


(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was prepared by:  
PADEN & PADEN  
5 Riverchase Ridge, Suite 100  
Birmingham, Alabama 35244

SEND TAX NOTICE TO:  
TOWER DEVELOPMENT, INC.  
PO BOX 1928  
PELHAM, AL 35124

STATE OF ALABAMA)  
COUNTY OF SHELBY)

**WARRANTY DEED**

  
20041015000571010 Pg 1/1 12.00  
Shelby Cnty Judge of Probate, AL  
10/15/2004 12:17:00 FILED/CERTIFIED

**Know All Men by These Presents:** That in consideration of ONE HUNDRED FORTY SIX THOUSAND EIGHT HUNDRED EIGHTY DOLLARS and 00/100 (\$146,880.00) to the undersigned grantor, STONECREEK, 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 TOWER DEVELOPMENT, INC., (herein referred to as GRANTEES, whether one or more) the following described real estate, situated in SHELBY County, Alabama, to-wit:

LOTS 13, 14, 15, 130, 131 AND 132 ACCORDING TO THE SURVEY OF STONECREEK PHASE 2 AS RECORDED IN MAP BOOK 34, PAGE 11 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. EASEMENTS AND BUILDING LINES AS SHOWN ON RECORDED MAP.
3. TITLE TO ALL MINERALS WITHIN AND UNDERLYING THE PREMISES TOGETHER WITH ALL MINING RIGHTS AND OTHER RIGHTS PRIVILEGES AND IMMUNITIES RELATING THERETO.
4. UNRECORDED RESTRICTIONS.

\$146,880.00 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, STONECREEK, LLC, by its MEMBER, ALBERT L. WEBER who is authorized to execute this conveyance, has hereunto set its signature and seal, this the 12th day of October, 2004.

STONECREEK, LLC


By   
ALBERT L. WEBER, MEMBER

STATE OF ALABAMA)  
COUNTY OF SHELBY)

**ACKNOWLEDGEMENT**

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that ALBERT L. WEBER, whose name as MEMBER of STONECREEK, 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 12th day of October, 2004.

  
Notary Public

My commission expires: 9.29.06