(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was prepared by:

R. Shan Paden
PADEN & PADEN
Attorneys at Law
5 Riverchase Ridge, Suite 100
Birmingham, Alabama 35244

STATE OF ALABAMA)

COUNTY OF SHELBY)

SEND TAX NOTICE TO:

ROSE CREEK DEVELOPMENT, INC. PO BOX 604 COLUMBIANA, AL 35051

WARRANTY DEED

Know All Men by These Presents: That in consideration of EIGHTY FIVE THOUSAND DOLLARS and 00/100 (\$85,000.00) to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, we, THOMAS R. EDWARDS, A MARRIED MAN*** and RODGER HUTTO, AN UNMARRIED MAN (herein referred to as GRANTORS) do grant, bargain, sell and convey unto ROSE CREEK DEVELOPMENT, INC., (herein referred to as GRANTEES, whether one or more) the following described real estate, situated in SHELBY County, Alabama, to-wit:

Lot 5, according to the Final Plat of Saginaw Commercial Park Phase 2, as recorded in Map Book 30, Page 60, in the Probate Office of Shelby County, Alabama.

***SUBJECT PROPERTY DOES NOT CONSTITUTE THE HOMESTEAD OF THE GRANTORS NOR THEIR RESPECTIVE SPOUSE.

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. EASEMENT(S), BUILDING LINE(S) AND RESTRICTION(S) AS SHOWN ON RECORDED MAP.
- 3. RESTRICTIONS APPEARING OF RECORD IN INST.NO. 2001-29295.
- 4. TITLE TO ALL MINERALS WITHIN AND UNDERLYING THE PREMISES, TOGETHER WITH ALL MINING RIGHTS AND OTHER RIGHTS, PRIVILEGES AND IMMUNITIES RELATING THERETO.

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

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

And I (we) do for myself (ourselves) and for my (our) heirs, executors, and administrators

covenant with the said GRANTEES, his, her, or their heirs and assigns, that I am (we are) lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that I (we) have a good right to sell and convey the same as aforesaid; that I (we) will and my (our) heirs, executors and administrators 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.

IN WITNESS WHEREOF, the said GRANTORS, THOMAS R. EDWARDS and RODGER HUTTO, have hereunto set his, her or their signature(s) and seal(s), this the 2nd day of August, 2005.

HOMAS R. EDWARDS

PODGER HITTO

20050811000414180 2/2 \$99.00 Shelby Cnty Judge of Probate, AL 08/11/2005 03:35:58PM FILED/CERT

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that THOMAS R. EDWARDS, RODGER HUTTO whose name(s) is (are) signed to the foregoing conveyance, and who is (are) known to me, acknowledged before me on this day that, being informed of the contents of the conveyance he, she, or they executed the same voluntarily on the day the same bears date.

Given under my hand this the 2nd day of August, 2005.

Notary Public

My commission expires: