

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was  
prepared by:

SEND TAX NOTICE TO:

R. Shan Paden  
PADEN & PADEN  
Attorneys at Law  
5 Riverchase Ridge, Suite 100  
Birmingham, Alabama 35244

TOM LACEY CONSTRUCTION CO., INC.  
P.O. BOX 696  
HELENA, AL 35080

STATE OF ALABAMA)

COUNTY OF SHELBY)

**WARRANTY DEED**

**Know All Men by These Presents:** That in consideration of FORTY FOUR THOUSAND NINE HUNDRED DOLLARS and 00/100 (\$44,900.00) to the undersigned grantor, SECOND UNION INVESTORS, LLC an Alabama Limited Liability company, in hand paid by the GRANTEES herein, the receipt of which is hereby acknowledged, the said GRANTOR, does by these presents, grant, bargain, sell and convey unto TOM LACEY CONSTRUCTION CO., INC., (herein referred to as GRANTEES, whether one or more) the following described real estate, situated in SHELBY County, Alabama, to-wit:

LOT 97, ACCORDING TO THE FINAL PLAT OF OAKLYN HILLS, PHASE 2, AS RECORDED IN MAP BOOK 30, PAGE 17, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

**SUBJECT TO:**

1. TAXES FOR THE YEAR BEGINNING OCTOBER 1, 2003 WHICH CONSTITUTES A LIEN BUT ARE NOT YET DUE AND PAYABLE UNTIL OCTOBER 1, 2004.
2. 35 FOOT BUILDING LINE, AS SHOWN BY RECORDED MAP.
3. 5 FOOT EASEMENT ON FRONT AND EASEMENT OF VARYING WIDTHS ON REAR, AS SHOWN BY RECORDED MAP.
4. RIGHT OF WAY TO SHELBY COUNTY, RECORDED IN DEED BOOK 229, PAGE 492 AND DEED BOOK 39, PAGE 469, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
5. TRANSMISSION LINE PERMIT TO ALABAMA POWER COMPANY, AS RECORDED IN DEED BOOK 165, PAGE 105, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
6. RAIL ROAD RIGHT OF WAY RESERVED BY SOUTH AND NORTH ALABAMA RAILROAD, RECORDED IN DEED BOOK "T", PAGE 655, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
7. TIMBER SALE AGREEMENT WITH DOUBLE MOUNTAIN, LLC RECORDED IN INSTRUMENT 1995/2626, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
8. AMENDMENT TO RESTRICTIONS RECORDED IN INSTRUMENT 20020724000344060 AND INSTRUMENT 20020724000344050, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

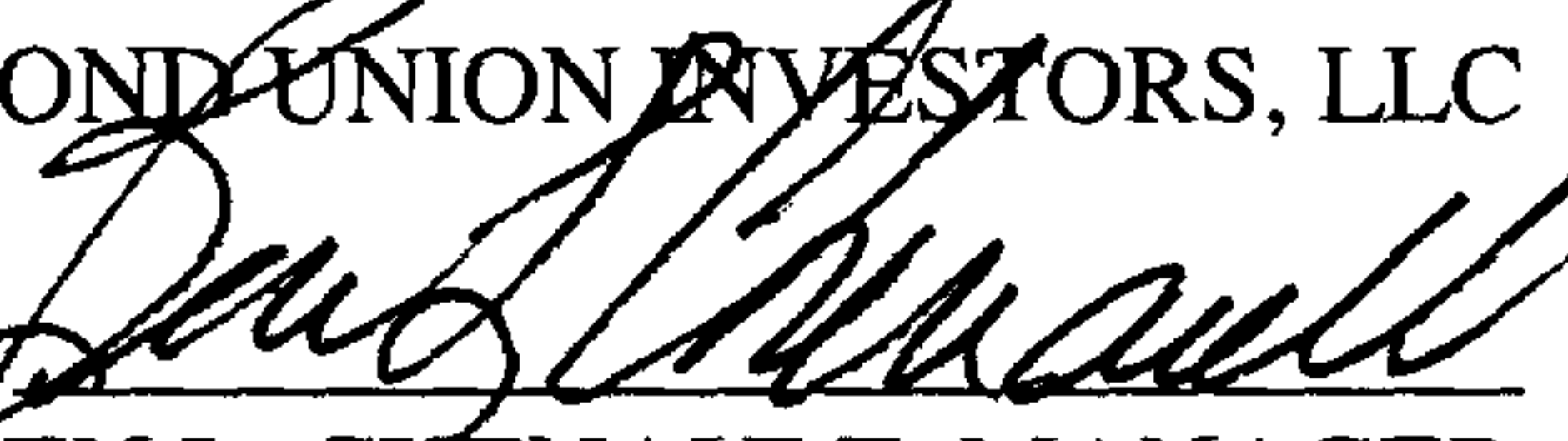
Compass Bank

9. THE RIGHT OF UPSTREAM AND DOWNSTREAM RIPARIAN OWNERS WITH RESPECT TO ANY BODY OF WATER WHICH MAY LIE ADJACENT TO, AND/OR TRAVERSING THROUGH, SUBJECT PROPERTY.
10. RIGHT OF WAY GRANTED TO ALABAMA POWER COMPANY BY INSTRUMENT RECORDED IN INSTRUMENT 2002-463610, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

**TO HAVE AND TO HOLD** Unto the said GRANTEES, their heirs and assigns, forever.

And said GRANTOR does for itself, its successors and assigns, covenant with the said GRANTEES, his, her, or their heirs and assigns, that it is lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that it has a good right to sell and convey the same as aforesaid, and that it will and its successors and assigns shall warrant and defend the same to the said GRANTEES, his, her, or their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the said GRANTOR, SECOND UNION INVESTORS, LLC, by its MANAGER, BEN L. CHENAULT who is authorized to execute this conveyance, has hereunto set its signature and seal, this the 22nd day of January, 2004.

SECOND UNION INVESTORS, LLC  
By   
BEN L. CHENAULT, MANAGER

STATE OF ALABAMA)

COUNTY OF SHELBY)

#### ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that BEN L. CHENAULT, whose name as MANAGER of SECOND UNION INVESTORS, 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, he or she, as such officer and with full authority, executed the same voluntarily for and as the act of said limited liability company.

Given under my hand this the 22nd day of January, 2004.

  
\_\_\_\_\_  
Notary Public

My commission expires: 9. 29. 06