

This instrument was prepared by:

John L. Hartman, III

P. O. Box 846

Birmingham, Alabama 35201

Send Tax Notice To:

Galina Edward waites

David T. Waites

1189 Haven Road

Birmingham, Alabama 35242

**CORPORATION FORM WARRANTY DEED – Jointly for Life with Remainder to Survivor**

STATE OF ALABAMA )

SHELBY COUNTY )



20050204000058400 Pg 1/2 31.50  
Shelby Cnty Judge of Probate, AL  
02/04/2005 14:03:00 FILED/CERTIFIED

That in consideration of Three Hundred Forty-nine Thousand Three Hundred Twenty-five and No/100--  
----- (\$349,325.00) Dollars

to the undersigned grantor, **HAVEN AT GREYSTONE, LLC**, an Alabama limited liability company, (herein referred to as GRANTOR) in hand paid by the grantees herein, the receipt whereof is hereby acknowledged, the said GRANTOR does by these presents, grant, bargain, sell and convey unto \_\_\_\_\_

Galina Edward Waites, and husband, David T. Waites,

(herein referred to as Grantees), for and during their joint lives and upon the death of either of them, then to the survivor of them in fee simple, together with every contingent remainder and right of reversion, the following described real estate, situated in Shelby County, Alabama, to-wit:

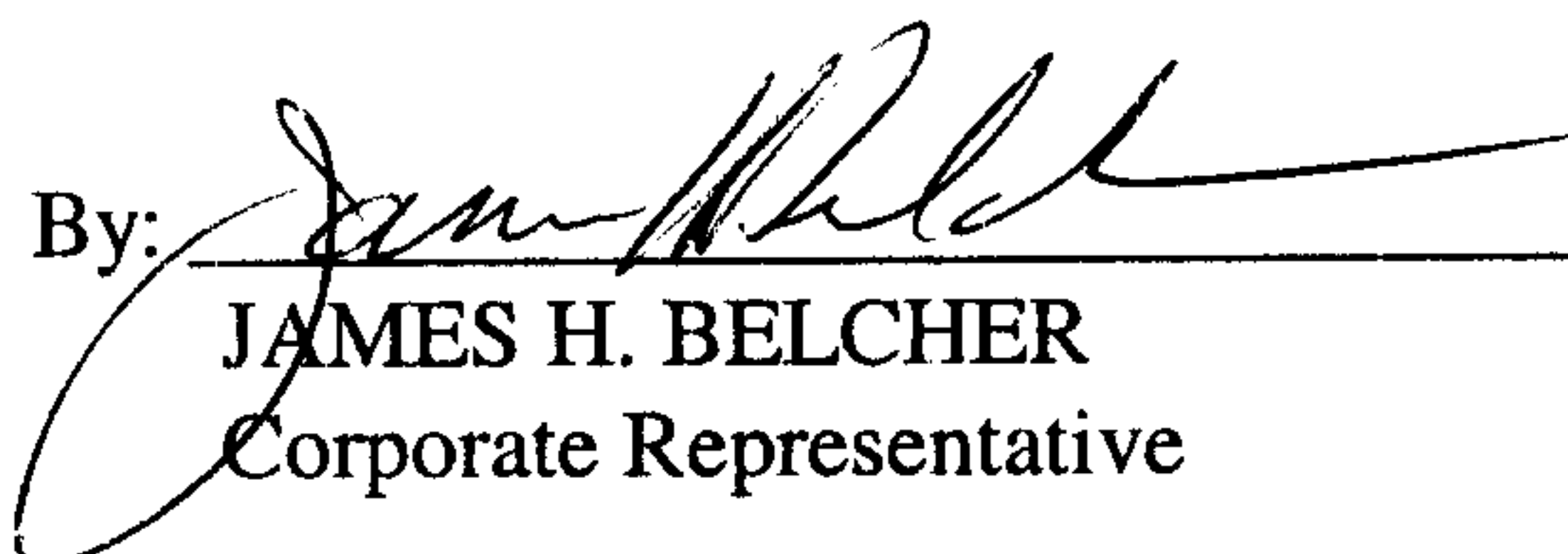
SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION.

TO HAVE AND TO HOLD unto the said grantees, for and during their joint lives and upon the death of either of them, then to the survivor of them in fee simple, and to the heirs and assigns of such survivor forever, together with every contingent remainder and right of reversion. And said Grantor does for itself, its successors and assigns, covenant with said Grantees, their heirs and assigns, that it is lawfully seized in fee simple of said premises, that they are free from all encumbrances, that it has a good right to sell and convey the same as aforesaid, and that it will and its successors and assigns shall, warrant and defend the same to the said Grantees, their heirs, executors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the said GRANTOR, by NSH CORP., by its Corporate Representative, **JAMES H. BELCHER**, who is authorized to execute this conveyance, hereto set its signature and seal, this the 31st day of January, 2005.

HAVEN AT GREYSTONE, LLC, an Alabama  
limited liability company

By: NSH CORP., Managing Member

By:   
JAMES H. BELCHER  
Corporate Representative

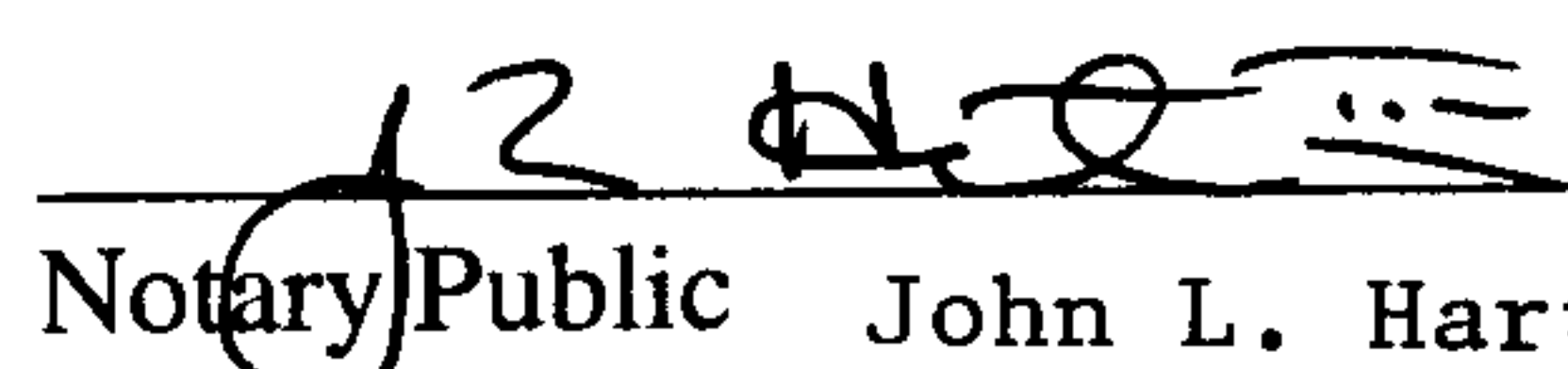
STATE OF ALABAMA)

JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that James H. Belcher, whose name as Corporate Representative of NSH CORP., a corporation, 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, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal this 31st day of January, 2005.

My Commission Expires: August 4, 2005

  
Notary Public John L. Hartman, III

LEGAL DESCRIPTION EXHIBIT "A"

Lot 32, according to the Survey of The Haven at Greystone, 2nd Sector, as recorded in Map Book 32, page 96 A & B, in the Probate Office of Shelby County, Alabama.

SUBJECT TO: (1) Current taxes; (2) Easement(s) as shown by recorded Map; (3) Sinkhole prone areas as shown by recorded map. Said map recorded in Map Book 31, page 47, in the Probate Office of Shelby County, Alabama; (4) Mineral and mining rights and rights incident thereto, release of damages, reservations, restrictions and limitations recorded in Deed Book 121, page 294, Deed Book 243, page 828 and Real 261, page 494, in the Probate Office of Shelby County, Alabama; (5) Covenants and agreement for water service recorded in Real 235, page 574, in the Probate Office of Shelby County, Alabama; (6) Declaration of Watershed Protective Covenants appearing of record in Instrument 2000-17644 and assignment and assumption recorded in Instrument 2000-20625, in the Probate Office of Shelby County, Alabama; (7) Mineral and mining rights and rights incident thereto, release of damages, reservations, restrictions and limitations recorded in Instrument 20021003000479590, in the Probate Office of Shelby County, Alabama; (8) Declaration of Protective Covenants appearing of record in Shelby Instrument 1999-50995, re-recorded in Birmingham Instrument 200303/2094, First amendment recorded in Shelby Instrument 2000-4911, re-recorded in Birmingham Instrument 200303/2096, Second Amendment recorded in Shelby Instrument 2000-34390, re-recorded in Birmingham Instrument 200303/2098, Third Amendment recorded in Shelby Instrument 2000-40197, re-recorded in Birmingham Instrument 200303/2099, Fourth Amendment recorded in Shelby Instrument 2001-16407, re-recorded in Birmingham Instrument 200303/2101, Fifth Amendment recorded in Shelby Instrument 2001-48193, re-recorded in Birmingham Instrument 200303/2102, Sixth Amendment recorded in Shelby Instrument 20020823000401390, re-recorded in Birmingham Instrument 200303/2103, Seventh Amendment recorded in Shelby Instrument 20021003000479580, re-recorded in Birmingham Instrument 200303/2104, Eighth Amendment recorded in Shelby Instrument 20030220000107790, re-recorded in Birmingham Instrument 200303/2105, Ninth Amendment recorded in Instrument 20030424000253400, Tenth Amendment recorded in Instrument 20030507000283000, Eleventh Amendment recorded in Instrument 20031023000711510, Twelfth Amendment recorded in Instrument 20031105000735500, in the Probate Office of Shelby County, Alabama; (9) Ground lease recorded in Real 355, page 880; amended by Instrument 1992-4726; further amended by Instrument 1993-3119 and last amended by Instrument 1999-12257, in the Probate Office of Shelby County, Alabama; (10) Easement for Alabama Power recorded in Real 133, page 551, Deed Book 246, page 848 and Real 142, page 188, in the Probate Office of Shelby County, Alabama; (11) Reciprocal Easement Agreement recorded in Instrument 2001-38396, in the Probate Office of Shelby County, Alabama; (12) Restriction as shown on Map Book 31, page 47 and on Map Book 32, Page 96 A & B, in the Probate Office of Shelby County, Alabama.

\$331,810.00 of the above recited purchase price was paid from the proceeds of a mortgage loan closed simultaneously herewith.