

996-05

THIS INSTRUMENT PREPARED BY:
WEATHINGTON & MOORE, P.C.
Post Office Box 310
Moody, Alabama 35004

Send Tax Notice To:
Carter Homebuilders, Inc.
P. O. Box 965
Calera, AL 35040

LIMITED LIABILITY COMPANY FORM WARRANTY DEED

STATE OF ALABAMA
SHELBY COUNTY

KNOW ALL MEN BY THESE PRESENTS, That in consideration of EIGHT HUNDRED THOUSAND AND NO/100(\$800,000.00 DOLLARS to the undersigned Grantor, ASTRATA LAND COMPANY, LLC, a limited liability company, (herein referred to as Grantor) 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 CARTER HOMEBUILDERS, INC. (GRANTEE), whether one or more), the following described real estate, situated in Shelby, Alabama, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE

SUBJECT TO: 1. Transmission line Permit to Alabama Power Company as shown by instrument recorded in Deed Book 187 page 372 and Deed Book 197 page 387 in the Probate Office of Shelby County, Alabama.

2. Exclusive License and Grant of Lake Privileges to Walter G. Hendricks, III and Cynthia Hendricks dated July 15, 2004 as set out by instrument recorded in Inst. #200407210004004710 and Inst. #20050104000001350 in said probate Office.

\$680,000.00 of the above consideration was paid by mortgage loan closed simultaneously herewith.

This instrument is executed as required by the Articles of Organization and Operational Agreement that have not been modified or amended.

TO HAVE AND TO HOLD to the said GRANTEE, his, her, or their heirs and assigns forever.

And said Grantor does for itself, its successors and assigns, covenant with the said GRANTEE, his, her or 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 GRANTEE, his, her or their heirs, executors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the said Grantor by its Member, Michael A. Plaia, who is authorized to execute this conveyance, hereto set its signature and seal this the 24th day of January, 2005.

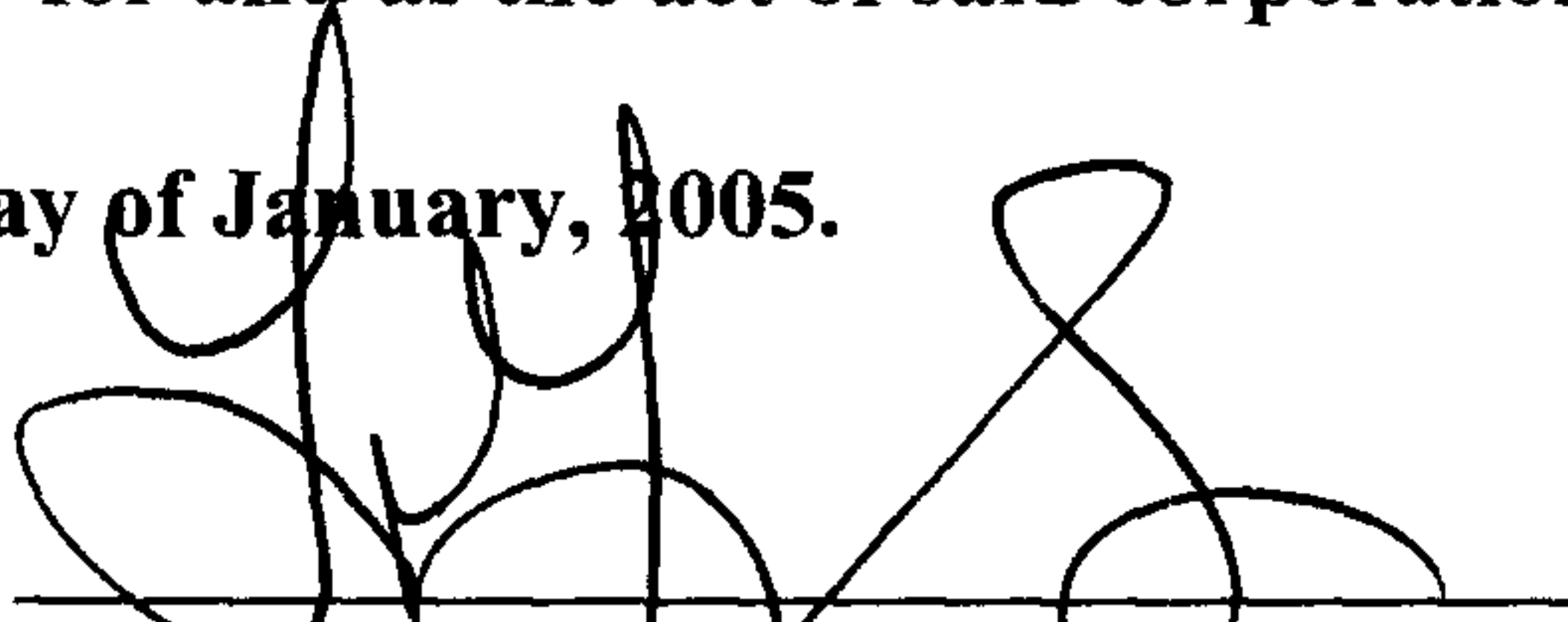
ASTRATA LAND COMPANY, LLC

x 
BY: MICHAEL A. PLAIA

STATE OF ALABAMA
ST. CLAIR COUNTY

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Michael A. Plaia as Member of Astrata Land Company, LLC, a 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, 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 24th day of January, 2005.


Notary Public

My Commission Expires:

2/4/08

EXHIBIT "A"

A parcel of land located in the North $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Section 10, Township 19 South, Range 2 West, Shelby County, Alabama; being more particularly described as follows:

Begin at the Southeast corner of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 10, Township 19 South, Range 2 West; thence run North 88 deg. 57 min. 00 sec. West along the South line of said $\frac{1}{4}$ - $\frac{1}{4}$ for a distance of 1327.65 feet to a point on the west line of said section; thence run Northerly along said Section line for a distance of 662.12 feet; thence run South 66 deg. 30 min. 00 sec. East for a distance of 645.00 feet; thence run North 60 deg. 39 min. 30 sec. East for a distance of 481.66 feet; thence run South 06 deg. 16 min. 35 sec. West for a distance of 46.31 feet; thence run South 00 deg. 40 min. 22 sec. East for a distance of 33.79 feet; thence run South 64 deg. 56 min. 39 sec. East for a distance of 37.24 feet; thence run South 12 deg. 15 min. 41 sec. East for a distance of 28.59 feet; thence run South 17 deg. 09 min. 09 sec. West for a distance of 73.77 feet; thence run South 04 deg. 22 min. 49 sec. East for a distance of 61.18 feet; thence run South 17 deg. 05 min. 18 sec. East for a distance of 36.46 feet; thence run North 71 deg. 05 min. 45 sec. East for a distance of 496.59 feet to the point of commencement of a curve to the right (said point also being a point on the southwesterly right of way of Caldwell Mill Road), said curve having a central angle of 08 deg. 12 min. 06 sec., a radius of 1870.21 feet, a chord bearing of South 20 deg. 59 min. 01 sec. East and a chord distance of 267.48 feet; thence run Southeasterly along said arc and right of way for a distance of 267.71 feet; thence run South 85 deg. 08 min. 54 sec. West (leaving said right of way) for a distance of 282.11 feet; thence run South 00 deg. 16 min. 06 sec. East for a distance of 262.83 feet to the point of beginning; being situated in Shelby County, Alabama.