

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This instrument was prepared by:

SEND TAX NOTICE TO:

R. Shan Paden  
PADEN & PADEN, PC  
5 Riverchase Ridge, Suite 100  
Birmingham, Alabama 35244

HPH PROPERTIES, LLC  
2236 CAHABA VALLEY DRIVE  
STE 100  
BIRMINGHAM, AL 35242

**STATE OF ALABAMA  
COUNTY OF SHELBY**

**WARRANTY DEED**

**Know All Men by These Presents:** That in consideration of **THREE HUNDRED SEVENTY FOUR THOUSAND DOLLARS 00/100 (\$374,000.00)** to the undersigned grantor, **MMM PROPERTIES, LLC, a/an Limited Liability Company**, in hand paid by the GRANTEES herein, the receipt of which is hereby acknowledged, the said GRANTOR, does by these presents, grant, bargain, sell and convey unto **HPH PROPERTIES, LLC, Alabama Limited Liability Co.**, (herein referred to as GRANTEES, whether one or more) the following described real estate, situated in **SHELBY** County, Alabama, to-wit:

**Lots 31, 32, 56, 106, 116, 119, 120, 121, 126, 127, 128, 150 and 153, according to the Survey of The Reserve at Timberline, as recorded in Map Book 34, Pages 117 A, B, C & 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. TITLE TO ALL MINERALS WITHIN AND UNDERLYING THE PREMISES, TOGETHER WITH ALL MINING RIGHTS AND OTHER RIGHTS, PRIVILEGES AND IMMUNITIES RELATING THERETO, INCLUDING RELEASE OF DAMAGES.
3. 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.
4. RIGHT OF WAY GRANTED TO ALABAMA POWER COMPANY RECORDED IN VOLUME 323, PAGE 131; VOLUME 219, PAGE 75 AND INST. NO. 2002-6355.
5. RESTRICTIONS APPEARING OF RECORD IN INST. NO. 2005-14193.


\$1,670,160.00 of the consideration herein was derived from a mortgage closed simultaneously herewith.

**TO HAVE AND TO HOLD** Unto the said GRANTEES, their heirs and assigns, forever.

And said GRANTOR does for itself, its successors and assigns, covenant with the said GRANTEES, his, her, or their heirs and assigns, that it is lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; 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 GRANTEES, his, her, or their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the said GRANTOR, **MMM PROPERTIES, LLC** , by **ALAN C. HOWARD** its **MANAGING MEMBER**, who is authorized to execute this conveyance, has hereunto set its signature and seal, this the 10th day of April, 2006.

**MMM PROPERTIES, LLC**

  
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**ALAN C. HOWARD**  
**MANAGING MEMBER**

STATE OF ALABAMA)

COUNTY OF SHELBY)

ACKNOWLEDGMENT

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**, a/an **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 10th day of April, 2006.

  
\_\_\_\_\_  
Notary Public

My commission expires: **NOTARY PUBLIC STATE OF ALABAMA AT LARGE**  
**MY COMMISSION EXPIRES: Jan 30, 2010**  
**BONDED THRU NOTARY PUBLIC UNDERWRITERS**