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Shelby Cnty Judge of Probate, AL  
08/20/2003 07:54:00 FILED/CERTIFIED

This instrument was prepared by:

Gail Livingston Mills, Esq.  
Burr & Forman LLP  
3100 SouthTrust Tower  
Birmingham, AL 35203

Send Tax Notice to:

D.R. Horton, Inc. - Birmingham  
2090 Columbiana Road  
Suite 400  
Birmingham, AL 35216

STATE OF ALABAMA       )  
COUNTY OF SHELBY     )

**GENERAL WARRANTY DEED**

**KNOW ALL MEN BY THESE PRESENTS:** That for and in consideration of **TWO HUNDRED FIFTEEN THOUSAND NINE HUNDRED EIGHTY-FOUR DOLLARS and 76/100 DOLLARS (\$215,984.76)** to the undersigned grantor, **VILLAS BELVEDERE, LLC**, an Alabama limited liability company ("Grantor"), in hand paid by **D.R. HORTON, INC. - BIRMINGHAM**, an Alabama corporation ("Grantee"), the receipt and sufficiency whereof are hereby acknowledged, Grantor does hereby grant, bargain, sell, and convey unto Grantee all of its right, title and interest in and to that certain real estate (the "Property") situated in Shelby County, Alabama, to-wit:

Lots 3, 6, 7, 52, and 53, according to the Survey of Villas Belvedere, as recorded in Map Book 29, Page 27, in the Probate Office of Shelby County, Alabama.

Subject, however, to those matters which are set forth on Exhibit A attached hereto and incorporated herein by this reference (the "Permitted Encumbrances").

**TO HAVE AND TO HOLD** the Property unto the Grantee and the Grantee's successors and assigns, forever.

**AND** Grantor does hereby represent and warrant and covenant with the Grantee, Grantee's successors and assigns, that Grantor is lawfully seized in fee simple of the Property; that the Property is free from all encumbrances other than the Permitted Encumbrances; that Grantor has a good right to sell and convey the same as aforesaid; that Grantor and Grantor's heirs, successors, and assigns will warrant and defend the same to the said Grantee, Grantee's successors and assigns, forever against the lawful claims of all persons whomsoever.

**IN WITNESS WHEREOF**, Grantor has caused this Deed to be properly executed on this 13<sup>th</sup> day of August, 2003.

**GRANTOR:**

**VILLAS BELVEDERE, LLC**,  
an Alabama limited liability company

BY: \_\_\_\_\_

Carter S. Kennedy  
Its Manager

Land Title

STATE OF ALABAMA       )  
JEFFERSON COUNTY       )

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Carter S. Kennedy, whose name as Manager of Villas Belvedere, LLC, an Alabama limited liability company, 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, and as such Manager, he executed the same voluntarily and with full authority for and as the act of said limited liability company.

Given under my hand and official seal this 13<sup>th</sup> day of August, 2003.

*Haile L. Smith*

NOTARY PUBLIC

My Commission expires: 2-26-06

**EXHIBIT A**

**Permitted Encumbrances**

1. Taxes and assessments for the year 2003, and subsequent years, a lien not yet due and payable.
2. Easement(s) and Building Line(s), as shown by recorded map.
3. Restrictions as shown by recorded Map.
4. Subdivision restrictions shown on record plat in Map Book 29, page 27.
5. Mineral and mining rights and rights incident thereto recorded in Instrument 1999-28267, in the Probate Office of Shelby County, Alabama.
6. Right of way to Shelby County, recorded in Volume 196, Page 248, in the Probate Office of Shelby County, Alabama.
7. Restrictions appearing of recorded in Instrument 2001-50211, Instrument 2002-18725, and Instrument 20020603000295890 in the Probate Office of Shelby County, Alabama.