13106
13107

20050823000435070 1/2 $15.00
Shelby Cnty Judge of Probate, AL
08/23/2005 04:05:45PM FILED/CERT

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was prepared by:
PADEN & PADEN
Five Riverchase Ridge, Suite 100
Birmingham, Alabama 35244

SEND TAX NOTICE TO:
AUTHENTIC BUILDING COMPANY, LLC
6300 HIGHWAY 17
HELENA, AL 35080

STATE OF ALABAMA)
COUNTY OF SHELBY)

STATUTORY WARRANTY DEED

Know All Men by These Presents: That in consideration of ONE HUNDRED THIRTY ONE THOUSAND FOUR HUNDRED DOLLARS and 00/100 ($131,400.00) DOLLARS to the undersigned grantor, RIVERWOODS PROPERTIES, LLC, in hand paid by the GRANTEE herein, the receipt of which is hereby acknowledged, the said GRANTOR, does by these presents, grant, bargain, sell and convey unto AUTHENTIC BUILDING COMPANY, LLC, (herein referred to as GRANTEE, the following described real estate, situated in SHELBY County, Alabama, to-wit:

LOTS 703 AND 740 ACCORDING TO THE SURVEY OF THE FINAL PLAT OF RIVERWOODS BROOK DRIVE SEVENTH SECTOR PHASE I AS SET OUT IN MAP BOOK 35, PAGE 69 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

SUBJECT TO:

1. TAXES FOR THE YEAR 2004 WHICH CONSTITUTE A LIEN BUT ARE NOT YET DUE AND PAYABLE UNTIL OCTOBER 1, 2005.

2. BUILDING SETBACK LINE OF 25 FEET RESERVED FROM RIVER OAKS DRIVE 25 FEET ON WESTERLY SIDE AS SHOWN BY PLAT. (LOT 740 ONLY)

3. BUILDING SETBACK LINE OF 15 FEET FROM RIVEROAKS CIRCLE AND 25 FEET ON THE SOUTHWESTERLY AND SOUTHEASTERLY SIDES AS SHOWN BY PLAT. (LOT 703 ONLY).

4. EASEMENTS AS SHOWN BY RECORDED MAP BOOK 35, PAGE 69.

5. RESTRICTIONS AND COVENANTS AS SET OUT IN INSTRUMENT RECORDED IN INST NO. 2002-7338 AND BY LAWS RECORDED IN INST NO. 20020731000356170 IN THE PROBATE OFFICE.

6. EASEMENT TO SOUTHERN NATURAL GAS AS RECORDED IN INSTRUMENT 2001-54741 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

7. RAILROAD RIGHT OF WAY GRANTED TO SOUTHERN NATURAL GAS BY INSTRUMENT RECORDED IN INST. NO. 2001-54741 IN THE PROBATE OFFICE.

8. TITLE TO ALL MINERALS WITHIN AND UNDERLYING THE PREMISES TOGETHER WITH ALL MINING RIGHTS AND OTHER RIGHTS PRIVILEGES AND IMMUNITIES RELATING THERETO INCLUDING RIGHTS AS SET OUT IN REAL 112, PAGE 876 AND CORRECTED BY REAL 328, PAGE 1 AND AS SET FORTH IN THAT CERTAIN DEFERRED INTEREST AGREEMENT OF RECORDED IN REAL BOOK 247, PAGE 599 AND AMENDED IN REAL BOOK 247, PAGE 636 AS AFFECTED BY THE QUIT CLAIM DEED FROM CSX TRANSPORTATION INC TO RIVER OAKS PROPERTIES LLC AS RECORDED IN INST. NO. 2000-31941 IN THE PROBATE OFFICE.

9. MEMORANDUM OF OIL AND GAS LEASE BETWEEN TOTAL MINATONE CORPORATION AND CABOT OIL AND GAS CORPORATION DATED AUGUST 8,

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1991 IN REAL 370, PAGE 923 IN THE PROBATE OFFICE.

10. LESS AND EXCEPT ANY PORTION OBTAINED BY OR CONVEYED TO ALABAMA POWER COMPANY BY AND THROUGH CONDEMNATION PROCEEDINGS FILED IN CASE NO. 27-254 AND CASE NO 28-57 IN THE PROBATE COURT.

11. UNRECORDED LEASE DATED DECEMBER 1, 1992 BY AND BETWEEN WESTERN POCAHONTAS PROPERTIES LIMITED PARTNERSHIP AND DANIEL JOHNS AS ASSIGNED BY UNRECORDED ASSIGNMENT OF LEASE BY WESTERN POCAHONTAS PROPERTIES LIMITED PARTNERSHIP TO RIVER OAKS PROPERTIES, LLC.

12. UNRECORDED SEWER SERVICE AGREEMENT BY AND BETWEEN WESTERN POCAHONTAS PROPERTIES LIMITED PARTNERSHIP, CITY OF HELENA AND THE UTILITIES BOARD OF THE CITY OF HELENA DATED NOVEMBER 22, 1999 AS ASSIGNED TO RIVER OAKS PROPERTIES, LLC BY THE UNRECORDED ASSIGNMENT OF SEWER SERVICE AGREEMENT.

13. RESTRICTIONS LIMITATIONS CONDITIONS AND OTHER PROVISIONS AS SET OUT IN MAP BOK 35, PAGE 69 IN THE PROBATE OFFICE.

14. EASEMENT TO ALABAMA POWER COMPANY RECORDED IN INSTRUMENT 20040102000000380 AND INSTRUMENT 20040102000000390 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

15. RELEASE OF DAMAGES AS SET OUT IN INSTRUMENT RECORDED IN INST NO 2000-36466 IN THE PROBATE OFFICE.

16. RIGHTS OF WAY GRANTED TO SOUTHERN NATURAL GAS BY INSTRUMENT RECORDED IN INST. NO. 2001-54741 IN THE PROBATE OFFICE.

$64,800.00 of the consideration herein was derived from a mortgage closed simultaneously herewith.
$66,000.00 of the consideration herein was derived from a mortgage closed simultaneously herewith.

TO HAVE AND TO HOLD unto the said GRANTEE her/his heirs and assigns, forever.

IN WITNESS WHEREOF, the said JILL HUBBARD AS SEC OF PZ, INC MANAGING MEMBER OF RIVERWOODS PROPERTIES, LLC, has hereunto subscribed her name on this the 17th day of August, 2005.

RIVERWOODS PROPERTIES, LLC

JILL HUBBARD, SEC OF PZ, INC 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 JILL HUBBARD, whose name as SEC OF PZ, INC MANAGING MEMBER of RIVERWOODS 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 17th day of August, 2005.

ELIZABETH L. HENDERSON NOTARY PUBLIC ALABAMA STATE AT LARGE

Notary Public

My commission expires: 10-2-05

Shelby County, AL 08/23/2005
State of Alabama

Deed Tax:$1.00