********* MORTGAGE COVERS PURCHASE PRICE.
DEED IS SIMULTAEOUSLY BEING RECORDED WITH MORTGAGE.*********

20060824000415440 1/2 $15.00
Shelby Cnty Judge of Probate,AL
08/24/2006 12:37:19PM FILED/CERT

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This instrument was prepared by:

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

SEND TAX NOTICE TO:

TOWER DEVELOPMENT, INC.
PO BOX 1928
PELHAM, AL 35124

STATE OF ALABAMA
COUNTY OF SHELBY

WARRANTY DEED

Know All Men by These Presents: That in consideration of **EIGHT HUNDRED SEVEN THOUSAND NINE HUNDRED SEVENTEEN DOLLARS 00/100 ($807,917.00)** to the undersigned grantor, **STONECREEK, 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 **TOWER DEVELOPMENT, INC., Corporation**, (herein referred to as GRANTEES, whether one or more) the following described real estate, situated in **SHELBY** County, Alabama, to-wit:

Lots 48, 49, 50, 54, 55, 56, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 185, 186, 187, 188, 189, 190, 191 and 192, according to the Final Plat Stonecreek Phase 4, as recorded in Map Book 37, Page 44, 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 AND BUILDING LINE AS SHOWN ON RECORDED MAP.

3. 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.

4. RESTRICTIONS APPEARING OF RECORD IN INST. NO. 2005-38554 AND INST. NO. 2003-81566 AND INST. NO. 2006-31514.

$.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.

Alert Bank

20060824000415440 2/2 $15.00
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IN WITNESS WHEREOF, the said GRANTOR, **STONECREEK, LLC**, by **BEN CHENAULT** its **MEMBER**, who is authorized to execute this conveyance, has hereunto set its signature and seal, this the 16th day of August, 2006.

STONECREEK, LLC

BEN CHENAULT, 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 **BEN CHENAULT**, whose name as **MEMBER** of **STONECREEK, 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 16th day of August, 2006.

Notary Public

My commission expires: 9.29.06