

**This instrument prepared
without examination of title by:**

Mary Thornton Taylor, Esquire
% 421 Office Park Drive
Birmingham, Alabama 35223

Send tax notice to:

Foothills Homes, Inc.
421 Office Park Drive
Birmingham, Alabama 35223

STATUTORY WARRANTY DEED

STATE OF ALABAMA)

) KNOW ALL PERSONS BY THESE PRESENTS:

SHELBY COUNTY)

(KB)

That for and in consideration of Five Hundred and No/100 Dollars (\$500.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the undersigned **FOOTHILLS PARTNERS, LLC**, an Alabama limited liability company ("Grantor"), does by these presents grant, bargain, sell and convey unto **FOOTHILLS HOMES, INC.**, an Alabama corporation ("Grantee"), the following described real estate situated in Shelby County, Alabama (the "Property") to-wit:

**SEE EXHIBIT A ATTACHED HERETO
AND MADE A PART HEREOF**

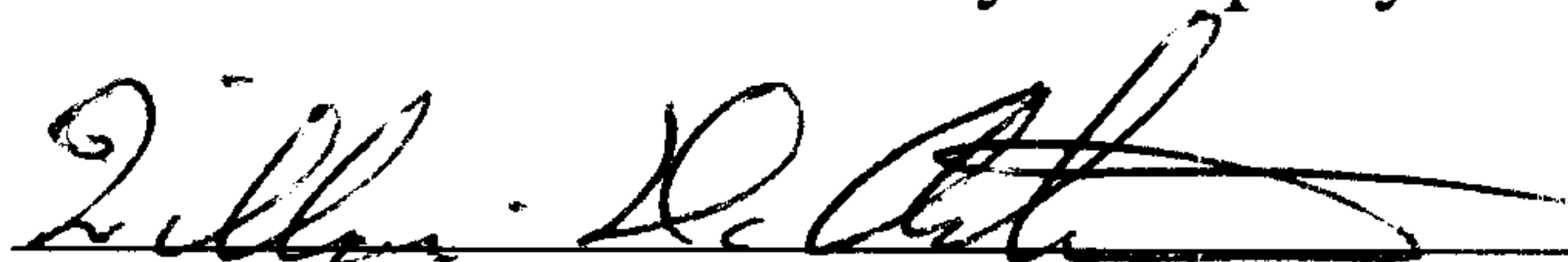
The Property is conveyed subject to the following:

- (1) Ad valorem taxes and municipal assessments due and payable October 1, 2006 and all subsequent years thereafter;
- (2) Fire district, library district and municipal assessments for 2006 and subsequent years not yet due and payable, if any;
- (3) Mineral and mining rights not owned by Grantor;
- (4) The terms and provisions of the Foothills Point Declaration of Covenants, Conditions and Restrictions recorded as Instrument No. 20031223000824110 in the Probate Office of Shelby County, Alabama, as may be amended from time to time; and
- (5) All covenants, conditions, restrictions, easements, rights-of-way and other matters of record.

TO HAVE AND TO HOLD unto the said Grantee, its successors and assigns forever.

IN WITNESS WHEREOF, Grantor **FOOTHILLS PARTNERS, LLC**, by its Manager who is authorized to execute this Statutory Warranty Deed as provided in Grantor's Articles of Organization, which as of this date have not been modified or amended, has hereto set its signature and seal this 27th day of January, 2006.

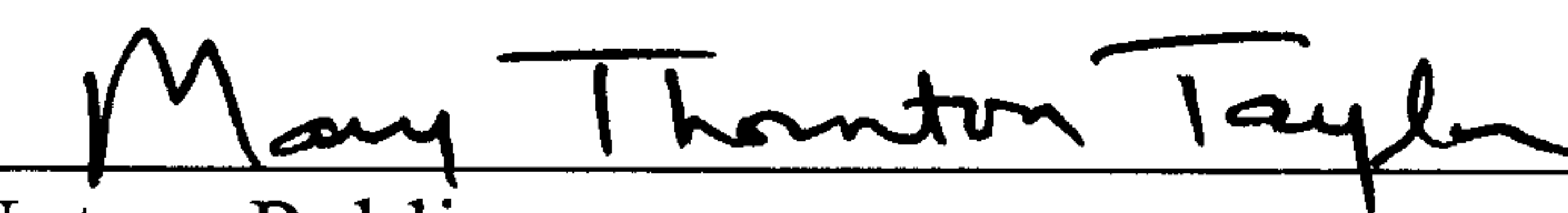
FOOTHILLS PARTNERS, LLC,
An Alabama limited liability company

By: 
William D. Acton
Its Manager

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that **William D. Acton**, whose name as Manager of **FOOTHILLS PARTNERS, 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 such instrument, he, as such Manager and with full authority, executed the same voluntarily for and as the act of said limited liability company.

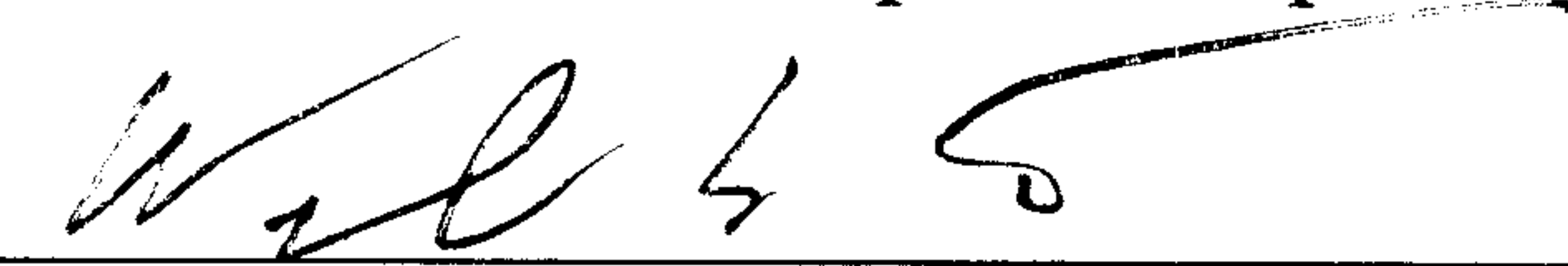
Given under my hand and seal, this 6TH day of February, 2006.


Notary Public
My commission expires:

(SEAL)

In that the Property may be considered part of the Common Area identified on the subdivision plat of Foothills Point, Third Sector, as recorded in Map Book 35, page 136 in said Probate Office, **FOOTHILLS POINT OWNERS ASSOCIATION, INC.** (the "Association") hereby joins in and consents to the aforesaid conveyance in order to grant, bargain, sell and convey unto Grantee any and all right, title or interest the Association may have in and to said Property.

FOOTHILLS POINT OWNERS ASSOCIATION, INC.,
an Alabama not for profit corporation

By: 
William L. Thornton, III
Its President

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that William L. Thornton, III, whose name as President of **FOOTHILLS POINT OWNERS ASSOCIATION, INC.**, an Alabama not for profit 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 such instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and seal, this 27th day of January, 2006.

Kara M. Bouman

Notary Public

My commission expires:

(SEAL)

**NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: May 21, 2008
BONDED THRU NOTARY PUBLIC UNDERWRITERS**

WEYGAND SURVEYORS, INC.**189 OXMOOR ROAD
HOMWOOD, ALABAMA 35209****SUBDIVISION PLANNING
STREET IMPROVEMENTS
STORM DRAINAGE
AERIAL MAPPING****SANITARY SEWERAGE
TOPOGRAPHIC MAPPING
CONSULTING
LAND SURVEYING**20060207000063710 4/4 \$20.50
Shelby Cnty Judge of Probate, AL
02/07/2006 03:59:57PM FILED/CERT

A parcel of land to be attached to Lot 1, Foothills Point Third Sector, as recorded in the Office of the Judge of Probate, Shelby County, Alabama, in Map Book 35, Page 136, being more particularly described as follows:

Beginning at an existing iron rebar set by Weygand being the Southwest corner of said Lot 1 run in a Northeasterly direction along the West line of said Lot 1 for a distance of 97.47 feet to an existing iron rebar being the most Northerly corner of said Lot 1; thence turn an angle to the left of 93 degrees, 00 minutes, 11 seconds and run in a Northwesterly direction for a distance of 29.49 feet to an existing iron rebar set by Weygand; thence turn an angle to the left of 100 degrees, 22 minutes, 34 seconds and run in a Southerly direction for a distance of 101.28 feet to an existing iron rebar set by Weygand and being on the North right-of-way line of Foothills Parkway and being 6.56 feet West of the point of beginning; thence turn an angle to the left and run in an Easterly direction along the North right-of-way line of said Foothills Parkway for a distance of 6.56 feet, more or less, to the point of beginning.

Shelby County, AL 02/07/2006
State of Alabama

Deed Tax: \$.50