

This Instrument Prepared By: <sup>41.50</sup>  
James F. Burford, III  
Attorney at Law  
1318 Alford Avenue Suite 101  
Birmingham, Alabama 35226

Send Tax Notice To:  
Kandy Goggans  
30 Boulder Ridge  
Columbiana, Al. 35551

**WARRANTY DEED**

  
20041230000707730 Pg 1/1 41.00  
Shelby Cnty Judge of Probate, AL  
12/30/2004 10:19:00 FILED/CERTIFIED

TITLE NOT EXAMINED BY PREPARER.

STATE OF ALABAMA )  
SHELBY COUNTY )

30,000.00

**KNOW ALL MEN BY THESE PRESENTS:** That in consideration of Ten and 00/100 Dollars (\$10.00), and other good and valuable considerations to the undersigned Grantor (whether one or more), in hand paid by the Grantee herein, the receipt whereof is acknowledged, I, 26/31, LLC; (herein referred to as Grantor, whether one or more), grant, bargain, sell and convey unto John C. Hearn, (herein referred to as Grantee, whether one or more), the following described real estate, situated in Shelby County, Alabama, to-wit:

Lots 10, according to the Final Plat of Saginaw Commercial Park, Phase 2, as recorded in Map Book 30, Page 60 in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

**SUBJECT TO:** (1) Taxes due in the year 2004 and thereafter; (2) Easements, restrictions, and rights-of-way of record; (3) Mineral and mining rights not owned by the Grantor.

This deed has been executed by Randall H. Goggans as the Authorized Managing Member of the Grantor as required by the Articles of Organization and the Operating Agreement of the Grantor and further, the Articles of Organization and the Operating Agreement of the Grantor have not been modified or amended.

Grantor represents and warrants that there are no assessments due the City of Alabaster, however, at the time Grantee commencing construction on the property conveyed herein, there may be water and sewer tap charges in association therewith which charges shall be borne by the Grantee, its successors and assigns.

Grantor represents and warrants that there is no homeowners association with respect to the property conveyed herein and there are no violations of covenants and restrictions as set out in Instrument Number 2001-29295.

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

And I do for myself and for my heirs, executors and administrators, covenant with said Grantee, his successors and assigns, that I am lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise stated above; that I have a good right to sell and convey the same as aforesaid; that I will, and my heirs, executors and administrators shall warrant and defend the same to the said Grantee, his successors and assigns forever, against the lawful claims of all persons.

**IN WITNESS WHEREOF**, the undersigned, 26/31, LLC, has hereunto set its hand and seal, this the 13<sup>th</sup> day of December, 2004.

26/31, LLC  
By: Randall H. Goggans  
Randall H. Goggans

Its: Authorized Managing Member

STATE OF ALABAMA )  
SHELBY COUNTY )

**LLC ACKNOWLEDGMENT**

I, the undersigned, a Notary Public, in and for said County in said State, hereby certify that Randall H. Goggans as Authorized Managing Member of 26/31, LLC, whose name 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 this instrument, he, in their capacity as such member, executed the same voluntarily, for and as the act of said limited liability company.

Given under my hand and official seal this 13<sup>th</sup> day of December, 2004.

Rebecca B. Simpson

Notary Public  
My Commission Expires: 4-08