

THIS INSTRUMENT PREPARED BY:
James J. Odom, Jr.
P.O. Box 11244
Birmingham, AL 35202-1244

SEND TAX NOTICE TO:
Mike A. Manning and Missy K. Manning
1308 Cove Lake Circle
Birmingham, AL 3542

STATE OF ALABAMA)

COUNTY OF SHELBY)

STATUTORY WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS THAT in consideration of One Hundred Fifty-Five Thousand and No/100 Dollars (\$155,000.00) to the undersigned grantor, McMahon Highlands, LLC, an Alabama limited liability company ("Grantor"), in hand paid by Mike A. Manning and Missy K. Manning ("Grantees"), the receipt whereof is hereby acknowledged, Grantor does by these presents, grant, bargain, sell and convey unto the Grantees, as joint tenants with right of survivorship, the following described real estate, situated in Shelby County, Alabama, to-wit:

Lots 2 and 3, according to the Survey of McMahon Highlands at Shelby Spring Farms, as recorded in Map Book 28, at Page 25, in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

SUBJECT TO: (1) Current taxes; (2) Building setback line of 100 feet reserved from Alabama Highway #25, as shown by plat; (3) Transmission Line Permit to Alabama Power Company as shown by instrument recorded in Deed Book 126, at Page 156, in the Probate Office; (4) Right of Way granted to State of Alabama by instrument recorded in Deed 121, at Page 789, in the Probate Office; (5) Right of Way granted to Gulf States Paper Corporation by instrument recorded in Inst. No. 1998-8297 in the Probate Office; (6) Restrictions, limitations and conditions as set out in Map Book 28, at Page 25, in the Probate Office; (7) Restrictions, covenants and conditions as set out in instrument recorded in Inst. No. 2001-11464 in the Probate Office; (8) Easement to Alabama Power Company and South Central Bell as shown by instrument recorded in Inst. No. 2001-42175 in the Probate Office

\$99,999.00 of the purchase price recited above was paid from the proceeds of a mortgage loan closed simultaneously herewith.

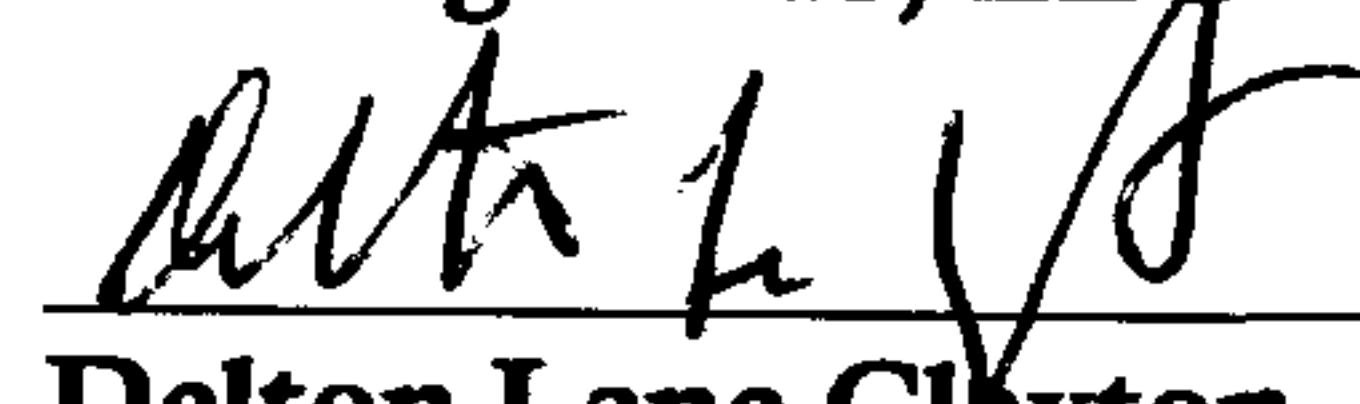
This Deed is executed as required by the Articles of Organization and Operating Agreement and same have not been modified or amended.

TO HAVE AND TO HOLD to the said Grantees as joint tenants, with right of survivorship, their heirs and assigns forever; it being the intention of the parties to this conveyance, that (unless the joint tenancy hereby created is severed or terminated during the joint lives of the grantees herein) in the event one Grantee herein survives the other, the entire interest in fee simple shall pass to the surviving Grantee, and if one does not survive the other, then the heirs and assigns of the Grantees herein shall take as tenants in common.

IN WITNESS WHEREOF, the undersigned has caused this instrument to be executed
on this the 23^d day of December, 2004.

McMahon Highlands, LLC

By:


Delton Lane Clayton
as its Manager

STATE OF ALABAMA)
COUNTY OF SHELBY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Delton Lane Clayton, whose name as Manager of McMahon Highlands, LLC, an Alabama limited liability company, are signed to the foregoing conveyance and who is known to me, acknowledged before me on this day, that, being informed the contents of the conveyance, they, as such Manager and with full authority, executed the same for and on behalf of said limited liability company.

Given under my hand and seal this 23^d day of December, 2004.


Notary Public

My Commission Expires: 07/14/2007