

(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

TOWER DEVELOPMENT, INC.  
PO BOX 1928  
PELHAM, AL 35124

STATE OF ALABAMA)

COUNTY OF SHELBY)

WARRANTY DEED

**Know All Men by These Presents:** That in consideration of ONE HUNDRED NINETY TWO THOUSAND DOLLARS and 00/100 (\$192,000.00) to the undersigned grantor,STONE CREEK, 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 TOWER DEVELOPMENT, INC., (herein referred to as GRANTEES, whether one or more) the following described real estate, situated in SHELBY County, Alabama, to-wit:

LOTS 1, 88,89,90,94,95,96,197 AND 198, ACCORDING TO THE FINAL PLAT OF STONECREEK, PHASE 1, AS RECORDED IN MAP BOOK 32, PAGE 92, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

SUBJECT TO:

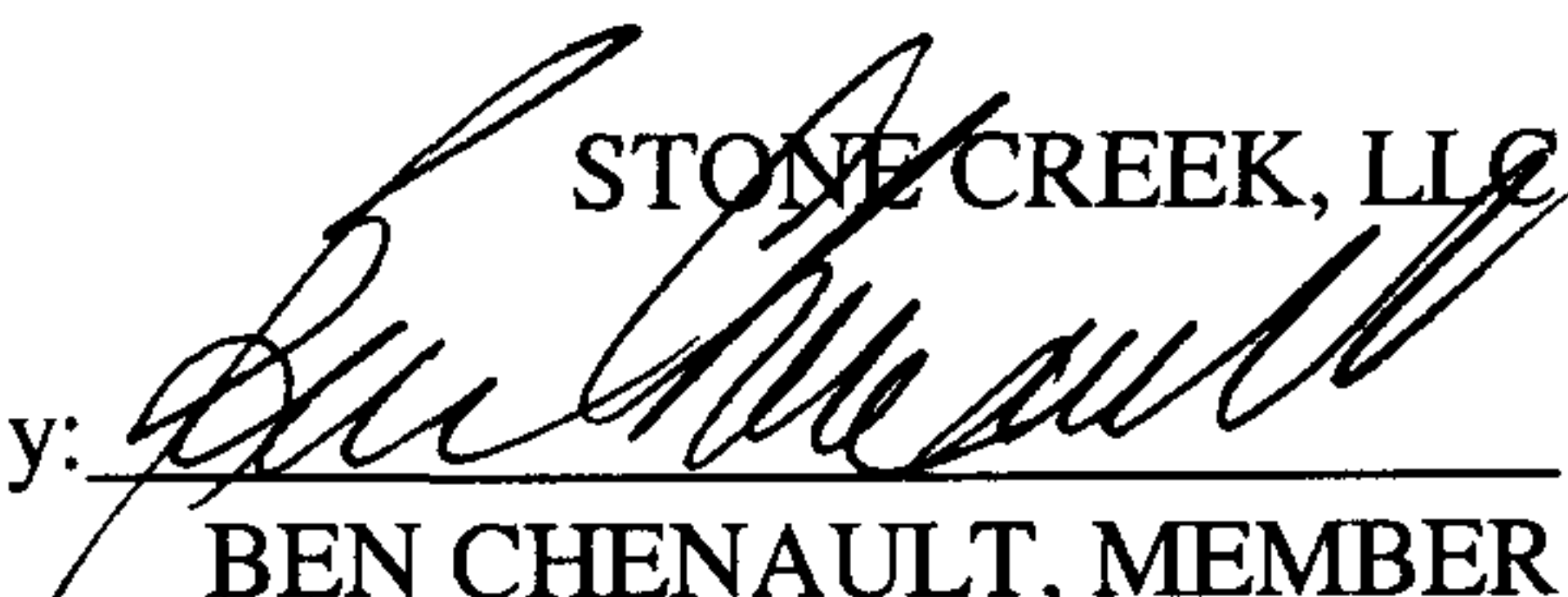
1. TAXES FOR THE YEAR 2003 WHICH CONSTITUTE A LIEN BUT ARE NOT YET DUE AND PAYABLE UNTIL OCTOBER 1, 2004.
2. EASEMENTS AND BUILDING LINES AS SHOWN ON RECORDED MAP.
3. TITLE TO ALL MINERALS WITHIN AND UNDERLYING THE PREMISES TOGETHER WITH ALL MINING RIGHTS AND OTHER RIGHTS, PRIVILEGES AND IMMUNITIES RELATING THERETO.
4. RESTRICTIONS APPEARING OF RECORD IN INSTRUMENT NO. 2003-81566.

\$192,000 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, STONE CREEK, LLC, by its MEMBER, BEN CHENAULT who is authorized to execute this conveyance, has hereunto set its signature and seal, this the 14th day of June, 2004.

By:  STONE CREEK, LLC  
BEN CHENAULT, MEMBER

STATE OF ALABAMA)

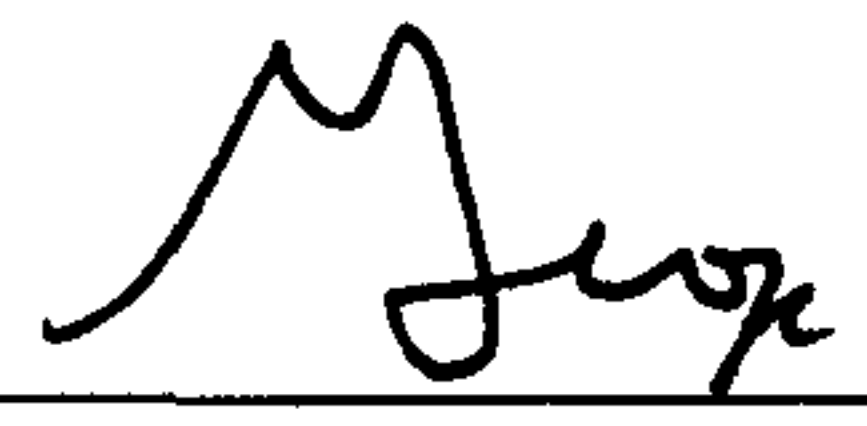
COUNTY OF SHELBY)

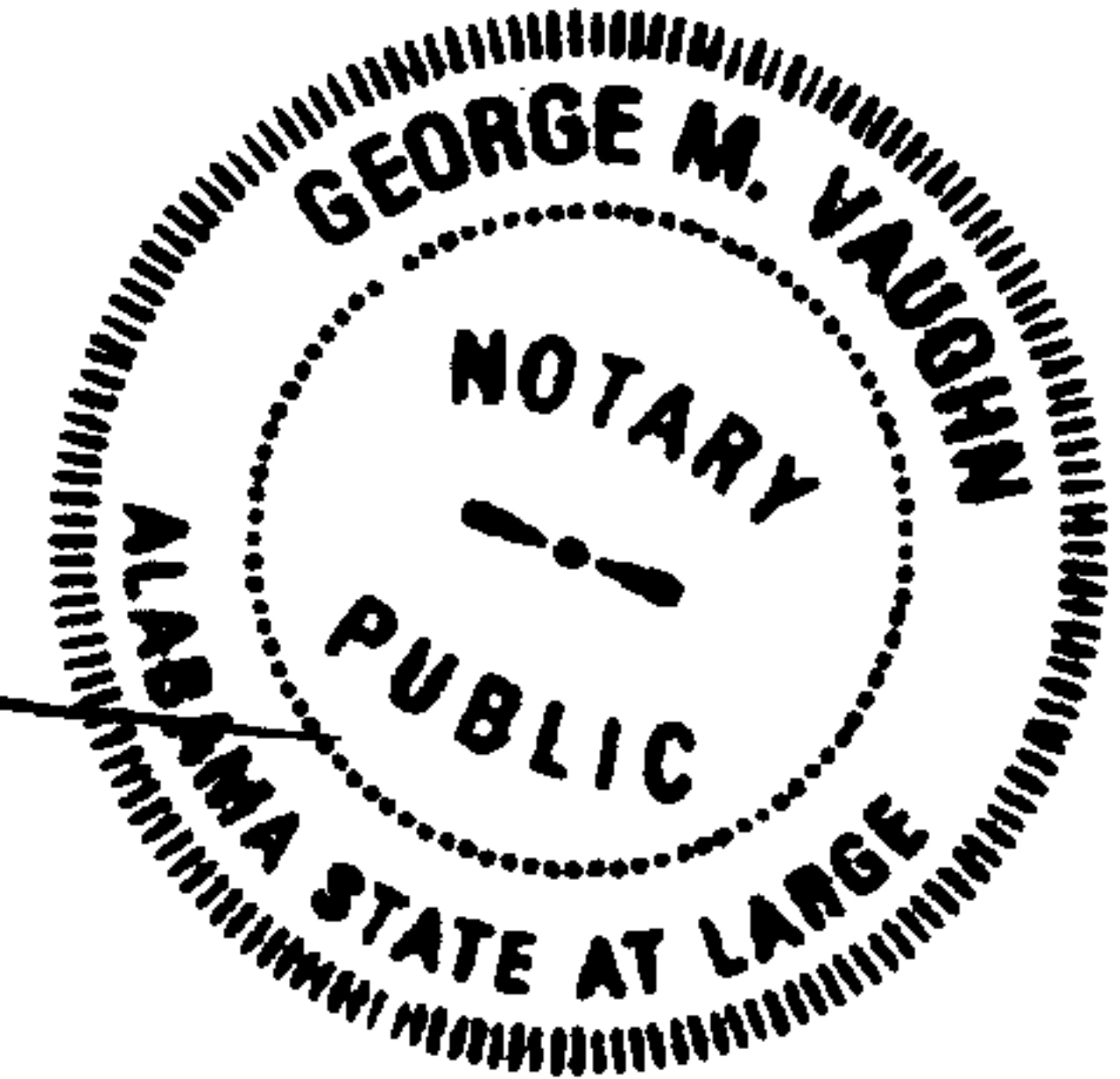
20040618000332250 Pg 2/2 15.00  
Shelby Cnty Judge of Probate, AL  
06/18/2004 12:46:00 FILED/CERTIFIED

### ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that BEN CHENAULT, whose name as MEMBER of STONE CREEK, 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 14th day of June, 2004.

  
Notary Public



My commission expires: 9.29.06