

This instrument was prepared by:

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Burr & Forman LLP  
3100 SouthTrust Tower  
Birmingham, AL 35203

Send Tax Notice to:

The Lorrin Group, LLC  
217 Country Club Park  
PMB 433  
Birmingham, AL 35213

STATE OF ALABAMA       )  
COUNTY OF SHELBY     )

**STATUTORY WARRANTY DEED**

KNOW ALL MEN BY THESE PRESENTS: That for and in consideration of SIXTY-SIX THOUSAND AND 00/100 DOLLARS (\$66,000.00) to the undersigned grantor, D.R. HORTON, INC. - BIRMINGHAM, an Alabama corporation (the "Grantor"), in hand paid by THE LORRIN GROUP, LLC, an Alabama limited liability company ("Grantee"), the receipt and sufficiency whereof are hereby acknowledged, Grantor does hereby grant, bargain, sell, and convey unto Grantee all of its right, title and interest in and to that certain real estate (the "Property") situated in Shelby County, Alabama, to-wit:

Lots 38, 51 & 72, according to the Survey of Grande View Garden & Townhomes, First Addition as recorded in Map Book 26, page 16 in the Probate Office of Shelby County, Alabama.

Subject, however, to those matters which are set forth on Exhibit A attached hereto and made a part hereof (the "Permitted Encumbrances"):

By acceptance of this deed, Grantee hereby waives any and all claims against Grantor and agrees that Grantor shall not be liable for, and no action shall be asserted against Grantor for, any loss or damage on account of the injuries to the Property or to any buildings, improvements, or structures now or hereafter located upon the Property, or on account of injuries to any owner, occupant or other person in or upon the Property, which are caused by, or arise as a result of, past or future soil and/or subsurface conditions, known or unknown, (including, without limitation, sinkholes, underground mines, and limestone formations) under or on the Property. For purposes of this paragraph the term Grantor shall mean and refer to (i) the partners, agents, and employees of Grantor; (ii) the officers, directors, employees and agents of Grantor or trustees thereof; and (iii) any successors or assigns of Grantor.

**TO HAVE AND TO HOLD** the Property unto the Grantee and the Grantee's successors and assigns, forever.

**AND THE GRANTORS** will warrant and forever defend the right and title to the above described property unto the Grantee against the claims of Grantors and all others claiming by or under Grantors, but not otherwise.

Shelby County, AL 11/28/2005  
State of Alabama


Deed Tax: \$66.00



IN WITNESS WHEREOF, Grantor has caused this Deed to be properly executed on this 3rd day of November, 2005.

**GRANTOR:**

**D.R. HORTON, INC. - BIRMINGHAM,**  
an Alabama corporation

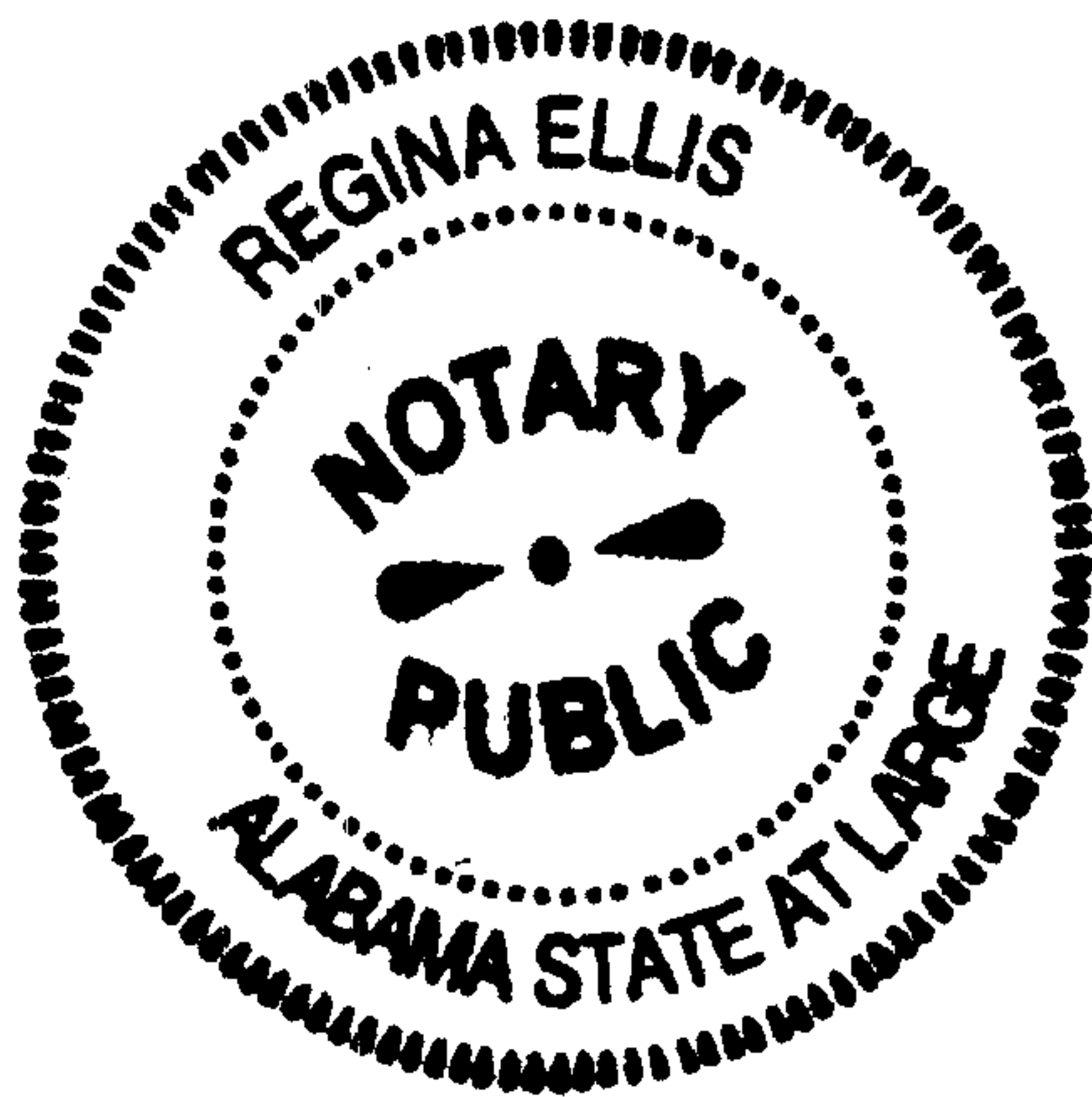
BY:   
Andrew J. Hancock  
Its City Manager

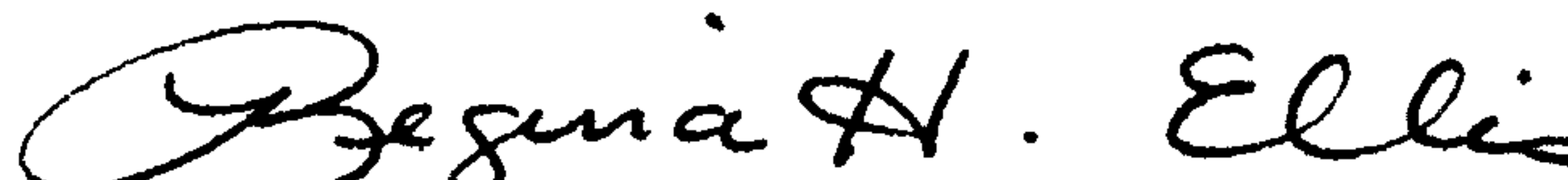
**STATE OF ALABAMA     )**


**JEFFERSON COUNTY     )**

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Andrew J. Hancock, whose name as City Manager of D.R. Horton, Inc. - Birmingham, an Alabama corporation, 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, and as such officer, he executed the same voluntarily and with full authority for and as the act of said corporation.

Given under my hand and official seal this 3<sup>rd</sup> day of November, 2005.



  
NOTARY PUBLIC  
My Commission expires: 9-30-09

  
20051128000613900 2/4 \$86.00  
Shelby Cnty Judge of Probate, AL  
11/28/2005 01:55:16PM FILED/CERT

The Grantee executes this deed only to acknowledge and accept all covenants and restrictions contained hereinabove.

**GRANTEE:**

**THE LORRIN GROUP, LLC,**  
an Alabama limited liability company

By: *J. Bistriz*

Name: John J. BISTRITZ

Its Member

STATE OF ALABAMA )

COUNTY OF JEFFERSON )

I, Regina Ellis, a Notary Public in and for said County in said State, hereby certify that John J. Bistriz whose name as Member of The Lorrin Group, 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 such instrument, 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 and seal, this 3<sup>rd</sup> day of November 2005.

Regina H. Ellis  
NOTARY PUBLIC

[SEAL]



My Commission Expires: 9-30-09


  
20051128000613900 3/4 \$86.00  
Shelby Cnty Judge of Probate, AL  
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## EXHIBIT A

### PERMITTED ENCUMBRANCES

1. Taxes and assessments for the year 2005 and subsequent years, which are not yet due and payable.
2. Declaration of Protective Covenants recorded in 1995-5892, 1st Amendment recorded in Instrument 1995-28543, Supplementary Declaration of Protective Covenants recorded in Instrument 1995-28544, Supplementary Declaration of Protective Covenants recorded in Instrument 1996-0339, Supplementary Declaration of Protective Covenants recorded in Instrument 1996-26258, Supplementary Declaration of Protective Covenants recorded in Instrument 1996-29192, amended by Instrument 1996-37928 and Supplementary Declaration of Protective Covenants recorded in Instrument 1996-37929, Supplementary Declaration of Protective Covenants recorded in Instrument 1999-38603, Supplementary Declaration of Protective Covenants recorded in Instrument 2000-4501, Supplementary Declaration of Protective Covenants recorded in Instrument 2000-1048, Supplementary Declaration of Protective Covenants recorded in Instrument 20031029000722160, Supplementary Declaration of Protective Covenants recorded in Instrument 20040223000092860, in the Probate Office of Shelby County, Alabama.
3. Articles of Incorporation of Grande View Homeowners Association, recorded in Instrument 1995-5890 and Bylaws recorded in Instrument 1999/5891, in the Probate Office of Shelby County, Alabama.
4. Mineral and mining rights and rights incident thereto, Release of Damages, recorded in Instrument 1999/45091 and Instrument 1999/39816, in the Probate Office of Shelby County, Alabama.
5. Rights, easements, restrictions or covenants granted to Alabama Power Company, City of Alabaster and Francis M. Randall and Harriett Randall as referred to in that certain deed recorded in Instrument 1994-26505 in the Probate Office of Shelby County, Alabama.
6. Rights of way granted to Alabama Power Company recorded in Deed Volume 138, Page 170, in the Probate Office of Shelby County, Alabama.
7. Mineral and mining rights and rights incident thereto recorded in Deed Book 5, page 355; Deed Book 4, page 422 and Deed Book 48, page 427, in the Probate Office of Shelby County, Alabama.

  
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