

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was prepared by:

SEND TAX NOTICE TO:

PADEN & PADEN
5 Riverchase Ridge
Birmingham, Alabama 35244

DESIGNMARK BUILDERS, LLC
2067 COLUMBIANA ROAD STE A
VESTAVIA, AL 35216

STATE OF ALABAMA)
COUNTY OF SHELBY)

WARRANTY DEED

Know All Men by These Presents: That in consideration of TWO HUNDRED SEVENTY THOUSAND DOLLARS and 00/100 (\$270,000.00) to the undersigned grantor, MMM PROPERTIES, LLC an Alabama Limited Liability company, in hand paid by the GRANTEES herein, the receipt of which is hereby acknowledged, the said GRANTOR, does by these presents, grant, bargain, sell and convey unto DESIGNMARK BUILDERS, LLC, (herein referred to as GRANTEES, whether one or more) the following described real estate, situated in SHELBY County, Alabama, to-wit:

Lots 26, 27, 28, 29, 30 and 95 according to the Survey of The Reserve at Timberline, as recorded in Map Book 34, page 117 A, B and C, in the Probate Office of Shelby County, Alabama.

SUBJECT TO:

1. TAXES FOR THE YEAR BEGINNING OCTOBER 1, 2004 WHICH CONSTITUTES A LIEN BUT ARE NOT DUE AND PAYABLE UNTIL OCTOBER 1, 2005.
2. TITLE TO ALL MINERALS WITHIN AND UNDERLYING THE PREMISES, TOGETHER WITH ALL MINING RIGHTS AND OTHER RIGHTS, PRIVILEGES AND IMMUNITIES RELATING THERETO AS RECORDED IN REAL 34, PAGE 130; REAL 240, PAGE 935; REAL 34, PAGE 917; REAL 37, PAGE 593; VOLUME 239, PAGE 526 AND VOLUME 271, PAGE 918.
3. RIGHT OF WAY GRANTED TO ALABAMA POWER COMPANY RECORDED IN VOLUME 323, PAGE 131, VOLUME 219, PAGE 75 AND INSTRUMENT NO. 2002-6355.
4. RESTRICTIONS APPEARING OF RECORD IN INSTRUMENT NO. 2005-14193.

\$.00 of the consideration herein derived from a mortgage closed simultaneously herewith.

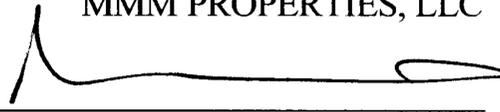
TO HAVE AND TO HOLD Unto the said GRANTEES, their heirs and assigns, forever.

And said GRANTOR does for itself, its successors and assigns, covenant with the said GRANTEES, 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, unless otherwise noted above; 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, his, her, or their heirs and assigns forever, against the lawful claims of all persons.

20050510000224910 2/2 \$284.00
Shelby Cnty Judge of Probate, AL
05/10/2005 03:48:54PM FILED/CERT

IN WITNESS WHEREOF, the said GRANTOR, MMM PROPERTIES, LLC, by its MANAGING MEMBER, ALAN C. HOWARD who is authorized to execute this conveyance, has hereunto set its signature and seal, this the 5th day of May, 2005.

MMM PROPERTIES, LLC

By: 

ALAN C. HOWARD, MANAGING MEMBER

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that ALAN C. HOWARD, whose name as MANAGING MEMBER of MMM PROPERTIES, LLC, an Alabama 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 or she, as such officer and with full authority, executed the same voluntarily for and as the act of said limited liability company.

Given under my hand this the 5th day of May, 2005.


Notary Public

NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: Mar 17, 2009
BONDED THRU NOTARY PUBLIC UNDERWRITERS

My commission expires: _____

Shelby County, AL 05/10/2005
State of Alabama

Deed Tax: \$270.00