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DJ

20040526000281160 Pg 1/2 15.00  
Shelby Cnty Judge of Probate, AL  
05/26/2004 12:47:00 FILED/CERTIFIED

(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

CYPRESS ENTERPRISES, LLC  
2663 VALLEYDALE ROAD  
BIRMINGHAM, AL 35244

STATE OF ALABAMA)  
COUNTY OF SHELBY)

**WARRANTY DEED**

**Know All Men by These Presents:** That in consideration of THIRTY NINE THOUSAND FIVE HUNDRED DOLLARS and 00/100 (\$39,500.00) 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 CYPRESS ENTERPRISES, LLC, (herein referred to as GRANTEES, whether one or more) the following described real estate, situated in SHELBY County, Alabama, to-wit:

LOT 129 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 2003 WHICH CONSTITUTE A LIEN BUT ARE NOT YET DUE AND PAYABLE UNTIL OCTOBER 1, 2004.
2. BUILDING LINES, EASEMENTS AND RESTRICTIONS OF RECORD.
3. 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.
4. TIMBER SALE AGREEMENT WITH DOUBLE MOUNTAIN LLC RECORDED IN INSTRUMENT 1995/2626 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
5. RESTRICTIONS OR COVENANTS RECORDED IN INSTRUMENT 1998/27389 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
6. AMENDMENT TO RESTRICTIONS RECORDED IN INSTRUMENT 20020724000344060 AND INSTRUMENT 20020724000344050 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
7. RIGHT OF WAY GRANTED TO ALABAMA POWER COMPANY BY INSTRUMENT RECORDED IN INSTRUMENT 2002/463610 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

\$189,000.00 of the consideration herein was derived from a mortgage closed simultaneously herewith.

**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 20th day of May, 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 20th day of May, 2004.

  
Notary Public

My commission expires: 10.2.05