

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was
prepared by:

SEND TAX NOTICE TO:

TOM LACEY CONSTRUCTION

R. Shan Paden
PADEN & PADEN
5 Riverchase Ridge, Suite 100
Birmingham, Alabama 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 TOM LACEY CONSTRUCTION, (herein referred to as GRANTEES, whether one or more) the following described real estate, situated in SHELBY County, Alabama, to-wit:

LOT 127 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 2004 WHICH CONSTITUTE A LIEN BUT ARE NOT YET DUE AND PAYABLE UNTIL OCTOBER 1, 2005.
2. RESTRICTIVE COVENANTS AND GRANT OF LAND EASEMENT TO ALABAMA POWER COMPANY BY INSTRUMENT 2002-46361.
3. RIGHT OF WAY GRANTED TO ALABAMA POWER COMPANY BY INSTRUMENT RECORDED IN DEED BOOK 165, PAGE 105.
4. RIGHTS OF WAY TO SHELBY COUNTY AS RECORDED IN DEED BOOK 229, PAGE 492 AND DEED BOOK 30, PAGE 469.
5. RESTRICTIONS APPEARING OF RECORD IN INSTRUMENT 1998-27389 AMENDED IN INSTRUMENT 2002-34405 AND INSTRUMENT 2002-29305 AND INSTRUMENT 2002-34406.
6. RAILROAD RIGHT OF WAY AS SET OUT IN DEED BOOK T, PAGE 655.
7. TITLE TO ALL MINERALS WITHIN AND UNDERLYING THE PREMISES TOGETHER WITH ALL MINING RIGHTS AND OTHER RIGHTS PRIVILEGES AND IMMUNITIES THERETO AND RELEASE OF DAMAGES RELATED THERETO AS RECORDED IN INSTRUMENT 1994-29305.

\$ 206,250.00 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 5th day of October, 2004.

SECOND UNION INVESTORS, LLC

By: 

BEN L. CHENAULT, MANAGER

STATE OF ALABAMA)

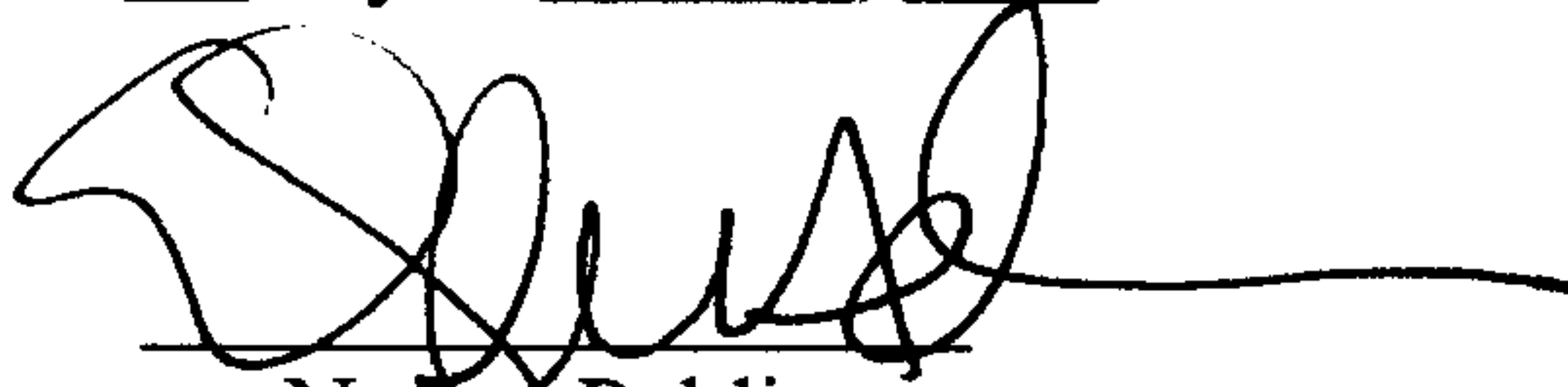
COUNTY OF SHELBY)

20041011000559330 Pg 2/2 15.00
Shelby Cnty Judge of Probate, AL
10/11/2004 09:31:00 FILED/CERTIFIED

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 5th day of October, 2004.


Notary Public

My commission expires: 10.2.05