20050909000468620 1/1 $123.50
Shelby Cnty Judge of Probate,AL
09/09/2005 12:54:15PM FILED/CERT

This instrument was prepared by:
Clayton T. Sweeney, Attorney
2700 Highway 280 East, Suite 160
Birmingham, AL 35223

Send Tax Notice To:
David W. Gann
4227 Melissa Way
Birmingham, AL 35243

STATE OF ALABAMA)
: **STATUTORY WARRANTY DEED**
COUNTY OF SHELBY)

KNOW ALL MEN BY THESE PRESENTS: That, for and in consideration of **Four Hundred Seventy-One Thousand Nine Hundred Sixty and 00/100 ($471,960.00)**, and other good and valuable consideration, this day in hand paid to the undersigned **R & S Custom Homes, Inc., an Alabama corporation** (hereinafter referred to as GRANTOR), in hand paid by the GRANTEE herein, the receipt whereof is hereby acknowledged, the GRANTOR does hereby give, grant, bargain, sell and convey unto the GRANTEE, **David W. Gann, an unmarried man** (hereinafter referred to as GRANTEE), his heirs and assigns, the following described Real Estate, lying and being in the County of **Shelby**, State of Alabama, to-wit:

Lot 2805, according to the Survey of Highland Lakes, 28th Sector, an Eddleman Community, as recorded in Map Book 34, Page 30, in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama. Together with nonexclusive easement to use the private roadways, Common Area all as more particularly described in the Declaration of Easements and Master Protective Covenants for Highland Lakes, a Residential Subdivision, recorded as Instrument #1994-07111 and amended in Inst. #1996-17543 and further amended in Inst. # 1999-31095 in the Probate Office of Shelby County, Alabama, and the Declaration of Covenants, Conditions and Restrictions for Highland Lakes, a Residential Subdivision, 28th Sector, recorded as Instrument No. 20041109000615190 in the Probate Office of Shelby County, Alabama (which, together with all amendments thereto, is hereinafter collectively referred to as, the "Declaration").

Subject To:
Ad valorem taxes for 2005 and subsequent years not yet due and payable until October 1, 2005. Existing covenants and restrictions, easements, building lines and limitations of record.

$359,650.00 of the consideration was paid from the proceeds of a mortgage loan closed simultaneously herewith.

TO HAVE AND TO HOLD, the tract or parcel of land above described together with all and singular the rights, privileges, tenements, appurtenances, and improvements unto the said GRANTEE, his heirs and assigns forever.

IN WITNESS WHEREOF, said GRANTOR has hereunto set his hand and seal this the **26th** day of **August, 2005.**

R & S Custom Homes, Inc.

Ronald T. Kelley, President

Shelby County, AL 09/09/2005
State of Alabama

Deed Tax:$112.50

CLAYTON T. SWEENEY, ATTORNEY AT LAW

STATE OF ALABAMA)
:
COUNTY OF JEFFERSON)

I, the undersigned, a Notary Public, in and for said County and State, hereby certify that Ronald T. Kelley, whose name as President of R & S Custom Homes, Inc., an Alabama corporation, 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 the Instrument, he as such Officer and with full authority, signed the same voluntarily for and as the act of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this the 25th day of August, 2005.

NOTARY PUBLIC
My Commission Expires: 4/29/06