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(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

O V E R    T H E    M O U N T A I N  
CONSTRUCTION, LLC  
125 OAKLYN HILLS DRIVE  
PELHAM, ALABAMA,MA 35124

STATE OF ALABAMA)

COUNTY OF SHELBY)

**WARRANTY DEED**

**Know All Men by These Presents:** That in consideration of THIRTY FOUR THOUSAND FIVE HUNDRED DOLLARS and 00/100 (\$34,500.00) 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 OVER THE MOUNTAIN CONSTRUCTION, LLC, (herein referred to as GRANTEES, whether one or more) the following described real estate, situated in SHELBY County, Alabama, to-wit:

LOT 8, ACCORDING TO THE SURVEY OF OAKLYN HILLS PHASE I, AS RECORDED IN MAP BOOK 24, PAGE 50 A&B, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

SUBJECT TO:

1. 2004 AD VALOREM TAXES NOT YET DUE AND PAYABLE.
2. ALL EASEMENTS, RIGHTS-OF-WAY, RESTRICTIONS, COVENANTS AND ENCUMBRANCES OF RECORD.
3. RESTRICTIONS APPEARING OF RECORD IN INSTRUMENT 1998-27399, INSTRUMENT 2000-14518 AND INSTRUMENT 2001-54596, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
4. MINERAL AND MINING RIGHTS AND RIGHTS INCIDENT THERETO RECORDED IN INSTRUMENT 1997-31999, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
5. 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.
6. TRANSMISSION LINE PERMIT TO ALABAMA POWER COMPANY, AS RECORDED IN DEED BOOK 165, PAGE 105, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
7. RAILROAD RIGHT OF WAY RESERVED BY SOUTH AND NORTH ALABAMA RAILROAD BY DEED BOOK "T", PAGE 655, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

8. TIMBER SALE AGREEMENT BY AND BETWEEN DOUBLE MOUNTAIN, LLC AND INTERNATIONAL PAPER COMPANY, AS SET OUT IN INSTRUMENT 1995-2626, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

\$203,000.00 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 2nd day of August, 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 2nd day of August, 2004.

  
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Notary Public

My commission expires: 9.29.06

