20060905000436480 1/2 $15.00
Shelby Cnty Judge of Probate, AL
09/05/2006 03:00:56PM 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:

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

**STATE OF ALABAMA**
**COUNTY OF SHELBY**

# WARRANTY DEED

**Know All Men by These Presents**: That in consideration of **FOUR HUNDRED FORTY TWO THOUSAND SEVEN HUNDRED FIFTY DOLLARS 00/100 ($442,750.00)** 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 86, 88, 91, 93, 94, 99-101, 107, 145, 146, 156, 159, 160 and 162, according to the Survey of The Reserve at Timberline, as recorded in Map Book 34, Page 117 A, B, C and 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 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. 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.
5. RIGHT OF WAY GRANTED TO ALABAMA POWER COMPANY RECORDED IN VOLUME 323, PAGE 131, VOLUME 219, PAGE 75 AND INST. NO. 2002-6355.
6. RESTRICTIONS APPEARING OF RECORD IN INST NO. 2005-14193.

$2,102,800.00 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.

Colonial Bank

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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 21st day of August, 2006.

**MMM PROPERTIES, LLC**

**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 21st day of August, 2006.

Amanda Elizabeth Watson
Notary Public

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