

THIS INSTRUMENT PREPARED BY:

Kathryn S. Carver, Esq.  
Kathryn Carver & Associates P.C.  
1000 Urban Center Drive, Suite 250  
Birmingham, Alabama 35242

STATE OF ALABAMA  
SHELBY COUNTY

**STATUTORY WARRANTY DEED**

**KNOW ALL MEN BY THESE PRESENTS:** That in consideration of Ten and no/100 Dollars (\$10.00), and other good and valuable consideration, to **INGRID FRANCES SMYER-DUBROW**, an unmarried woman, **HARALD L. SMYER, JR.**, a married man, and **S. W. SMYER, JR.**, a married man (the "Grantors"), in hand paid by **STONEGATE FARMS, LLC**, an Alabama limited liability company (the "Grantee"), the receipt and sufficiency of which is hereby acknowledged, Grantors do by these presents grant, bargain, sell and convey unto the Grantee the real estate situated in Shelby County, Alabama, more particularly described as follows (the "Property"):

Lots 02A, 02B, and 03, according to the Map of Stonegate Realty, Phase One – 1<sup>st</sup> Addition, as recorded in Map Book 31, page 11, in the Probate Office of Shelby County, Alabama.

**SUBJECT TO:**

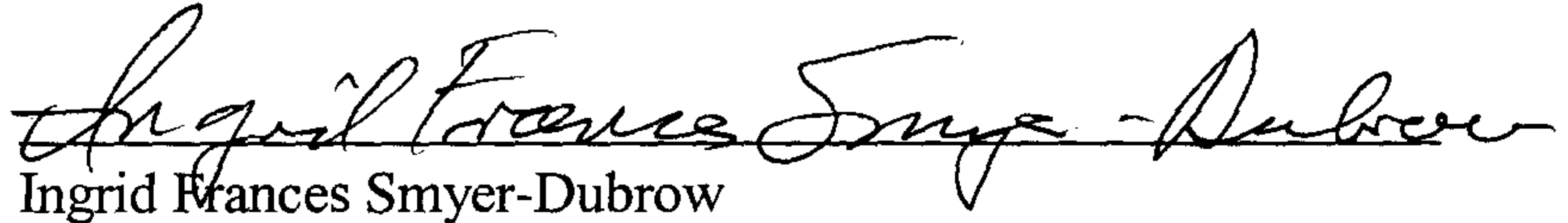
1. Taxes and assessments for the year 2003, and for all subsequent years, not yet due and payable.
2. All easements, restrictions, rights-of-way and other matters of record as of January 26, 2001.
3. Mineral and mining rights not owned by Grantors.

TOGETHER WITH two (2) of the "Lake Rights" granted to Grantors under that certain unrecorded agreement between Grantors and Shelby Lake Corporation, dated March, 1993, subject to the terms and conditions of such agreement, and all other appurtenances, improvements and hereditaments pertaining thereto.

**TO HAVE AND TO HOLD** unto the Grantee, its successors and assigns.

The undersigned Grantors do hereby represent, warrant, covenant and agree that the Property does not constitute the homestead of any of the Grantors or their respective spouses, if any.

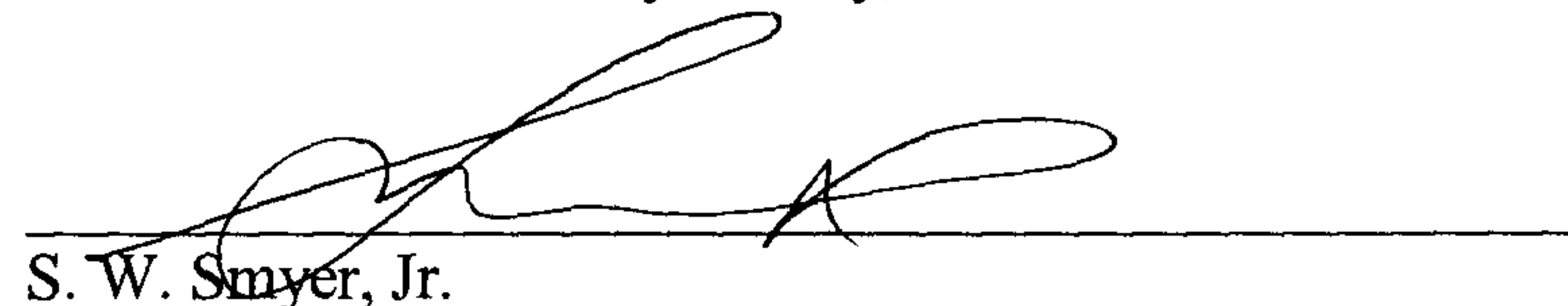
**IN WITNESS WHEREOF**, the Grantors have executed this conveyance on this the 13<sup>th</sup> day of February, 2003.

  
Ingrid Frances Smyer-Dubrow

By S. W. Smyer, Jr., as attorney-in-fact under  
Durable Power of Attorney dated September 8, 2000,  
Recorded under Instrument No. 2001-02966, in the  
Probate Office of Shelby County, Alabama

  
Harald L. Smyer

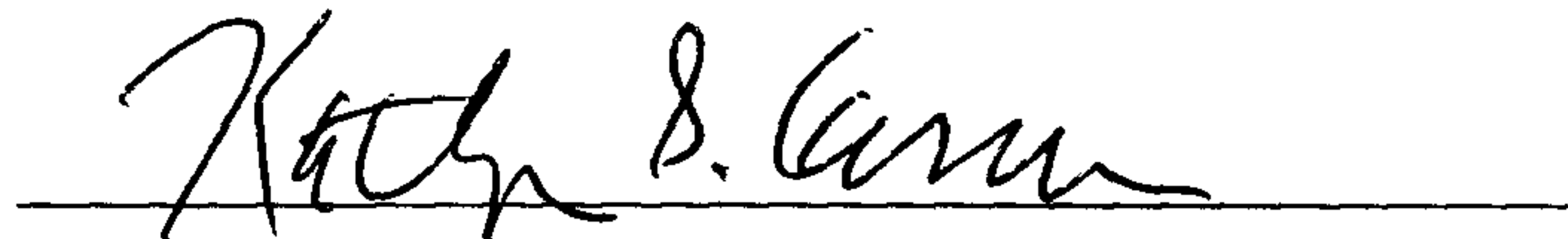
By S. W. Smyer, Jr., as attorney-in-fact under  
Durable Power of Attorney dated September 9, 2000,  
Recorded under Instrument No. 2001-02965, in the  
Probate Office of Shelby County, Alabama

  
S. W. Smyer, Jr.

STATE OF ALABAMA  
JEFFERSON COUNTY

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that S. W. Smyer, Jr., as attorney-in-fact for Ingrid Frances Smyer-Dubrow under Durable Power of Attorney dated September 8, 2000, recorded under Instrument No. 2001-02966, in the Probate Office of Shelby County, Alabama, 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, as such attorney-in-fact, executed the same voluntarily on this bears same date.

Given under my hand and official seal this 20<sup>th</sup> day of February, 2003.

  
Notary Public  
My Commission expires: 2/20/07

STATE OF ALABAMA  
JEFFERSON COUNTY

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that S. W. Smyer, Jr., as attorney-in-fact for Harald L. Smyer under Durable Power of Attorney dated September 8, 2000, recorded under Instrument No. 2001-02965, in the Probate Office of Shelby County, Alabama, 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, as such attorney-in-fact, executed the same voluntarily on this bears same date.

Given under my hand and official seal this 20<sup>th</sup> day of February, 2003.

Kathy S. Gunn  
Notary Public  
My Commission expires: 2/20/07

STATE OF ALABAMA  
JEFFERSON COUNTY

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that S. W. Smyer, Jr., 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 this bears same date.

Given under my hand and official seal this 20<sup>th</sup> day of February, 2003.

Kathy S. Gunn  
Notary Public  
My Commission expires: 2/20/07