


THIS INSTRUMENT PREPARED BY:
James J. Odom, Jr.
P.O. Box 11244
Birmingham, AL 35202-1244

SEND TAX NOTICE TO:
Carter Homebuilders, Inc.
243 Applegate Trace
Pelham, Alabama 35124

STATE OF ALABAMA)
COUNTY OF SHELBY)


20040505000235190 Pg 1/3 18.00
Shelby Cnty Judge of Probate, AL
05/05/2004 09:36:00 FILED/CERTIFIED

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS THAT in consideration of Two Hundred Thousand and No/100 (\$200,000.00) Dollars and other good and valuable consideration, to the undersigned grantor, ROY MARTIN CONSTRUCTION, INC., an Alabama corporation (hereinafter sometimes referred to as "Grantor"), in hand paid by CARTER HOMEBUILDERS, INC. (hereinafter sometimes referred to as "Grantee"), the receipt whereof is hereby acknowledged, Grantor does by these presents, grant, bargain, sell and convey unto Grantee the following described real estate, situated in Shelby County, Alabama, to-wit:

SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION.

SUBJECT TO: (1) Current taxes; (2) Transmission Line Permits to Alabama Power Company as shown by instruments recorded in Deed 205, Page 35; Deed 126, Page 303 and Deed 217, Page 101 in Probate Office; (3) Right of Way granted to South Central Bell by instrument recorded in Deed 353, Page 768 in the Probate Office; (4) Right of Way granted to Shelby County by instruments recorded in Deed 72, Page 536, and Deed 230, Page 226, in the Probate Office; (5) Easements for sanitary sewer as shown by instrument recorded in

The above recited consideration was paid from a Mortgage loan closed simultaneously herewith.

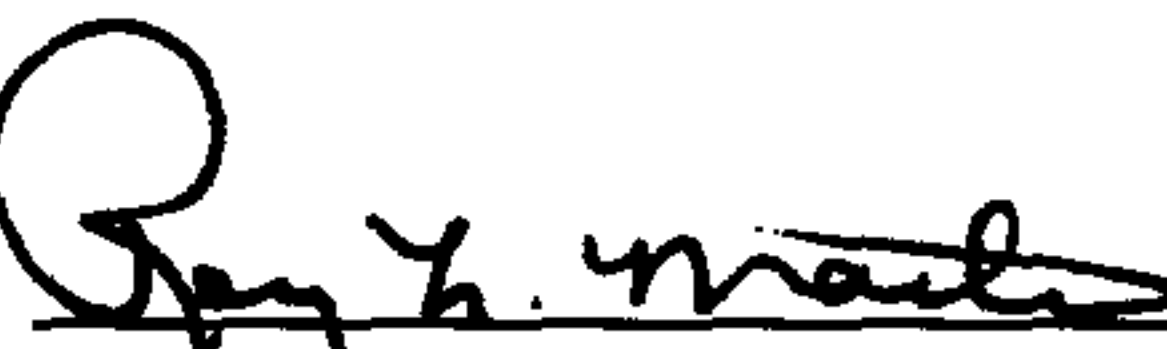
TO HAVE AND TO HOLD to the Grantee, its successors and assigns forever.

And Grantor does for itself, its successors and assigns, covenant with the Grantee, its successors and assigns, that it is lawfully seized in fee simple of the premises; that the premises are free from all encumbrances, except as noted above; that it has a good right to sell and convey the premises as aforesaid; that it will, and its successors and assigns shall, warrant and defend the same to the Grantee, its successors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the undersigned has caused this instrument to be executed on this the 26th day of April, 2004.

ROY MARTIN CONSTRUCTION, INC.

By: _____



Roy L. Martin
As its President

STATE OF ALABAMA)

COUNTY SHELBY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Roy L. Martin, whose name as President of Roy Martin Construction, Inc., an Alabama corporation, 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, in his capacity as such Officer, and with full authority, executed the same voluntarily for and on behalf of said corporation.

Given under my hand and official seal, this the 36th day of April, 2004.

Dwenda H. Clayton
Notary Public

My commission expires: 4-27-05

A parcel of land situated in the SW ¼ of the SE ¼ of Section 25, Township 20 South, Range 3 West, City of Alabaster, Shelby County, Alabama, being more particularly described as follows: Begin at the SW corner of Lot 1 of Timberleaf Townhomes, as recorded in Map Book 21 page 31, in the Office of the Judge of Probate in Shelby County, Alabama; thence South 89 deg. 59 min. 16 sec. East along the a projection of the South line of said Lot 1 a distance of 382.85 feet; thence South 2 deg. 30 min. 26 sec. East a distance of 63.30 feet to a point on a curve to the left having a central angle of 24 deg. 0 min. 23 sec. and a radius of 521.14 feet, said curve subtended by a chord bearing South 33 deg. 37 min. 29 sec. West and a chord distance of 216.76 feet; thence along the arc of said curve a distance of 218.35 feet; thence South 21 deg. 37 min. 17 sec. West a distance of 101.49 feet to the Northerly right of way of Shelby County Highway 68 and a point on a curve having a central angle of 9 deg. 6 min. 10 sec. and a radius of 1440.04 feet said curve subtended by a chord bearing North 76 deg. 58 min. 13 sec. West and a chord distance of 228.54 feet; thence along the arc of said curve and along said right of way a distance of 228.78 feet to the intersection of said right of way and the Easterly right of way of Allen Drive; thence North 1 deg. 6 min. 31 sec. West along said Allen Drive and leaving said Highway 68 right of way a distance of 286.69 feet to the point of beginning; being situated in Shelby County, Alabama.

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Exhibit A