


#261177.34

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)


20040823000471380 Pg 1/4 281.50
Shelby Cnty Judge of Probate, AL
08/23/2004 13:42:00 FILED/CERTIFIED

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 28TH SECTOR.**

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 2003 and subsequent years, and (iii) all matters that would be revealed by a current and accurate physical survey of the subject property.

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.

CLAYTON T. SWEENEY, ATTORNEY AT LAW

IN WITNESS WHEREOF, the said Grantor has hereunto set its hand by its duly authorized officer
this 9th day of August, 2004.

GRANTOR:

HIGHLAND LAKES PROPERTIES, LTD.
an Alabama Limited Partnership

By: Eddleman Properties, Inc.
Its General Partner

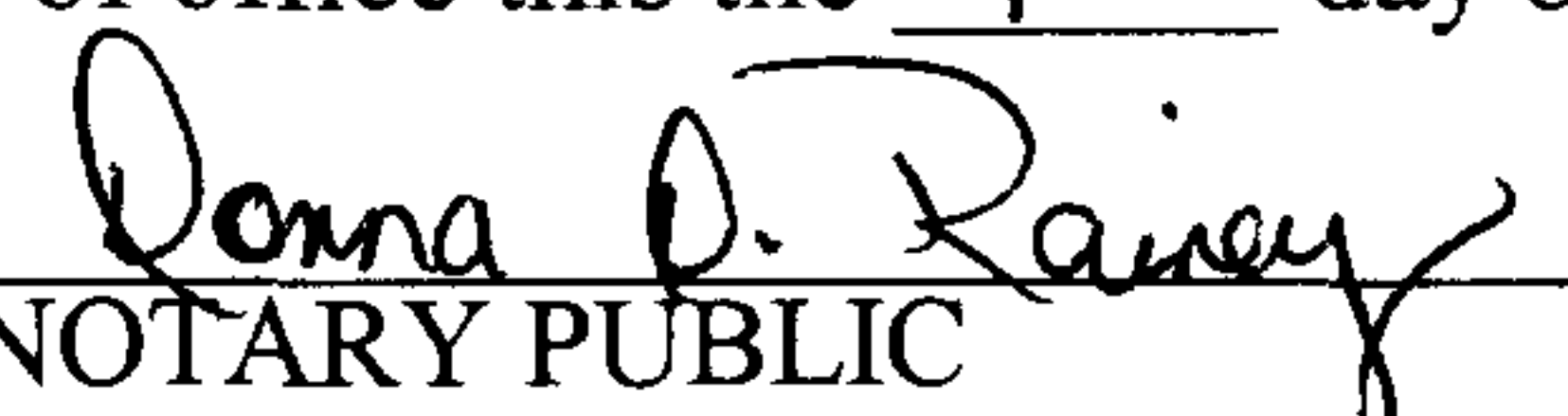
By:


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 9th day of August, 2004.


NOTARY PUBLIC
My Commission expires: _____

NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: Dec 1, 2006
BONDED THRU NOTARY PUBLIC UNDERWRITERS

EXHIBIT "A"

Highland Lakes 28th Sector
(For Identification Purposes Only)

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 Northeast corner of said Section 9 and run in a Westerly direction along the North line of said Northeast quarter for a distance of 1,054.26 feet to a point; thence turn an angle to the left of 84 degrees, 09 minutes, 45 seconds and run in a Southwesterly direction for a distance of 248.07 feet to a point; thence turn an angle to the left of 84 degrees, 16 minutes, 07 seconds and run in a Southeasterly direction for a distance of 35.64 feet to a point; thence turn an angle to the right of 41 degrees, 29 minutes, 40 seconds and run in a Southeasterly direction for a distance of 37.44 feet to a point; thence turn an angle to the right of 42 degrees, 37 minutes, 07 seconds and run in a Southwesterly direction for a distance of 43.15 feet to a point; thence turn an angle to the right of 09 degrees, 27 minutes, 20 seconds and run in a Southwesterly direction for a distance of 39.53 feet to a point; thence turn an angle to the right of 04 degrees, 12 minutes, 39 seconds and run in a Southwesterly direction for a distance of 47.71 feet to a point; thence turn an angle to the right of 01 degrees, 53 minutes, 27 seconds and run in a Southwesterly direction for a distance of 39.64 feet to a point; thence turn an angle to the left of 08 degrees, 13 minutes, 27 seconds and run in a Southwesterly direction for a distance of 23.20 feet to a point; thence turn an angle to the right of 07 degrees, 20 minutes, 18 seconds and run in a Southwesterly direction for a distance of 23.27 feet to a point; thence turn an angle to the left of 37 degrees, 11 minutes, 13 seconds and run in a Southeasterly direction for a distance of 15.99 feet to a point; thence turn an angle to the left of 11 degrees, 02 minutes, 19 seconds and run in a Southeasterly direction for a distance of 46.82 feet to a point; thence turn an angle to the right of 47 degrees, 41 minutes, 11 seconds and run in a Southwesterly direction for a distance of 30.66 feet to a point; thence turn an angle to the left of 37 degrees, 27 minutes, 05 seconds and run in a Southeasterly direction for a distance of 32.54 feet to a point; thence turn an angle to the right of 16 degrees, 33 minutes, 13 seconds and run in a Southeasterly direction for a distance of 51.30 feet to a point; thence turn an angle to the right of 10 degrees, 21 minutes, 01 seconds and run in a Southwesterly direction for a distance of 54.10 feet to a point; thence turn an angle to the right of 08 degrees, 49 minutes, 45 seconds and run in a Southwesterly direction for a distance of 106.23 feet to a point; thence turn an angle to the right of 00 degrees, 36 minutes, 01 seconds and run in a Southwesterly direction for a distance of 63.67 feet to a point; thence turn an angle to the right of 21 degrees, 28 minutes, 48 seconds and run in a Southwesterly direction for a distance of 53.98 feet to a point; thence turn an angle to the left of 07 degrees, 59 minutes, 50 seconds and run in a Southwesterly direction for a distance of 49.78 feet to a point; thence turn an angle to the left of 07 degrees, 23 minutes, 20 seconds and run in a Southwesterly direction for a distance of 42.10 feet to a point; thence turn an angle to the left of 03 degrees, 43 minutes, 28 seconds and run in a Southwesterly direction for a distance of 53.06 feet to a point; thence turn an angle to the left of 09 degrees, 16 minutes, 10 seconds and run in a Southwesterly direction for a distance of 85.52 feet to a point; thence turn an angle to the left of 09 degrees, 25 minutes, 11 seconds and run in a Southwesterly direction for a distance of 52.90 feet to a point; thence turn an angle to the left of 23 degrees, 05 minutes, 11 seconds and run in a Southeasterly direction for a distance of 35.60 feet to a point; thence turn an angle to the left of 68 degrees, 56 minutes, 45 seconds and run in an Easterly direction for a distance of 157.10 feet to a point; thence turn an angle to the left of 90 degrees, 00 minutes, 00 seconds and run in a Northerly direction for a distance of 5.00 feet to a point on a curve to the right, having a central angle of 27 degrees, 33 minutes, 17 seconds and a radius of 463.44 feet; thence run in a Southeasterly direction along the arc of said curve for a distance of 222.88 feet to a point on a curve to the right, having a central angle of 84 degrees, 07 minutes, 28 seconds and a radius of 25.00 feet; thence turn an angle to the left to the chord of said curve of 124 degrees, 09 minutes, 37 seconds and run along the arc of said curve in the a Northwesterly to Northeasterly direction for a distance of 36.71 feet to a point; thence run tangent to last stated curve in a Northeasterly direction for a distance of 72.44 feet to a point on a curve to the right, having a central angle of 07 degrees, 50 minutes, 49 seconds and a radius of 646.65 feet; thence run in a Northeasterly direction along the arc of said curve for a distance of 88.56 feet to a point; thence turn an angle to

EXHIBIT "A" (cont.)

the right from the chord of said curve of 93 degrees, 55 minutes, 25 seconds and run in a Southeasterly direction for a distance of 133.63 feet to a point; thence turn an angle to the left of 73 degrees, 02 minutes, 49 seconds and run in a Northeasterly direction for a distance of 367.77 feet to a point; thence turn an angle to the left of 07 degrees, 42 minutes, 19 seconds and run in a Northeasterly direction for a distance of 118.89 feet to a point; thence turn an angle to the right of 07 degrees, 57 minutes, 25 seconds and run in a Northeasterly direction for a distance of 128.70 feet to a point; thence turn an angle to the left of 03 degrees, 48 minutes, 02 seconds and run in a Northeasterly direction for a distance of 187.40 feet to a point; thence turn an angle to the left of 11 degrees, 26 minutes, 29 seconds and run in a Northeasterly direction for a distance of 270.92 feet to a point; thence turn an angle to the right of 04 degrees, 27 minutes, 56 seconds and run in a Northeasterly direction for a distance of 194.70 feet to a point; thence turn an angle to the right of 07 degrees, 33 minutes, 53 seconds and run in a Northeasterly direction for a distance of 274.18 feet to a point on the North line of Section 10 in said Township 19 South, Range 1 West; thence turn an angle to the left of 133 degrees, 49 minutes, 57 seconds and run in a Westerly direction along the North line of said Section 10 for a distance of 335.03 feet to the point of beginning; said parcel of land containing 25.6 acres, more or less.