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(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was
prepared by:

SEND TAX NOTICE TO:

✓ R. Shan Paden
PADEN & PADEN
Attorneys at Law
Five Riverchase Ridge, Suite 100
Birmingham, Alabama 35244

DAVID B. BATES
438 FOREST LAKES DRIVE
CHELSEA, ALABAMA 35043

STATE OF ALABAMA)

COUNTY OF SHELBY)

STATUTORY WARRANTY DEED

Know All Men by These Presents: That in consideration of TWO HUNDRED TEN THOUSAND SIX HUNDRED DOLLARS and 00/100 (\$210,600.00) DOLLARS to the undersigned grantor, AMERICAN HOMES AND LAND CORPORATION, in hand paid by the GRANTEE herein, the receipt of which is hereby acknowledged, the said GRANTOR, does by these presents, grant, bargain, sell and convey unto DAVID B. BATES, AN UNMARRIED MAN, (herein referred to as GRANTEE, the following described real estate, situated in SHELBY County, Alabama, to-wit:

LOT 162, ACCORDING TO THE SURVEY OF FOREST LAKES SUBDIVISION, 3RD SECTOR, 2ND PHASE, AS RECORDED IN MAP BOOK 32 AT PAGE 26A&B, 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. MATTERS SHOWN OF RECORD IN MAP BOOK 32, PAGE 26 A AND B.
3. BUILDING SETBACK LINES OF 15 FEET AS SHOWN ON THE RECORDED PLAT OF SUBDIVISION WHICH SETBACK HAS NOT BE VIOLATED.
4. EASEMENT TO ALABAMA POWER COMPANY RECORDED IN BOOK 126, AT PAGE 191, BOOK 16, PAGE 323; AND BOOK 236, PAGE 829.
5. EASEMENT TO SHELBY COUNTY RECORDED IN INSTRUMENT NO. 1993-03955; 1993-03957; 1993-03959; 1993-03960; 1993-03961; 1993-03964; 1993-03965 AND 1993-03966.
6. EASEMENT TO ALABAMA POWER COMPANY RECORDED IN INSTRUMENT NO. 2004010200000390.
7. TITLE TO ALL MINERALS WITHIN AND UNDERLYING THE PREMISES TOGETHER WITH ALL MINING RIGHTS AND OTHER RIGHTS PRIVILEGES AND IMMUNITIES RELATING THERETO AS RESERVED IN BOOK 53, AT PAGE 262 AND DEED BOOK 331, AT PAGE 262.
8. RESTRICTIONS APPEARING OF RECORD IN INST. NO. 20031006000671368.
9. RIGHTS OF CLAIMS OF PARTIES IN POSSESSION NOT SHOWN BY THE PUBLIC RECORD.

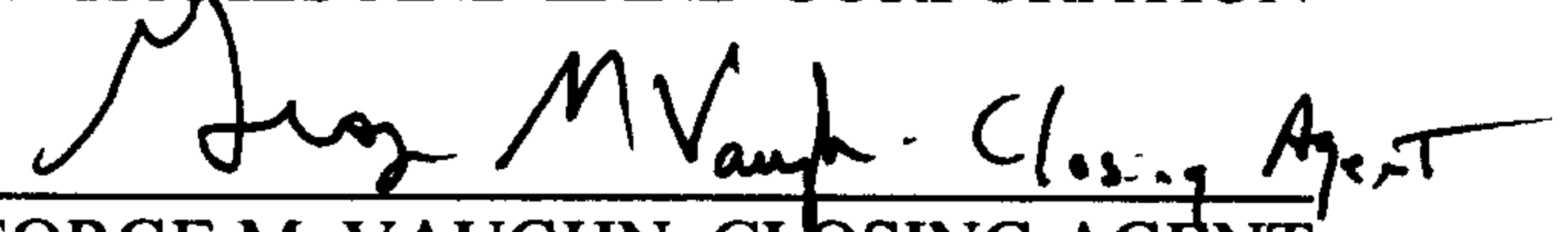
10. ENCROACHMENTS, OVERLAPS, BOUNDARY LINE DISPUTES, VARIATIONS OR SHORTAGES IN AREA OR CONTENT AND ANY OTHER MATTERS WHICH WOULD BE DISCLOSED BY AN ACCURATE SURVEY AND/OR INSPECTION OF THE PREMISES.
11. ROADS, STREAMS, WAYS OR EASEMENTS OR CLAIMS OR EASEMENTS NOT SHOWN BY THE PUBLIC RECORDS, RIPARIAN RIGHTS AND TITLE TO ANY FILLED-IN LAND.
12. ANY LIEN, OR RIGHT TO A LIEN, FOR SERVICES, LABOR OR MATERIALS HERETOFORE OR HEREAFTER FURNISHED, IMPOSED BY LAW AND NOT SHOWN BY THE PUBLIC RECORD.
13. ANY ASSESSMENT WHICH IS A LIEN, BUT NOT YET CERTIFIED TO PROPERTY TAX AUTHORITY.

\$168,480.00 of the consideration herein was derived from a mortgage closed simultaneously herewith.

TO HAVE AND TO HOLD unto the said GRANTEE her/his heirs and assigns, forever.

IN WITNESS WHEREOF, the said GEORGE M. VAUGHN AS CLOSING AGENT OF AMERICAN HOMES AND LAND CORPORATION, has hereunto subscribed her name on this the 8th day of December, 2004.

AMERICAN HOMES AND LAND CORPORATION



GEORGE M. VAUGHN, CLOSING AGENT

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that GEORGE M. VAUGHN, whose name as CLOSING AGENT of AMERICAN HOMES AND LAND CORPORATION, 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 8th day of December, 2004.



Notary Public

My commission expires: 10-2-06