

SEND TAX NOTICES TO:

TIMBERLAKE DEVELOPMENT, LLC
250 Yeager Parkway, Suite C,
Pelham, Alabama, 35124

WARRANTY DEED

STATE OF ALABAMA
COUNTY OF SHELBY

KNOW ALL MEN BY THESE PRESENTS, that in consideration of the sum of Two Million One Hundred Thousand and 00/100 Dollars (\$2,100,000.00) to the undersigned grantors, in hand paid by the grantee herein, the receipt of which is hereby acknowledged, **R. H. Butler** a ~~()~~ married person, **Doris Johnston** a ~~()~~ married person, and **Mary Jo Butler**, an unmarried person, by and through her attorney-in-fact, Robert Hugh Butler (herein referred to as "Grantor"), hereby grants bargains, sells, and conveys unto TIMBERLAKE DEVELOPMENT, LLC (herein referred to as "Grantee") the real estate described on Exhibit "A" attached hereto and situated in Shelby County, Alabama.


[A portion of the purchase price recited above was paid from a mortgage loan closed simultaneously herewith.]

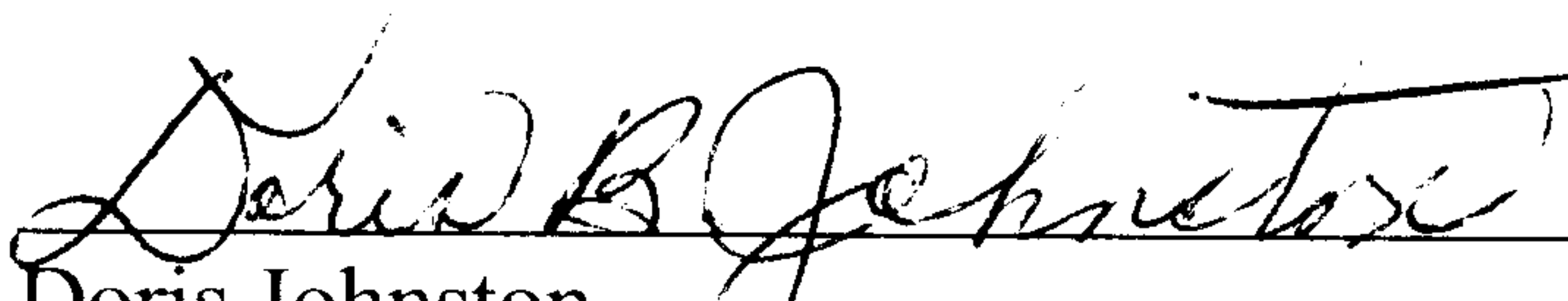
[This property does constitute the homestead of Mary Jo Butler
but is not the homestead of the other Grantors nor of their spouses.]

TO HAVE AND TO HOLD the described premises to Grantee, its successors and assigns forever.

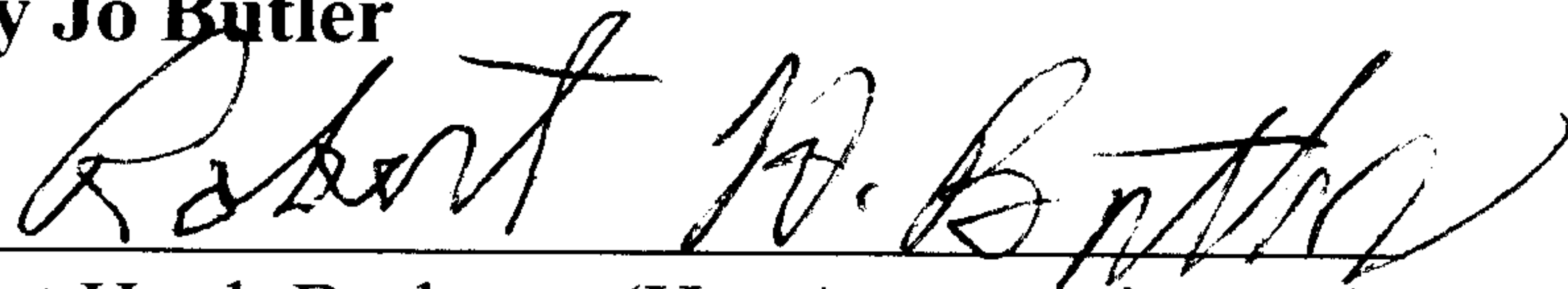
AND THE GRANTOR does for themselves, and their heirs, executors, successors and assigns, covenant with said Grantee, its successors and assigns, that Grantor is lawfully seized in fee simple of the premises, that they are free from all encumbrances, unless otherwise noted on Exhibit "A", that Grantor has good right to sell and convey the same as aforesaid, and that Grantor will and their heirs, executors, successors and assigns shall warrant and defend same to said Grantee, its successors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the Grantor has signed and sealed this Deed on the 27 day of April, 2005.


R. H. Butler


Doris Johnston

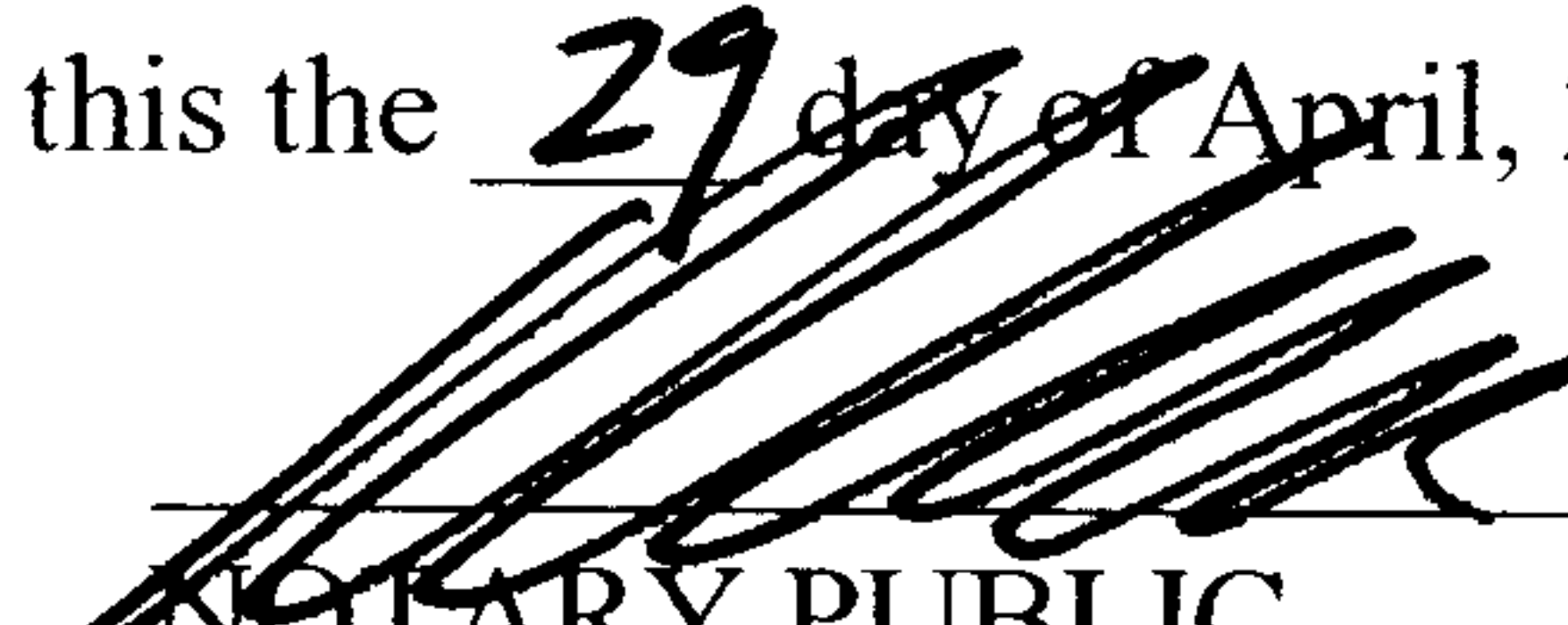
Mary Jo Butler

BY: 
Robert Hugh Butler (Her Attorney in Fact)

STATE OF ALABAMA
JEFFERSON COUNTY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that R. H. Butler, and Doris Johnston, whose names are signed to the foregoing instrument, and who are known to me, acknowledged before me on this day that, being informed of the contents of this instrument, they executed the same voluntarily on the day the same bears date.

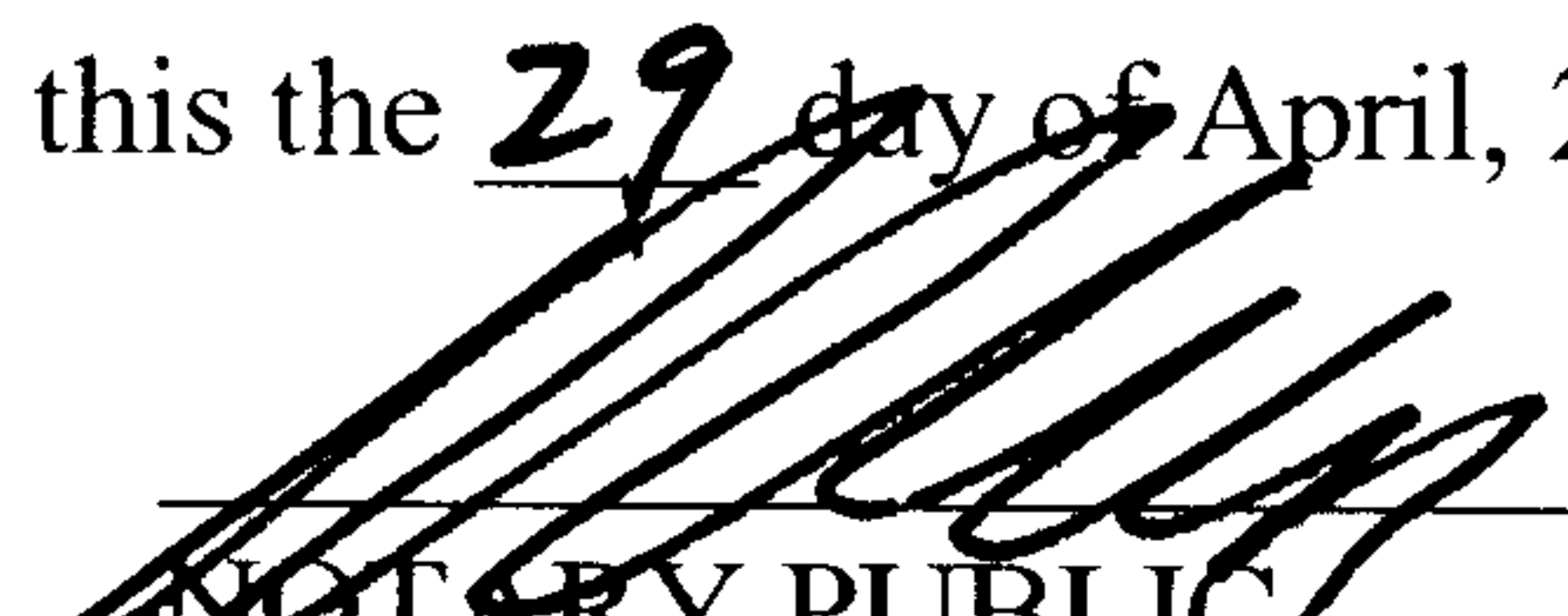
Given under my hand and official seal, this the 29 day of April, 2005.


NOTARY PUBLIC
My Commission Expires: 6/17/07

STATE OF ALABAMA
JEFFERSON COUNTY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Robert Hugh Butler, whose name as Attorney in Fact for Mary Jo Butler, 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 said instrument, he, as such attorney in fact, and with full authority, executed the same voluntarily, as an act of said Mary Jo Butler, acting in her capacity as aforesaid.

Given under my hand and official seal, this the 29 day of April, 2005.


NOTARY PUBLIC
My Commission Expires: 6/17/07

THIS INSTRUMENT PREPARED BY AND AFTER
RECORDATION SHOULD BE RETURNED TO:

William B. Hairston III
Engel, Hairston, & Johanson P.C.
P.O. Box 11405
Birmingham, AL 35202
(205) 328-4600

EXHIBIT "A"

A Parcel of land situated in the North $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 13, Township 20 South, Range 3 West, Shelby County, Alabama and being more particularly described as follows:

Commence at the Northwest Corner of Section 13, Township 20 South, Range 3 West; thence South 89 degrees 17 minutes 30 seconds East along the North line of said $\frac{1}{4}$ - $\frac{1}{4}$ section, a distance of 225.37 feet to the POINT OF BEGINNING; thence continue along the last described course, a distance of 1,114.17 feet; thence South 00 degrees 11 minutes 48 seconds West, a distance of 346.81 feet to the Westerly right of way of U.S. Highway # 31 (200' ROW); thence South 27 degrees 43 minutes 08 seconds West and along said right of way, a distance of 354.35 feet; thence North 89 degrees 21 minutes 51 seconds West and leaving said right of way, a distance of 841.34 feet to a point on the easterly right of way line of Shelby County Highway #105 (Bearden Road – 80' ROW) said point being the point of a non tangent curve to the left having a radius of 1100.00 feet, a central angle of 23 degrees 00 minutes 58 seconds and subtended by a chord which bears North 15 degrees 44 minutes 09 seconds West a chord distance of 438.91 feet; thence northerly along the curve and said right of way an arc distance of 441.88 feet; thence North 27 degrees 14 minutes 38 seconds West and along said right of way, a distance of 16.50 feet to the point of a non tangent curve to the left, having a radius of 70.83 feet having a central angle of 47 degrees 24 minutes 51 seconds and subtended by a chord which bears North 22 degrees 55 minutes 36 seconds East a chord distance of 56.96 feet; thence northeasterly along curve and leaving said right of way an arc distance of 58.62 feet; thence North 00 degrees 46 minutes 50 seconds West, a distance of 175.35 feet to the POINT OF BEGINNING; being situated in Shelby County, Alabama.

SUBJECT TO: i) taxes and assessments for the year 2005, a lien but not yet payable; ii) Transmission Line Permit(s) to Alabama Power Company as shown by instrument(s) recorded in Deed 223 page 80, Deed 102 page 397, Deed 127 page 597 and Deed 134 page 37 in the Probate Office; iii) Right(s) of Way(s) granted to Shelby County by instrument(s) recorded in Deed 102 page 17 and Deed 76 page 259 in the Probate Office; iv) Less and except any portion of land lying within US Highway 31 right of way; v) Less and except any portion of land lying within County Road No. 105; and vi) coal, oil, gas and mineral and mining rights which are not owned by Grantor/Mortgagor.