

**This instrument prepared by:**  
Mary Thornton Taylor, Esquire  
421 Office Park Drive  
Birmingham, Alabama 35223

**Send tax notice to:**  
Foothills Homes, Inc.  
421 Office Park Drive  
Birmingham, Alabama 35223

## STATUTORY WARRANTY DEED

STATE OF ALABAMA     )  
                                  ) **KNOW ALL PERSONS BY THESE PRESENTS:**  
SHELBY COUNTY         )

That for and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the undersigned **FOOTHILLS PARTNERS, L.L.C.**, an Alabama limited liability company ("Grantor"), does by these presents grant, bargain, sell and convey unto **FOOTHILLS HOMES, INC.**, an Alabama corporation ("Grantee"), the following described real estate situated in Shelby County, Alabama, to-wit:

Lots 1 through 52, inclusive, according to the subdivision plat of Foothills Point, as recorded in Map Book 32, Page 33 in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama (the "Property").

The Property is conveyed subject to the following:

- (1) Ad valorem taxes and municipal assessments due and payable October 1, 2004 and all subsequent years thereafter;
- (2) Fire district and library district assessments for 2004 and subsequent years not yet due and payable, if any;
- (3) Mineral and mining rights not owned by Grantor;
- (4) Transmission Line Permit(s) to Alabama Power Company as shown by instrument(s) recorded in Deed Book 127, page 317 in said Probate Office;
- (5) Title to all minerals within the underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto, including rights set out in Deed Book 69, page 177 in said Probate Office;
- (6) Easement of South Central Bell recorded in Deed Book 320, page 931 and Deed Book 336, page 230 in said Probate Office;
- (7) Restrictions, covenants and conditions as set out in Map Book 32, page 33 in said Probate Office.


Pr. Form A

The entire purchase price for the Property was paid from the proceeds of a mortgage loan closed contemporaneously herewith.

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

**IN WITNESS WHEREOF**, Grantor **FOOTHILLS PARTNERS, L.L.C.**, by its Manager who is authorized to execute this Statutory Warranty Deed as provided in Grantor's Articles of Organization which as of this date have not been modified or amended, has hereto set its signature and seal this 15<sup>TH</sup> day of October, 2003.

**FOOTHILLS PARTNERS, L.L.C.**


By:   
William D. Acton  
Its Manager

STATE OF ALABAMA     )  
  )  
JEFFERSON COUNTY     )

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that **William D. Acton**, whose name as Manager of **FOOTHILLS PARTNERS, L.L.C.**, 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 such instrument, he executed the same voluntarily for and as the act of said Manager of said limited liability company.

Given under my hand and seal, this 15<sup>TH</sup> day of October, 2003.

(SEAL)

  
Notary Public  
My commission expires: 5/27/07