This Instrument Prepared By:
James F. Burford, III
Attorney at Law
1318 Alford Avenue Suite 101
Birmingham, Alabama 35226

Send Tax Notice To:

_____

_____

_____

20050601000262540 1/5 $220.50
Shelby Cnty Judge of Probate, AL
06/01/2005 08:11:14AM FILED/CERT

WARRANTY DEED

STATE OF ALABAMA)
SHELBY COUNTY)

KNOW ALL MEN BY THESE PRESENTS: That in consideration of One hundred ninety-seven thousand one hundred forty-eight and 50/100 Dollars ($197,148.50), to the undersigned Grantor (whether one or more), in hand paid by the Grantee herein, the receipt whereof is acknowledged, The Garrett Family Tree, Inc., herein referred to as Grantor, (whether one or more), grant, bargain, sell and convey unto Deer Valley, LLC, (herein referred to as Grantee, whether one or more), the following described real estate, situated in Shelby County, Alabama, to-wit:

Described on Exhibit A attached hereto and incorporated by reference herein.

SUBJECT TO: (1) Taxes due in the year 2005 and thereafter; (2) Easements, restrictions, and rights-of-way of record; (3) Rights of others to the use of Muddy Branch, unnamed branch and Kelly's Creek; (4) Mineral and mining rights not owned by the Grantor; (5) Matters appearing on survey of C.D. Roberts Associates, Inc. dated 4/29/05.

Notwithstanding the property described on Exhibit A attached hereto and incorporated by reference herein, it is expressly understood that the parcels described on the attached Exhibit B (Parcel Three) and Exhibit C (Parcel Four) are included within the property described on Exhibit A attached hereto, however, there is no warranty with respect to the portions of the property described on Exhibit A which are described on Exhibits B and C attached hereto and incorporated by reference herein. Also the property described on Exhibit D, attached hereto is conveyed to Grantee without warranty.

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

And we do for ourselves and for our heirs, executors and administrators, covenant with said Grantee, their successors and assigns, that we are lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise stated above; that we have a good right to sell and convey the same as aforesaid; that we will, and our heirs, executors and administrators shall warrant and defend the same to the said Grantee, his successors and assigns forever, against the lawful claims of all persons.

Calaba Title, Inc.

IN WITNESS WHEREOF, the undersigned has hereunto set his hand and seal, this the 13 day of MAY, 2005.

The Garret Family Tree, Inc.

By: _____

Its: Pres

STATE OF ALABAMA)
Jefferson **COUNTY)**

CORPORATION ACKNOWLEDGMENT

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that CHARLES T. OLIVE, whose name as PRESIDENT of The Garret Family Tree, Inc., a corporation is signed to the foregoing instrument, and who is known to me, acknowledged before me this day that, being informed of the contents of the instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of the corporation.

Given under my hand and official seal this 13 day of MAY, 2005.

_____
Notary Public
My Commission Exp. 3-1-06

C:\MyFiles\Jim\Adair, Brad;Garrett Family Tree\warranty.ded Garrett to Deer.wpd

01'36

EXHIBIT A

STATE OF ALABAMA

SHELBY COUNTY

PARCEL "ONE":

A parcel of land located in Section 23, Township 18 South, Range 2 East, Shelby County, Alabama, containing 99.90 acres, more or less, and being more particularly described as follows:

Beginning at the Southeast corner of the Northwest Quarter of said Section 23; thence run S 87°57'56" E along the South line of the Northeast Quarter of said Section 23 for 1,336.34' to a stone corner marking the Southeast corner of the Southwest Quarter of the Northeast Quarter of said Section 23; thence continue S 87°57'56" E along the South line of the Northeast Quarter of said Section 23 for 1,095.57' to the point of intersection with the West bank of Kelly Creek; thence run along the meanderings of said West bank on a chord bearing N 01°36'05" E for a chord distance of 730.93' to the point of intersection with the West bank of Muddy Branch; thence run along the meanderings of said West bank on a chord bearing N 30°35'47" W for a chord distance of 734.84' to the point of intersection with the North line of the Southeast Quarter of the Northeast Quarter of said Section 23; thence run N 88°15'45" W along the North line of the Southeast Quarter of the Northeast Quarter of said Section 23 for 706.02' to the Northeast corner of the Southwest Quarter of the Northeast Quarter of said Section 23; thence continue N 88°15'45" W and along the North line of the Southwest Quarter of the Northeast Quarter of said Section 23 for 1,353.99' to the Northeast corner of the Southeast Quarter of the Northwest Quarter of said Section 23; thence run N 00°45'28" E along the East line of the Northeast Quarter of the Northwest Quarter of said Section 23 for 142.05' to the point of intersection with the South bank of a branch; thence run along the meanderings of said South bank on a chord bearing S 56°24'18" W for a chord distance of 856.20'; thence run S 00°32'06" W for 562.42' to a ½" rebar; thence run S 00°32'17" W for 851.18' to the point of intersection with the North right-of-way of Shelby County Road No. 59; thence run S 81°09'40" E along said right-of-way for a chord distance of 708.44' to the point of intersection with the East line of the Northeast Quarter of the Southwest Quarter of said Section 23; thence run N 00°45'28" E along said East line for 514.86' to the point of beginning.

Said parcel being subject to any easements of record over or across said parcel.

20050601000262540 2/5 $220.50
Shelby Cnty Judge of Probate,AL
06/01/2005 08:11:14AM FILED/CERT

STATE OF ALABAMA

EXHIBIT 'B'

SHELBY COUNTY

20050601000262540 3/5 $220.50
Shelby Cnty Judge of Probate,AL
06/01/2005 08:11:14AM FILED/CERT

PARCEL "THREE":

A parcel of land located in Section 23, Township 18 South, Range 2 East, Shelby County, Alabama, containing 3.33 acres, more or less, and being more particularly described as follows:

Commence at the Southeast corner of the Northwest Quarter of said Section 23; thence run S 87°57'56" E along the South line of the Northeast Quarter of said Section 23 for 1,336.34' to a stone corner marking the Southeast corner of the Southwest Quarter of the Northeast Quarter of said Section 23; thence continue S 87°57'56" E along the South line of the Northeast Quarter of said Section 23 for 1,095.57' to the point of intersection with the West bank of Kelly Creek; thence run along the meanderings of said West bank on a chord bearing N 01°36'05" E for a chord distance of 730.93' to the point of intersection with the West bank of Muddy Branch; thence run along the meanderings of said West bank on a chord bearing N 25°19'26" W for a chord distance of 546.47' to the point of beginning of the parcel herein described; thence run along the meanderings of said West bank on a chord bearing N 45°21'00" W for a chord distance of 197.18' to the point of intersection with the North line of the Southeast Quarter of the Northeast Quarter of said Section 23; thence run N 88°15'45" W along the North line of the Southeast Quarter of the Northeast Quarter of said Section 23 for 706.02' to the Northeast corner of the Southwest Quarter of the Northeast Quarter of said Section 23; thence continue N 88°15'45" W and along the North line of the Southwest Quarter of the Northeast Quarter of said Section 23 for 1,293.28' to the point of intersection with an existing fence; thence run S 83°35'56" E along said fence for 431.88'; thence run S 83°46'35" E along said fence for 960.24'; thence run N 87°32'16" E along said fence for 314.95'; thence run S 86°44'32" E along said fence for 201.13'; thence run S 78°25'24" E along said fence and the prolongation thereof for 175.76' to the point of intersection with the West bank of said Muddy Branch, and the point of beginning.

Said parcel being subject to any easements of record over or across said parcel.

C:\MyFiles\Jim\Adair, Brad;Garrett Family Tree\encroachments.doc
Created on 5/9/2005 12:53 PM
Created by CDR
Accuracy 1 – 1:1,016,241
Accuracy 2 – 1:178,908

EXHIBIT 'C'

PARCEL "FOUR":

A parcel of land located in the Northeast Quarter of the Northwest Quarter and in the Southwest Quarter of the Northeast Quarter of Section 23, Township 18 South, Range 2 East, Shelby County, Alabama, containing 0.40 acre, more or less, and being more particularly described as follows:

Commence at the Southeast corner of the Northwest Quarter of said Section 23; thence run S 87°57'56" E along the South line of the Northeast Quarter of said Section 23 for 1,336.34' to a stone corner marking the Southeast corner of the Southwest Quarter of the Northeast Quarter of said Section 23; thence continue S 87°57'56" E along the South line of the Northeast Quarter of said Section 23 for 1,095.57' to the point of intersection with the West bank of Kelly Creek; thence run along the meanderings of said West bank on a chord bearing N 01°36'05" E for a chord distance of 730.93' to the point of intersection with the West bank of Muddy Branch; thence run along the meanderings of said West bank on a chord bearing N 30°35'47" W for a chord distance of 734.84' to the point of intersection with the North line of the Southeast Quarter of the Northeast Quarter of said Section 23; thence run N 88°15'45" W along the North line of the Southeast Quarter of the Northeast Quarter of said Section 23 for 706.02' to the Northeast corner of the Southwest Quarter of the Northeast Quarter of said Section 23; thence continue N 88°15'45" W and along the North line of the Southwest Quarter of the Northeast Quarter of said Section 23 for 1,317.84' to the point of beginning of the parcel herein described; thence continue N 88°15'45" W and along the North line of the Southwest Quarter of the Northeast Quarter of said Section 23 for 36.15 to the Northeast corner of the Southeast Quarter of the Northwest Quarter of said Section 23; thence run N 00°45'28" E along the East line of the Northeast Quarter of the Northwest Quarter of said Section 23 for 142.05' to the point of intersection with the South bank of a branch; thence run along the meanderings of said South bank on a chord bearing S 51°58'36" W for a chord distance of 244.81' to the point of intersection with an existing fence; thence run N 88°04'01" E along said fence for 227.23' to the point of intersection with the North line of the Southwest Quarter of the Northeast Quarter of said Section 23, and the point of beginning.

Said parcel being subject to any easements of record over or across said parcel.

20050601000262540 4/5 $220.50
Shelby Cnty Judge of Probate, AL
06/01/2005 08:11:14AM FILED/CERT

C:\MyFiles\Jim\Adair, Brad;Garrett Family Tree\encroachments.doc
Created on 5/9/2005 12:53 PM
Created by CDR
Accuracy 1 – 1:1,016,241
Accuracy 2 – 1:178,908

EXHIBIT 'D'

20050601000262540 5/5 $220.50
Shelby Cnty Judge of Probate,AL
06/01/2005 08:11:14AM FILED/CERT

Shelby County, AL 06/01/2005
State of Alabama

Deed Tax:$197.50

STATE OF ALABAMA

SHELBY COUNTY

PARCEL "TWO":

A parcel of land located in the Northeast Quarter of the Southwest Quarter of Section 23, Township 18 South, Range 2 East, Shelby County, Alabama, containing 0.02 acre, more or less, and being more particularly described as follows:

Commencing at the Southeast corner of the Northwest Quarter of said Section 23; thence run N 88°29'06" W for 703.10'; thence run S 00°32'17" W for 424.56' to the point of intersection with the North right-of-way of Shelby County Road No. 59; thence run S 01°53'19" E for 82.66' to the point of intersection with the South right-of-way of Shelby County Road No. 59, and the point of beginning of the parcel herein described; thence run S 00°32'17" W for 20.91'; thence run S 88°28'57" E for 97.72 to the point of intersection with the South right-of-way of Shelby County Road No. 59; thence run N 76°26'55" W along said South right-of-way for a chord distance of 100.28' to the point of beginning.

Said parcel being subject to any easements of record over or across said parcel.

FIELD SURVEY DATE: 4/12/2005	FIELD BOOK No.: 81, 82, 83	FILE:
DATE: 4/29/2005	APPROVED BY: CDR	
E: 1"=200'	WN BY: CM, CDR	

OBERTS ASSOCIATES, Inc.
NORTH EAST STREET

CA-335-LS
CA-1329-F