

THIS INSTRUMENT PREPARED BY:  
Riley & Riley, P.C.  
1950 Stonegate Drive, Suite 150  
Birmingham, Alabama 35242

SEND TAX NOTICE TO:  
Stonegate Farms, LLC  
1000 Urban Center Drive, Suite 650  
Birmingham, AL 35242

STATE OF ALABAMA  
SHELBY COUNTY

**STATUTORY WARRANTY DEED**

**KNOW ALL MEN BY THESE PRESENTS:** That in consideration of One Hundred Sixty-Five Thousand and no/100 Dollars (\$165,000.00) to **ROGER BASS and RENE BASS, HUSBAND AND WIFE**, (the "Grantor"), in hand paid by **STONEGATE FARMS, LLC**, an Alabama limited liability company, (the "Grantees"), the receipt and sufficiency of which is hereby acknowledged, Grantor does by these presents grant, bargain, sell and convey unto Grantees, subject to the covenants, conditions and other matters set forth below, the real estate situated in Shelby County, Alabama, more particularly described as follows (the "Property"):

Lot 38, according to the Survey of Stonegate Realty, Phase Two, as recorded in Map Book 31, page 28 A & B, in the Probate Office of Shelby County, Alabama

TOGETHER WITH the nonexclusive easement to use the Development Roads as more particularly defined and described in the Covenants.

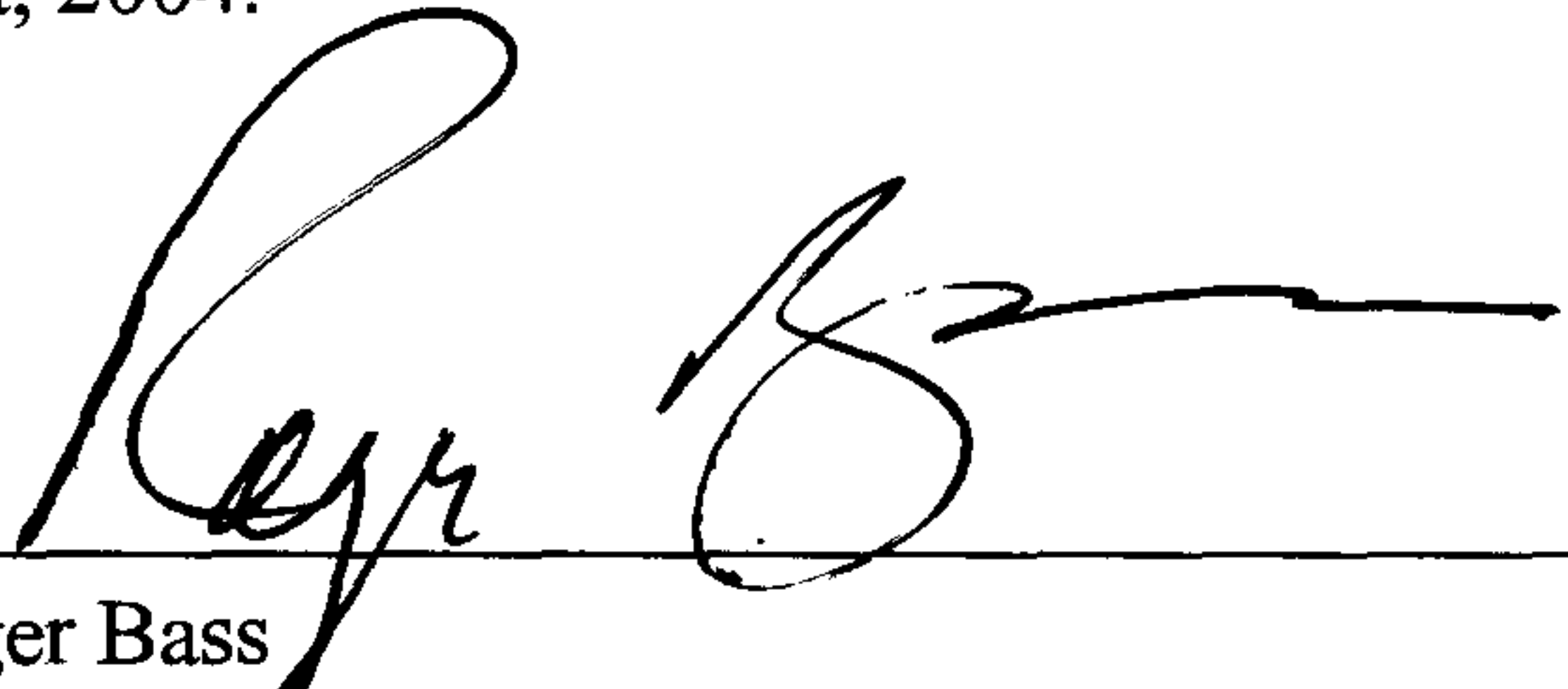
**SUBJECT TO:**


1. General and special taxes or assessments for 2004 and subsequent year not yet due and payable.
2. Any loss, claim, damage, or expense including additional tax due, if any, due to the fact that ad valorem taxes for subject property have been paid under a current use assessment. (See 1975 Code of Alabama Section 40-7-25-3).
3. Building setback line and easements as shown by recorded plat.
4. Restrictions, covenants and conditions as set out in instrument(s) recorded in Instrument #2001/5954 as amended and restated in Instrument # 2001/12016 together with Articles of Incorporation of Stonegate Farms Property Owners Association, Inc. recorded in Instrument #2001/5955, in the Probate Office of Shelby County.
5. Easement(s) to Alabama Power Company as shown by instrument recorded in Deed Book 176, page 381; Deed Book, 185 page 475; Real 115, page 899; Deed Book 148, page 18 and Deed Book 182, page 269, Deed Book 331, page 840; Deed Book 310, page 991; Deed Book 242, page 148; and Deed Book 180, page 35 in said Probate Office.
6. Easement and Use Restrictions Agreement recorded as Instrument 2001-02969 in Probate Office.
7. Restrictions, limitations and conditions as set out in Map Book 29, page 4A and 4B and Map Book 31, pages 28 A & B in the Probate Office.
8. Right of Way granted to The Water Works and Sewer Board of the City of Birmingham by instrument(s) recorded in Inst. No. 20020718000335510 in the Probate Office.

9. Restrictive covenants and Grant of Land Easement in favor of Alabama Power Company as shown by instrument(s) recorded in Inst. No. 20021119000577440 in the Probate Office. General and special taxes or assessments for 2003 and subsequent year not yet due and payable. Buyer has physically inspected the Property.

**TO HAVE AND TO HOLD** unto Grantees its successor and/or assigns forever, subject to the matters described above.

**IN WITNESS WHEREOF**, Grantor, Roger Bass and Rene Bass, have executed this conveyance as of the 9<sup>th</sup> day of August, 2004.

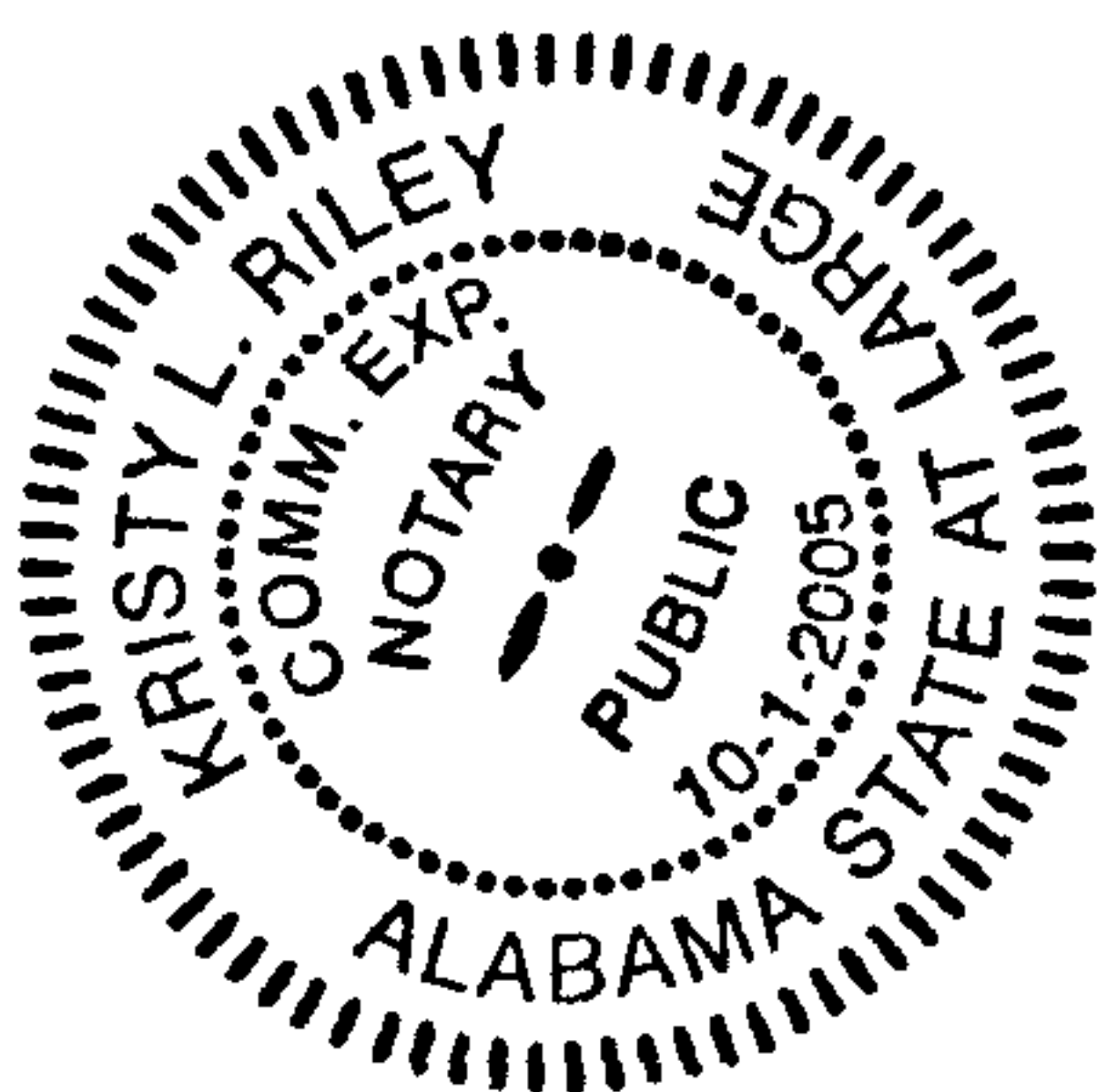
  
\_\_\_\_\_  
Roger Bass

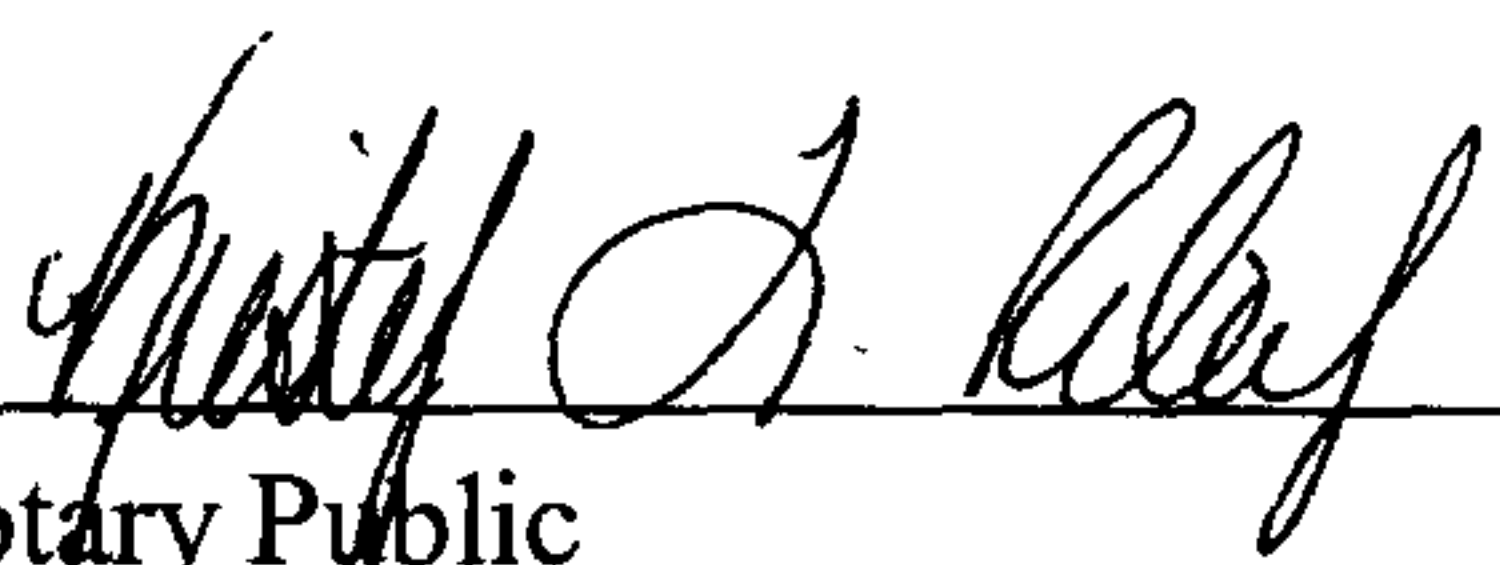
  
\_\_\_\_\_  
Rene Bass

STATE OF ALABAMA  
JEFFERSON COUNTY

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Roger Bass and Rene Bass, whose names are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, they executed the same voluntarily for and as their act.

Given under my hand and official seal this 9<sup>th</sup> day of August, 2004.



  
\_\_\_\_\_  
Notary Public  
My Commission expires: 10-1-05