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 Shelby Cnty Judge of Probate, AL  
 11/22/2004 10:59:00 FILED/CERTIFIED

Send Tax Notice To:  
 Caldwell Mill LLP  
 5502 Caldwell Mill Road  
 Birmingham, Alabama 35242

STATE OF ALABAMA     )  
                                       )  
 SHELBY COUNTY         )

**STATUTORY WARRANTY DEED**

KNOW ALL MEN BY THESE PRESENTS, That for and in consideration of Fifty-Three Thousand , Five Hundred dollars & no/100 Dollars (\$53,500.00) to the undersigned Caldwell Mill LLP, an Alabama limited liability partnership (the "Grantor"), in hand paid by Harbar Construction Company, Inc., an Alabama corporation (the "Grantee"), the receipt of which is hereby acknowledged, the Grantor does grant, bargain, sell, and convey unto the Grantee the following described real estate situated in Shelby County, Alabama:

Lot # 97 according to the survey of Phase V Caldwell Crossings 2nd sector, as recorded in Map Book 32, Page 103 A & B, in the Probate Office of Shelby County, Alabama.

Subject to:

1. Ad valorem taxes for the year beginning October 1, 2002.
2. Easements, restrictions, covenants, and rights of way to record.
3. Mortgage and Security Agreement dated December 14, 2000 and recorded in Instrument No. 2000-43397 in the Probate Office of Shelby County, Alabama.

TO HAVE AND TO HOLD to the Grantee, its successors and assigns forever.

IN WITNESS WHEREOF, the Grantor had duly executed this deed on this 16<sup>th</sup> date of November, 2004.

**CALDWELL MILL LLP**

By: Harbar Construction Company, Inc.

Its: Managing Partner

By:

Its:

Denney Barron  
 President

I, the undersigned, a Notary Public in and for said County in said state, hereby certify that Denney Barron, whose name as Vice President of Harbar Construction Company, Inc., a corporation, the Managing Partner of Caldwell Mill LLP, an Alabama limited liability partnership, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of such instrument, he, as such officer of such Managing Partner and with full authority, executed the same voluntarily for and as the act of said limited liability partnership.

Given under my hand and official seal this 16<sup>th</sup> day of November, 2004.

Alesia H. Ray

Notary Public

My Commission Expires: 3/19/08

nhb

NOTARY PUBLIC STATE OF ALABAMA AT LARGE  
 MY COMMISSION EXPIRES: Mar 19, 2008  
 BONDED THRU NOTARY PUBLIC UNDERWRITERS