

This instrument was prepared by:
Perryn G. Carroll, Attorney at Law
P.O. Box 530543
Birmingham, Alabama 35253

WHEN RECORDED RETURN TO:
Perryn G. Carroll, Attorney at Law
P.O. Box 530543
Birmingham, Alabama 35253

WARRANTY DEED

**STATE OF ALABAMA
SHELBY COUNTY**


20060213000070020 1/2 \$15.00
Shelby Cnty Judge of Probate, AL
02/13/2006 08:30:11AM FILED/CERT

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of Forty Thousand Dollars and no 00/100 (\$40,000.00) paid by Mortgage in the amount of Two hundred two thousand five hundred dollars and no 00/100 (\$202,500.00) filed at the same time as this deed] and other good and valuable consideration the undersigned grantors (whether one or more), in hand paid by the grantee herein, the receipt whereof is acknowledged, we,

Bent Creek, LLC., A Corporation

herein referred to as grantors (whether one or more), grant, bargain, sell and convey unto

Sugarwood Homebuilders, Inc., A Corporation

the following described real estate situated in Shelby County, Alabama to wit ;

Lots 47, according to the Survey of Bent Creek Subdivision-Sector 1, as recorded in Map Book 36, Page 23 in the Probate Office of Shelby County, Alabama

Situated in Shelby County, Alabama.

Subject To:

1. Title to all oil, gas and minerals within and underlying the premises, together with all oil and mining rights and other rights, privileges and immunities relating thereto, together with any release of liability for injury or damage to persons or property as a result of the exercise of such rights as recorded in instrument 1994-29305, Deed Book 154, Page 455; Deed Book 171, Page 515 and Deed Book 244, Page 587.
2. Any loss and/or claims due to the deed in Inst. 20060119000029230 containing a defective notary.
3. 35' building line front as shown on recorded Map Book 36, Page 23.
4. 12.5' building line side as shown on recorded Map Book 36, Page 23.
5. 40' building line on the rear as shown on recorded Map Book 36, Page 23.
6. Easement to Alabama Power Company recorded in Instrument 20051031000564180.
7. Easement to Bellsouth recorded in Instrument 2005121200641700.
8. Right of Way to Alabama Power Company as recorded in Deed Book 126, Page 55.
9. Railroad right of way reserved by South and North Alabama Railroad by deed Book "T" Page 655.
10. Subject to oil and gas lease in Anschutz Corporation dated 2-9-82 and recorded in Misc. Book 45, Page 303.
11. Subject to oil and gas lease to Atlantic Richfield Company as recorded in Deed Book 324, Page 391.
12. Less and except any portion of subject land lying within any road right of way.
13. Mineral and restrictions as set out in Deed Book 244, Page 587.

Combed by [Signature]

14. Rights of others to the use of Pickle Drive.
15. Rights of others to the use of Brasher Drive.
16. The following matters as shown on the survey by the SMW Engineering Group, Inc. dated 12-29-04;
 - a) Encroachment of overhead power lines onto and/or off of the Westerly portion of Parcel 2.
 - b) Encroachment of 8 foot building with chain link fence off of the land in the Westerly portion of Parcel 2.
 - c) Encroachment(s) of Brasher Drive onto and/or off of the Easterly side of Parcel 1.
 - d) Encroachment(s) of Pickle Drive onto and/or off of the land in the mid portion of Parcel 2.
 - e) Encroachment(s) of gravel drive onto and/or off of the Northwesterly side of the land of Parcel 2.
 - f) Encroachment(s) of "Old Barbed Wire Fence" onto and/or off of the land on the Southerly side of Parcel 1.
 - g) Encroachment(s) of "Hog Wire Fence" onto and/or off of the land on the Southerly side of Parcel 2.

And said Grantors do for themselves, their heirs, successors and assigns covenant with the said Grantee, his heirs, successors and assigns, that they are lawfully seized in fee simple of said premises, it is free from all encumbrances, unless otherwise noted above, that they have a good right to sell and convey same as aforesaid: that they will and their successors and assigns shall warrant and defend the same to the said Grantee, her heirs, successors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the said Grantor has hereunto set his signatures and seals, this 8th day of February, 2006.

Witness

Joe Zegarelli
Bent Creek, LLC. by it's Managing Member,
Joe Zegarelli

STATE OF ALABAMA

Jefferson COUNTY


20060213000070020 2/2 \$15.00
Shelby Cnty Judge of Probate, AL
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I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that Bent Creek, LLC., by it's Managing Member, Joe Zegarelli, individually whose name 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 executed the same voluntarily as his act on the day the same bears date.

Given under my hand and official seal the 8th day of February, 2006.

My Commission Expires

NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: Nov 5, 2006
BONDED THRU NOTARY PUBLIC UNDERWRITERS

Smella D. Long
Notary Public