

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was prepared by:

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PADEN & PADEN
Attorneys at Law
Five Riverchase Ridge, Suite 100

STATE OF ALABAMA)

COUNTY OF JEFFERSON)

Birmingham, Alabama 35244

SEND TAX NOTICE TO:

HPH PROPERTIES, LLC 2236 CAHABA VALLEY DRIVE BIRMINGHAM, AL 35242

STATUTORY WARRANTY DEED

Know All Men by These Presents: That in consideration of ONE HUNDRED TWENTY SIX THOUSAND FIVE HUNDRED DOLLARS and 00/100 (\$126,500.00) DOLLARS to the undersigned grantor, MMM 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 HPH PROPERTIES, LLC, (herein referred to as GRANTEE, the following described real estate, situated in JEFFERSON County, Alabama, to-wit:

LOTS 33, 35, 56B AND 124 ACCORDING TO THE SURVEY OF THE RESERVE AT TIMBERLINE AS RECORDED IN MAP BOOK 34, PAGE 117 A, B, C AND D IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

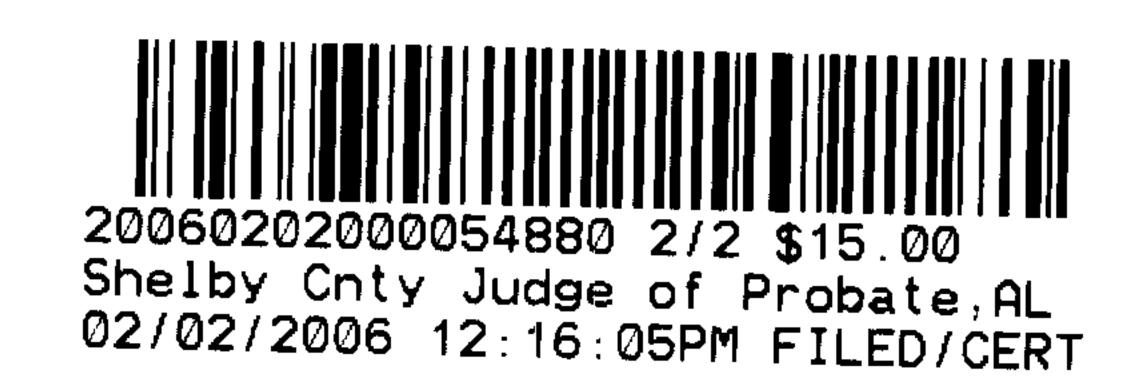
SUBJECT TO:

- 1. TAXES FOR THE YEAR BEGINNING OCTOBER 1, 2005 WHICH CONSTITUTES A LIEN BUT ARE NOT YET DUE AND PAYABLE UNTIL OCTOBER 1, 2006.
- 2. EASEMENTS, BUILDING LINES AND RESTRICTIONS OF RECORD.
- TITLE TO ALL MINERALS WITHIN AND UNDERLYING THE PREMISES, TOGETHER WITH ALL MINING RIGHTS AND OTHER RIGHTS, PRIVILEGES AND IMMUNITIES RELATING THERETO AS RECORDED IN REAL 34, PAGE 130; REAL 240, PAGE 935; REAL 34, PAGE 917; REAL 37, PAGE 593; VOLUME 239, PAGE 526 AND VOLUME 271, PAGE 918.
- 4. RIGHT OF WAY GRANTED TO SOUTH CENTRAL BELL TELEPHONE COMPANY RECORDED IN REAL 168, PAGE 563; REAL 257, PAGE 174 AND VOLUME 311, PAGE 435.
- 5. RIGHT OF WAY GRANTED TO ALABAMA POWER COMPANY RECORDED IN VOLUME 323, PAGE 131; VOLUME 219, PAGE 75 AND INST. NO. 2002-6355.
- 6. RESTRICTIONS APPEARING OF RECORD IN INST. NO. 2005-14193.

\$\frac{597,680.00}{\text{simultaneously herewith.}}\$.00 of the consideration herein was derived from a mortgage closed

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

Colonial Long.



IN WITNESS WHEREOF, the said ALAN C. HOWARD AS MANAGING MEMBER OF MMM PROPERTIES, LLC, has hereunto subscribed her name on this the 24th day of January, 2006.

MMM PROPERTIES, LLC

ALAN C. HOWARD, 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 ALAN C. HOWARD, whose name as MANAGING MEMBER of MMM 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 24th day of January, 2006.

Stepha Marie Bishop Notary Public

My commission expires: 21108