

STATE OF ALABAMA)
SHELBY COUNTY)

20041012000564420 Pg 1/1 12.00
Shelby Cnty Judge of Probate,AL
10/12/2004 12:22:00 FILED/CERTIFIED

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That for and in consideration of FORTY TWO THOUSAND AND NO/100 DOLLARS (\$42,000.00) to the undersigned GRANTOR in hand paid by the GRANTEE herein, the receipt whereof is acknowledged, **TOWN BUILDERS, INC, an Alabama Corporation** (GRANTOR) does grant, bargain, sell and convey unto **SMITH CONSTRUCTION AND DEVELOPMENT, LLC, an Alabama Limited Liability Corporation (GRANTEE)** in and to the following described real estate situated in SHELBY COUNTY, ALABAMA to wit:

LOT 441, ACCORDING TO THE SURVEY OF FOREST PARKS, 4TH SECTOR, 3RD PHASE, AS RECORDED IN MAP BOOK 24, PAGE 98, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

SUBJECT TO:

ADVALOREM TAXES DUE OCTOBER 1, 2004.

EASEMENTS AND BUILDING LINES AS SHOWN ON RECORDED MAP.

RESTRICTIONS APPEARING OF RECORD IN INST. #1998-38885.

RIGHT OF WAY GRANTED TO ALABAMA POWER COMPANY RECORDED IN VOLUME 236, PAGE 829; DEED VOLUME 139, PAGE 127; DEED VOLUME 133, PAGE 210; DEED VOLUME 126, PAGE 191; DEED VOLUME 126, PAGE 192; DEED VOLUME 126, PAGE 323 AND DEED VOLUME 124, PAGE 519.

EASEMENT TO SHELBY COUNTY RECORDED IN INST. # 1993-3962.

TITLE TO ALL MINERALS WITHIN AND UNDERLYING THE PREMISES, TOGETHER WITH ALL MINING RIGHTS AND OTHER RIGHTS, PRIVILEGES AND IMMUNITIES RELATING THERETO AS RECORDED IN DEED BOOK 53, PAGE 262.

\$42000.00 OF THE CONSIDERATION WAS PAID FROM A MORTGAGE LOAN.

TO HAVE AND TO HOLD unto the said **GRANTEE** its successors and assigns forever; And said GRANTOR does for itself, its successors, and assigns covenant with said **GRANTEE**, its successors 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 same **GRANTEE**, its successors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the said GRANTOR has caused this conveyance to be executed this the 7 day of OCTOBER, 2004.

TOWN BUILDERS, INC.
an Alabama Corporation



DELLA M. PENDER
ITS VICE PRESIDENT

STATE OF ALABAMA
JEFFERSON COUNTY

I, GENE W. GRAY, JR., a Notary Public in and for said County in said State, hereby certify that, **DELLA M. PENDER**, whose name as VICE PRESIDENT of **TOWN BUILDERS, INC., an Alabama Corporation** is signed to the foregoing instrument and who is personally known to me, acknowledged before me on this day that, being informed of the contents of the instrument, she as such Officer, and with full authority, executed the same voluntarily for and as the act of **TOWN BUILDERS, INC., an Alabama Corporation**.

Given under my hand and seal this 7 day of OCTOBER, 2004.


Notary Public
Commission Expires: 11/09/06

THIS INSTRUMENT PREPARED BY:
GENE W. GRAY, JR.
2100 SOUTHBRIDGE PARKWAY,
SUITE 638
BIRMINGHAM, AL 35209
205 879 3400

SEND TAX NOTICE TO:
SMITH CONSTRUCTION AND DEVELOPMENT, LLC.
5714 GROVE CIRCLE
SYLVAN SPRINGS, ALABAMA 35118
#09-5-21-0-000-001.206