 2002, between Nottingham, L.L.C., as Seller, and Creed Construction, LLC, as Purchaser, survive the delivery of this deed.

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

IN WITNESS WHEREOF, the undersigned has executed this conveyance as of the 16th
day of September, 2002.

WITNESS:

Anne Marshall

Nottingham, L.L.C.

By

Delton Lane Clayton
Delton Lane Clayton, as its Manager

Delivery of Deed accepted with stated conditions.

Creed Construction, LLC

By:

Howard Matthew O'Neal
Howard Matthew O'Neal, as its Member

The undersigned Brantley Homes, Inc. joins in execution of this Amended and Restated Statutory Warranty Deed to consent to the correction of the Grantee from Brantley Homes, Inc. to Creed Construction, LLC, and to evidence that Brantley Homes, Inc. has no interest in the land conveyed hereby.

Brantley Homes, Inc.

By:

Bill Brantley
Bill Brantley, as its President

Anne Marshall
Witness

STATE OF ALABAMA)
COUNTY OF SHELBY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Delton Lane Clayton, whose name as Manager of Nottingham, L.L.C., an Alabama limited liability company, are signed to the foregoing conveyance and who is known to me, acknowledged before me on this day, that, being informed the contents of the conveyance, he, as such Manager and with full authority, executed the same for and on behalf of said limited liability company.

Given under my hand and seal this 13th day of November, 2002.

Anne P. Marshall
Notary Public

My Commission Expires: 3/13/2003

STATE OF ALABAMA)
COUNTY OF SHELBY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Bill Brantley, whose name as President of Brantley Homes, Inc., an Alabama corporation, is signed to the foregoing conveyance and who is known to me, acknowledged before me on this day, that, being informed the contents of the conveyance, he, as such officer and with full authority, executed the same for and as the act of said corporation.

Given under my hand and seal this 13th day of November, 2002.

Anne P. Marshall
Notary Public

My Commission Expires: 3/13/2003