

THIS INSTRUMENT PREPARED BY:

Kristy Liggan Riley, Esq.  
1950 Stonegate Drive, Suite 150  
Birmingham, Alabama 35242

SEND TAX NOTICE TO:

James Woods Development, Inc.  
P.O. Box 382226  
Birmingham, AL 35238

STATE OF ALABAMA  
SHELBY COUNTY

**STATUTORY WARRANTY DEED**

**KNOW ALL MEN BY THESE PRESENTS:** That in consideration of One Hundred Seventy-Five Thousand and no/100 Dollars (\$175,000.00) to **RICHARD RAYBORN AND NICOLE RAYBORN, husband and wife**, (the "Grantor"), in hand paid by, **JAMES WOODS DEVELOPMENT, INC.** (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 32 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; being situated in Shelby County.

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

**SUBJECT TO:**


1. Taxes or assessments for 2005 and subsequent year not yet due and payable.
2. Building setback line and easements as shown by recorded plat.
3. 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.
4. Easement(s) to Alabama Power Company as shown by instrument recorded in Deed Book 185, page 475; Deed Book, 182 page 326; Deed Book 184, page 172 and Deed Book 180, page 35, in said Probate Office.
5. Restrictions, covenants, limitations and conditions as set out in Map Book 29, page 4A and 4B.
6. 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.
7. 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.
8. Terms, conditions, reservations and restrictions contained in the agreement dated March 19, 1993 by and between "Smyer" and Shelby Lake Corporation as set out by Instrument #1993/8110 in said Probate Office.
9. Easement and Use Restrictions Agreement recorded as Instrument #2001/02969 in said Probate Office.
10. Option Agreement by and between Ingrid Frances Smyer-Dubrow, Harald L. Smyer, Jr. and S.W. Smyer, Jr. (Lake Lot Owners); Ingrid Frances Smyer-Dubrow, Harald L. Smyer, Jr., Sidney W. Smyer, III and S.W. Smyer, Jr. (Hollybrook Owners) and Stonegate Farms, LLC recorded as Instrument # 2001/02970 in said Probate Office.

\$175,000.00 of the above recited purchase price was paid by a mortgage loan closed simultaneously herewith.

**TO HAVE AND TO HOLD** unto Grantee, subject to the matters described above,  
their heirs and assigns forever.

**IN WITNESS WHEREOF**, Grantor, **RICHARD RAYBORN AND NICOLE RAYBORN**, has caused this conveyance to be executed as of the 8<sup>th</sup> of November, 2004.

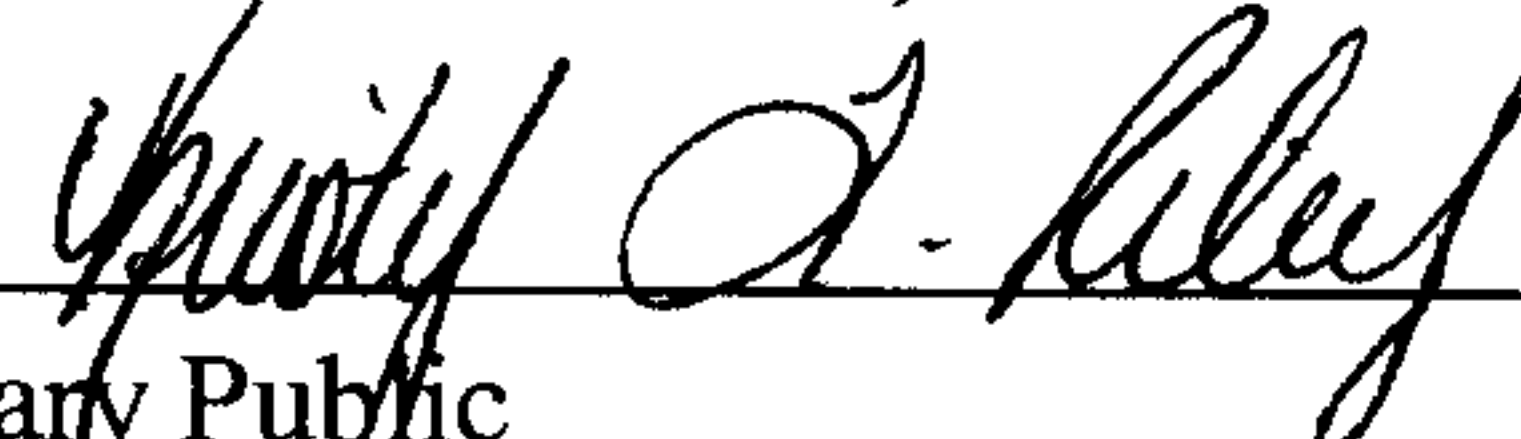
  
\_\_\_\_\_  
RICHARD RAYBORN

  
\_\_\_\_\_  
NICOLE RAYBORN

STATE OF ALABAMA  
JEFFERSON COUNTY

I, the undersigned authority, a Notary Public in and for said County in said State, hereby  
certify that **RICHARD RAYBORN AND NICOLE RAYBORN**, 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.

Given under my hand and official seal this 8<sup>th</sup> of November, 2004.

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

