

THIS INSTRUMENT PREPARED BY:
Riley & Riley, P.C.
1950 Stonegate Drive, Suite 150
Birmingham, Alabama 35242

SEND TAX NOTICE TO:
Chappell Development, Inc.
P.O. Box 92
Westover, AL 35185

STATE OF ALABAMA
SHELBY COUNTY

STATUTORY WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS: That in consideration of _____
TEN Dollars (\$10.00) to **DOUGLAS A. HOVANEK and NICOLE HOVANEK, husband and wife** (the "Grantor"), in hand paid by **CHAPPELL DEVELOPMENT, INC.**, an Alabama corporation (the "Grantee"), the receipt and sufficiency of which is hereby acknowledged, Grantor does by these presents grant, bargain, sell and convey unto Grantee, subject to the covenants, conditions and other matters set forth below, the real estate situated in Shelby County, Alabama, more particularly described as follows (the "Property"):

Lot 50, according to the map or survey of The Cove of Greystone, Phase II, as recorded in Map Book 29, Page 136 A&B, as recorded in the Probate Office of Shelby County, Alabama.

SUBJECT TO:

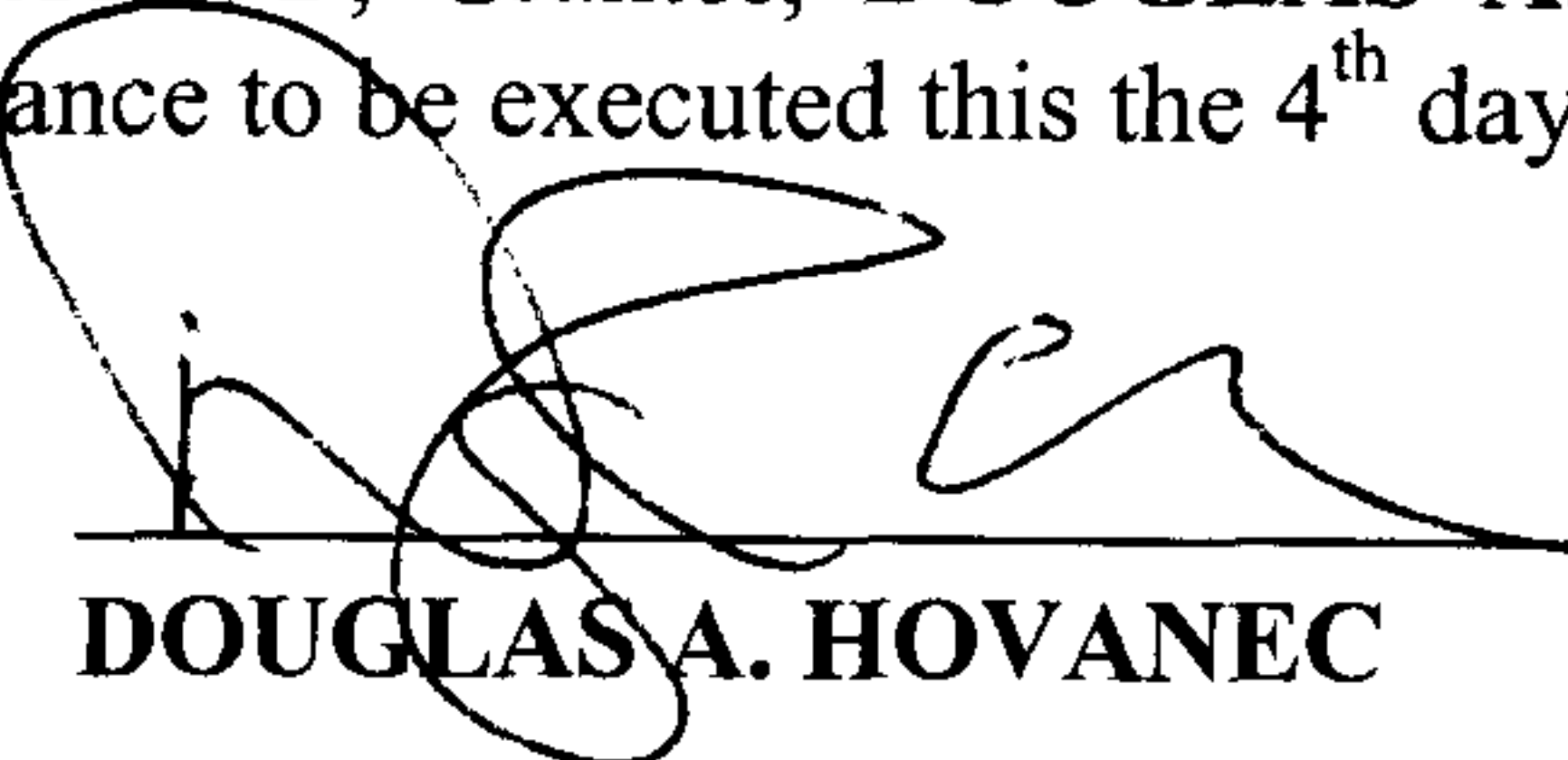
1. Taxes and assessments for the year 2005, and taxes for subsequent years, not yet due and payable.
2. Agreement recorded in Instrument Number 1999-24249, of the Official records of Shelby County, Alabama.
3. Building lines, easement(s) and restrictions as shown by recorded Map.
4. NOTE: Map Book 26, page 39 and Map Book 26, page 121 shows the following reservations: Sink Hole Prone Areas-The Subdivision shown hereon including lots and streets, lies in an area where natural lime sinks may occur. Shelby County, the Shelby County Engineer, the Shelby County Planning Commissioner and the individual members thereof and all other agents, servants or employees of Shelby County, Alabama, make no representations that the subdivision lots and street are safe or suitable for residential construction, or for any other purpose whatsoever. "Area underlain by limestone and thus may be subject to lime sink activity."
5. Building lines, conditions, restrictions, mineral and mining rights and rights incident thereto and release of damages recorded in Instrument 2001-41798, in the Probate Office of Shelby County, Alabama.
6. Declaration of Protective Covenants, conditions and restrictions, recorded in Instrument Number 1998-38837 and Instrument 1995-35678, in the Probate Office of Shelby County, Alabama.
7. Agreement recorded in Instrument 1999-24249; Instrument 1998-14862 and Instrument 1998-14865, in the Probate Office of Shelby County, Alabama.
8. Articles of Incorporation and By-Laws of Greystone Valley Owner's Association, recorded in Instrument 1995-35677, in the Probate Office of Shelby County, Alabama.
9. Easement recorded in Book 1998, Page 18416, in the Probate Office of Shelby County, Alabama.
10. The rights of upstream and downstream riparian owners with respect to any body of water which may lie adjacent to, and/or traversing through, subject property.
11. Easement to Alabama Power Company, recorded in Instrument Number 2000-11841, in the Probate Office of Shelby County, Alabama.

\$ All of the above recited purchase price was paid by a mortgage loan closed simultaneously herewith.

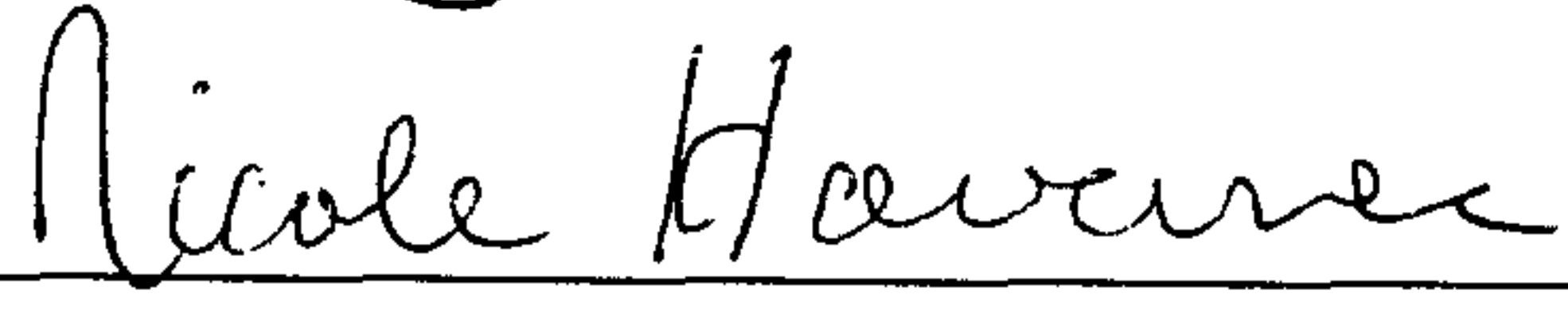
12. Restrictions or covenants appearing of record in Instrument No. 2003052300032312, in the Probate Office of Shelby County, Alabama, but omitting any covenant or restriction based on race, color, religion, sex, handicap, familial status, or national origin.
13. Articles of Incorporation of Greystone Homeowner's Association, recorded in Instrument 1998/38837, in the Probate Office of Shelby County, Alabama.
14. Conditions, Limitations, Reservations, Restrictions, Release of Damages, Mineral and Mining rights and rights incident thereto recorded in Instrument 20040213000075520, in the Probate Office of Shelby County, Alabama.

TO HAVE AND TO HOLD unto Grantees, subject to the matters described above, for and during their joint lives as joint tenants 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.

IN WITNESS WHEREOF, Grantor, **DOUGLAS A. HOVANEK** and **NICOLE HOVANEK**, have caused this conveyance to be executed this the 4th day of February, 2005.



DOUGLAS A. HOVANEK

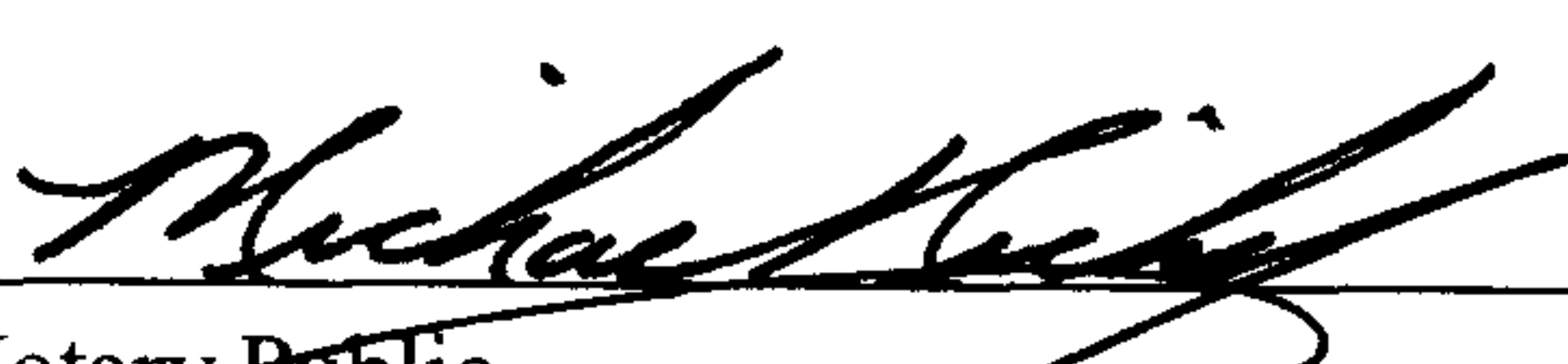


NICOLE HOVANEK

STATE OF ALABAMA
JEFFERSON COUNTY

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that **DOUGLAS A. HOVANEK** and **NICOLE HOVANEK**, whose names are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, they, executed the same voluntarily and as their act.

Given under my hand and official seal this 4th day of February, 2005.



Notary Public

My Commission expires: 10-16-07