

STATE OF ALABAMA)
COUNTY OF SHELBY)

THIS INSTRUMENT PREPARED BY:

Gail Livingston Mills, Esq.;
Burr & Forman LLP
420 North Twentieth Street, Suite 3100
Birmingham, Alabama 35203-5206

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that in consideration of the sum of One Million One Hundred Six Thousand and NO/100 Dollars (\$1,106,000.00) and other good and valuable consideration, in hand paid by the GRANTEE to the GRANTOR, herein, the receipt and sufficiency of which is hereby acknowledges, **WYNLAKE DEVELOPMENT, LLC**, an Alabama limited liability company (herein referred to as "GRANTOR"), does by these presents, grant, bargain, sell and convey unto **D.R. HORTON, INC. - BIRMINGHAM**, an Alabama corporation (herein referred to as "GRANTEE"), the following described real estate situated in Shelby County, Alabama to-wit:

Lots 102, 112, 124, 125 and 1002 according to the Survey of WynLake, Phase 4-C, as recorded in Map Book 29, Page 15 in the Probate Office of Shelby County, Alabama.; and

Lots 147, 148, 149, 150, 151, 152, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 165A and 165B, according to the Survey of WynLake, Phase 4D, as recorded in Map Book 36, Page 85, in the Probate Office of Shelby County, Alabama.

Subject to the following Permitted Exceptions:

1. 2006 property taxes not yet due and payable.
2. Declaration of Protective Covenants recorded in Instrument #1995/30874, amended in Instrument #2002/857, in the Probate Office of Shelby County, Alabama.
3. Declaration of Marketing Conveyance as recorded in Instrument #2002/2008, in the Probate Office of Shelby County, Alabama.
4. Amendment to Protective Covenants and Declaration of Marketing Conveyance recorded in Instrument #20060215000075440, in the Probate Office of Shelby County, Alabama.
5. Right of Way granted to Alabama Power Company by instrument recorded in Real 40, Page 202; Volume 245, Page 264; Volume 101, Page 76; Volume 121, Page 191 and Volume 138, Page 317 in the Probate Office of Shelby County, Alabama.
6. Mineral and mining rights and rights incident thereto recorded in Real 15, Page 375, in the Probate Office of Shelby County, Alabama.

7. Restrictions appearing of record in Instrument 1995-30874, Instrument 2002/0857, Instrument 2002-2008 and Instrument 20060215000075440, in the Probate Office of Shelby County, Alabama.
8. Mineral and mining rights and rights incident thereto recorded in Instrument 20020516000231070 in the Probate Office of Shelby County, Alabama.

RESERVING AND EXCEPTING to the extent of GRANTOR'S ownership, however, from this conveyance all of the mineral and non-mineral substances in and under said land.

TO HAVE AND TO HOLD to the said GRANTEE, its successors and assigns forever, **SUBJECT**, however, to the Permitted Encumbrances. And said GRANTOR does for itself, its successors and assigns, covenant with said GRANTEE, its successors and assigns, that it is lawfully seized in fee simple title of said premises, that it is free from all encumbrances, other than the Permitted Encumbrances, that it has a good right to sell and convey the same as aforesaid, and that it will and its successors and assigns shall warrant and defend the same to the said GRANTEE, its successors and assigns forever, against the lawful claims of all persons claiming by, through or under the GRANTOR.

IN WITNESS WHEREOF, the GRANTOR has caused this conveyance to be executed and sealed this 20 day of April, 2006.

GRANTOR:

WYNLAKE DEVELOPMENT, LLC
an Alabama limited liability company

BY: **SERMA HOLDINGS, LLC**,
an Alabama limited liability company

By: _____

J. Michael White,
Its Operating Manager

STATE OF ALABAMA)

COUNTY OF JEFFERSON)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that **J. Michael White**, whose name as Operating Manager of SERMA Holdings, LLC, an Alabama limited liability company, as Operating Manager of WynLake Development, 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 conveyance, he, 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 20th day of April, 2006.

Aile L. Mink
Notary Public

[Notarial Seal]

My Commission Expires: 1/26/2010