

This instrument was prepared by:
Clayton T. Sweeney, Esquire
2700 Highway 280 East
Suite 160
Birmingham, Alabama 35223

Send Tax Notice to:
Highland Lakes Development, Ltd.
2700 Highway 280 East, Suite 425
Birmingham, AL 35223

STATE OF ALABAMA)
COUNTY OF SHELBY)

STATUTORY WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that in consideration of TEN and NO/100 Dollars (\$10.00) to the undersigned grantor, HIGHLAND LAKES PROPERTIES, LTD., an Alabama limited partnership, (herein referred to as "Grantor"), in hand paid by Grantee named herein, the receipt of which is hereby acknowledged, the said HIGHLAND LAKES PROPERTIES, LTD., an Alabama limited partnership, by these presents, grant, bargain, sell and convey unto **HIGHLAND LAKES DEVELOPMENT, LTD.** (hereinafter referred to as "Grantee", whether one or more), the following described real estate (the "property"), situated in Shelby County, Alabama, to-wit:

**EXHIBIT "A" IS ATTACHED HERETO AND MADE A PART
HEREOF, REFERRED TO AS HIGHLAND LAKES 12TH SECTOR
PHASE III.**

Mineral and mining rights excepted.

The above property is conveyed subject to:

- (i) All valid and enforceable easements, covenants, conditions and restrictions of record, (ii) the lien of ad valorem and similar taxes (but not including "rollback" taxes) for 2004 and subsequent years, and (iii) all matters that would be revealed by a current and accurate physical survey of the subject property.

CLAYTON T. SWEENEY, ATTORNEY AT LAW

This conveyance is made with the express reservation and condition that by acceptance of this deed, the Grantees, for themselves and on behalf of their heirs, administrators, executors, successors, assigns, contractors, permittees, licensees and lessees, hereby release and forever discharge Grantor, its successors and assigns, from any and all liability, claims and causes of action whether arising at law (by contract or in tort) or in equity with respect to damage or destruction of property and injury to or death of any person located in, on, or under the surface of or over lands herein conveyed, as the case may be, which are caused by, or arise as a result of, past or future soil, subsoil or other conditions (including without limitation, sinkholes, underground mines, and limestone formations) under or on the Property, whether contiguous or non-contiguous. The Grantee(s) agree(s) that he (she) (they) is (are) acquiring the Property "AS IS", without any representation or warranty on the part of Grantor other than as to title. Further, the Grantee, its successors and assigns hereby acknowledges that the Grantor shall not be liable for and no action shall be asserted against Grantor in connection with any drainage easements, ditches or pipes or drainage problems associated therewith and that Grantee has inspected the same and accepts the property along with all drainage easements, ditches or pipes in its present "AS IS" condition. For purposes of this paragraph the term Grantor shall mean and refer to (i) the partners, agents and employees of Grantor; (ii) the officers, directors, employees and agents of general partners of Grantor or partners thereof; (iii) any successors or assigns of Grantor; and (iv) any successors and assigns of Grantor's interest in the Property. This covenant and agreement shall run with the land conveyed hereby as against Grantee, and all persons, firms, trusts, partnerships, limited partnerships, corporations, or other entities holding under or through Grantee.

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

IN WITNESS WHEREOF, the said Grantor has hereunto set its hand by its duly authorized officer this 20th day of April, 2004.

GRANTOR:

HIGHLAND LAKES PROPERTIES, LTD.
an Alabama Limited Partnership

By: Eddleman Properties, Inc.
Its General Partner

By: Douglas D. Eddleman
Douglas D. Eddleman,
Its President

STATE OF ALABAMA)
COUNTY OF JEFFERSON)

I, the undersigned, a Notary Public in and for said County in said State hereby certify that Douglas D. Eddleman, whose name as President of Eddleman Properties, Inc., an Alabama Corporation, which is General Partner of HIGHLAND LAKES PROPERTIES, LTD., an Alabama Limited Partnership, is signed to the foregoing Deed, and who is known to me, acknowledged before me on this day that, being informed of the contents of the above and foregoing Deed, he, as such officer, and with full authority, executed the same voluntarily for and as the act of said Corporation acting in its capacity as general partner of said limited partnership.

Given under my hand and official seal of office this the 20th day of April, 2004.

[Signature]
NOTARY PUBLIC

My Commission expires: 6-5-2007

¹EXHIBIT “A”

A parcel of land situated in the Northeast quarter of Section 9, Township 19 South, Range 1 West, Shelby County, Alabama, being more particularly described as follows:

Begin at the Northwest corner of the Northeast quarter of said Northeast quarter and run in an Easterly direction along the North line of said quarter-quarter for a distance of 277.87 feet to a point; thence turn an angle to the right of 95 degrees, 50 minutes, 15 seconds and run in a Southwesterly direction for a distance of 248.07 feet to a point; thence turn an angle to the right of 46 degrees, 31 minutes, 48 seconds and run in a Southwesterly direction for a distance of 39.00 feet to a point; thence turn an angle to the left of 31 degrees, 40 minutes, 03 seconds and run in a Southwesterly direction for a distance of 42.11 feet to a point; thence turn an angle to the right of 00 degrees, 54 minutes, 59 seconds and run in a Southwesterly direction for a distance of 52.74 feet to a point; thence turn an angle to the left of 15 degrees, 06 minutes, 39 seconds and run in a Southwesterly direction for a distance of 20.02 feet to a point; thence turn an angle to the right of 41 degrees, 30 minutes, 46 seconds and run in a Southwesterly direction for a distance of 32.82 feet to a point; thence turn an angle to the right of 47 degrees, 23 minutes, 13 seconds and run in a Northwesterly direction for a distance of 12.64 feet to a point; thence turn an angle to the right of 08 degrees, 51 minutes, 19 seconds and run in a Northwesterly direction for a distance of 39.76 feet to a point; thence turn an angle to the right of 11 degrees, 32 minutes, 33 seconds and run in a Northwesterly direction for a distance of 48.72 feet to a point; thence turn an angle to the left of 148 degrees, 33 minutes, 54 seconds and run in a Southeasterly direction for a distance of 51.17 feet to a point; thence turn an angle to the right of 01 degrees, 17 minutes, 28 seconds and run in a Southeasterly direction for a distance of 39.06 feet to a point; thence turn an angle to the right of 19 degrees, 28 minutes, 55 seconds and run in a Southeasterly direction for a distance of 17.77 feet to a point; thence turn an angle to the right of 77 degrees, 03 minutes, 09 seconds and run in a Southwesterly direction for a distance of 13.49 feet to a point; thence turn an angle to the right of 28 degrees, 10 minutes, 22 seconds and run in a Northwesterly direction for a distance of 29.49 feet to a point; thence turn an angle to the left of 00 degrees, 16 minutes, 56 seconds and run in a Northwesterly direction for a distance of 12.73 feet to a point; thence turn an angle to the left of 125 degrees, 53 minutes, 37 seconds and run in a Southeasterly direction for a distance of 14.95 feet to a point; thence turn an angle to the left of 16 degrees, 27 minutes, 27 seconds and run in a Southeasterly direction for a distance of 41.87 feet to a point; thence turn an angle to the right of 07 degrees, 24 minutes, 45 seconds and run in a Southeasterly direction for a distance of 36.65 feet to a point; thence turn an angle to the right of 25 degrees, 30 minutes, 14 seconds and run in a Southeasterly direction for a distance of 36.20 feet to a point; thence turn an angle to the right of 17 degrees, 12 minutes, 27 seconds and run in a Southeasterly direction for a distance of 40.53 feet to a point; thence turn an angle to the right of 17 degrees, 44 minutes, 33 seconds and run in a Southwesterly direction for a distance of 47.91 feet to a point; thence turn an angle to the right of 06 degrees, 32 minutes, 23 seconds and run in a Southwesterly direction for a distance of 40.05 feet to a point; thence turn an angle to the right of 11 degrees, 00 minutes, 49 seconds and run in a Southwesterly direction for a distance of 41.39 feet to a point; thence turn an angle to the left of 12 degrees, 05 minutes, 00 seconds and run in a Southwesterly direction for a distance of 54.94 feet to a point; thence turn an angle to the left of 02 degrees, 46 minutes, 21 seconds and run in a Southwesterly direction for a distance of 44.40 feet to a point; thence turn an angle to the right of 13 degrees, 41 minutes, 28 seconds and run in a Southwesterly direction for a distance of 7.92 feet to a point; thence turn an angle to the right of 75 degrees, 46 minutes, 16 seconds and run in a Northwesterly direction for a distance of 23.42 feet to a point; thence turn an angle to the left of 16 degrees, 30 minutes, 22 seconds and run in a Northwesterly direction for a distance of 35.31 feet to a point; thence turn an angle to the right of 19 degrees, 04 minutes, 54 seconds and run in a Northwesterly direction for a distance of 50.31 feet to a point; thence turn an angle to the left of 114 degrees, 46 minutes, 00 seconds and run in a Southeasterly direction for a distance of 30.98 feet to a point; thence turn an angle to the left of 17 degrees, 58 minutes, 48 seconds and run in a Southeasterly direction for a distance of 31.38 feet to a point; thence turn an angle to the right of 51 degrees, 38 minutes, 35 seconds and run in a Southwesterly direction for a distance of 4.04 feet to a point; thence turn an angle to the right of 64 degrees, 13 minutes, 59 seconds and run in a Northwesterly direction for a distance of 22.76 feet to a point; thence turn an angle to the left of 03 degrees, 10 minutes, 48 seconds and run in a Northwesterly direction for a distance of 15.25 feet to a point; thence turn an angle to the left of 100 degrees, 23 minutes, 58 seconds and run in a Southeasterly direction for a distance of 16.58 feet to a point; thence turn an angle to the left of 62 degrees, 54 minutes, 20 seconds and run in a Southeasterly direction for a distance of 13.12 feet to a point; thence turn an angle to the right of 36 degrees, 54 minutes, 11 seconds and run in a Southeasterly direction for a distance of 49.23 feet to a point; thence turn an angle to the right of 33 degrees, 41 minutes, 18 seconds and run in a Southeasterly direction for a distance of 37.65 feet to a point; thence turn an angle to the right of 27 degrees, 07 minutes, 17 seconds and run in a Southwesterly direction for a distance of 33.17 feet to a point; thence turn an angle to the left of 13 degrees, 35 minutes, 42 seconds and run in a Southwesterly direction for a distance of 29.07 feet to a point; thence turn an angle to the right of 90 degrees, 36 minutes, 41 seconds and run in a Northwesterly direction for a distance of 113.24 feet to a point at the Northeast corner of Lot 841, Highland Lakes 8th Sector An Eddleman Community, as recorded in Map Book 23, on Page 145, in the Office of the Judge of Probate, Shelby County, Alabama; thence turn an angle to the right of 15 degrees, 58 minutes, 00 seconds and run in a Northwesterly direction along the North line of said Lot 841 and also along the North line of Lot 840 in said Highland Lakes 8th Sector, for a distance of 213.59 feet to a point at the Northwest corner of said Lot 840, said point also being at the Northeast corner of Lot 839 in said Highland Lakes 8th Sector; thence turn an angle to the right of 19 degrees, 13 minutes, 18 seconds and run in a Northwesterly direction along the Northeast line of said Lot 839 and also along the Northeast line of Lot 838 in said Highland Lakes 8th Sector for a distance of 220.00 feet to a point at the Northernmost corner of said Lot 838, said point also being at the Southeast corner of Lot 837 in said Highland Lakes 8th Sector; thence turn an angle to the right of 38 degrees, 59 minutes, 01 seconds and run in a Northerly direction along the East line of said Lot 837

¹ Highland Lakes 12th Sector, Phase III

EXHIBIT “A” (continued)²

for a distance of 75.71 feet to a point at the Northeast corner of said Lot 837, said point also being at the Southeast corner of Lot 836 in said Highland Lakes 8th Sector; thence turn an angle to the left of 11 degrees, 24 minutes, 15 seconds and run in a Northwesterly direction along the East line of said Lot 836 for a distance of 174.01 feet to a point at the Northeast corner of said Lot 836 and also at the Southeast corner of Lot 1249, Highland Lakes 12th Sector, Phase I, An Eddleman Community, as recorded in Map Book 26, on Page 137, in the Office of the Judge of Probate, Shelby County, Alabama; thence turn an angle to the right of 04 degrees, 28 minutes, 48 seconds and run in a Northwesterly direction along the East line of said Lot 1249 and also along the East line of Lot 1248 in said Highland Lakes 12th Sector, Phase I for a distance of 162.23 feet to a point on the East line of said Lot 1248; thence turn an angle to the right of 47 degrees, 30 minutes, 08 seconds and run in a Northeasterly direction along the Southeast line of said Lot 1248 and also along the Southeast line of Lots 1247 and 1246 in said Highland Lakes 12th Sector, Phase I for a distance of 186.10 feet to a point; thence turn an angle to the right of 59 degrees, 54 minutes, 43 seconds and run in a Southeasterly direction for a distance of 141.80 feet to a point; thence turn an angle to the left of 100 degrees, 30 minutes, 34 seconds and run in a Northeasterly direction for a distance of 82.68 feet to a point; thence turn an angle to the right of 75 degrees, 22 minutes, 06 seconds and run in a Northeasterly direction for a distance of 142.42 feet to a point; thence turn an angle to the left of 03 degrees, 03 minutes, 44 seconds and run in a Northeasterly direction for a distance of 60.09 feet to a point; thence turn an angle to the right of 03 degrees, 03 minutes, 44 seconds and run in a Northeasterly direction for a distance of 128.71 feet to the point of beginning; said parcel of land containing 12.8 acres, more or less.

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Shelby Cnty Judge of Probate, AL
04/21/2004 12:40:00 FILED/CERTIFIED

² Highland Lakes 12th Sector, Phase III