STATUTORY WARRANTY DEED

This instrument was prepared by

(Name) Larry L. Halcomb, Attorney

(Address) 3512 Old Montgomery Highway
Birmingham, Alabama 35209

Send Tax Notice To: Barry D. Roseman
name
5125 Crossings Parkway
address
Birmingham, AL 35242

CORPORATION FORM WARRANTY DEED, JOINTLY FOR LIFE WITH REMAINDER TO SURVIVOR

STATE OF ALABAMA
COUNTY OF **SHELBY** } KNOW ALL MEN BY THESE PRESENTS,

That in consideration of **FOUR HUNDRED TWENTY THREE THOUSAND AND NO/100 (423,000.00) DOLLARS**

to the undersigned grantor, **Harbar Construction Company, Inc.** a corporation,

(herein referred to as GRANTOR), 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 **Barry D. Roseman & Bari M. Roseman**

(herein referred to as GRANTEES) for and during their joint lives and upon the death of either of them, then to the survivor of them in fee simple, together with every contingent remainder and right of reversion, the following described real estate, situated in **Shelby County, Alabama** to-wit:

Lot 495, according to the Map and Survey of Caldwell Crossings Sector 4 - The Sanctuary, as recorded in Map Book 36, Page 28, in the Office of the Judge of Probate of Shelby County, Alabama.

Minerals and mining rights, together with release of damages, excepted.

Subject to taxes for 2007.

Subject to conditions on attached Exhibit "A".

Subject to items on attached Exhibit "B".

20061114000556210 1/3 $440.00
Shelby Cnty Judge of Probate, AL
11/14/2006 09:26:09AM FILED/CERT

Shelby County, AL 11/14/2006
State of Alabama

Deed Tax:$423.00

TO HAVE AND TO HOLD, To the said GRANTEES for and during their joint lives and upon the death of either of them, then to the survivor of them in fee simple, and to the heirs and assigns of such survivor forever, together with every contingent remainder and right of reversion.

IN WITNESS WHEREOF, the said GRANTOR, by its **Vice President, Denney Barrow,** who is authorized to execute this conveyance, has hereto set its signature and seal, this the **3rd** day of **November** 19 **2006**

ATTEST:

Harbar Construction Company, Inc.

By Denney Barrow
Denney Barrow, Vice President

STATE OF **ALABAMA**
COUNTY OF **JEFFERSON** }

I, **Larry L. Halcomb,** a Notary Public in and for said County in said State, hereby certify that **Denney Barrow** whose name as **Vice President** of a corporation, 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, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation,

Given under my hand and official seal, this the **3rd** day of **November** 19 **2006.**

Larry L. Halcomb
Larry L. Halcomb Notary Public

My Commission Expires January 23, 2010

20061114000556210 2/3 $440.00
Shelby Cnty Judge of Probate,AL
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EXHIBIT "A"

This conveyance is made with the express reservation and condition that Grantees, for themselves and on behalf of their heirs, administrators, executors, successors, assigns, contractors, permitees, licensees and lessees, hereby release and forever discharge Grantor from any and all liability, claims and causes of action, whether arising at law (by contract or in tort) or in equity with respect to damage or destruction of property and injury to or death of any person located in, on, or under the surface of or over the property herein conveyed, as the case may be, which are caused by, or arise as a result of, past, present, or future soil, subsoil, or other conditions (including, without limitation, sinkholes, underground mines, subsurface waters, and limestone formations) under or on the subject property, whether contiguous or non-contiguous. Grantees acknowledge that they have made their own independent inspections and investigations of the subject property and are purchasing the subject property in reliance upon such inspections and investigations. For purposes of this paragraph, Grantor shall mean and refer to the members, managers, agents, employees, successors, assigns, members, owners, managers, partners, officers and contractors of Grantor and any successors and assigns of Grantor.

20061114000556210 3/3 $440.00
Shelby Cnty Judge of Probate,AL
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EXHIBIT "B"

Right of Way to Alabama Power Company recorded in Instrument #20050803000391990, Instrument #20050803000391980, Instrument #20060201000052420, Instrument #20040204000057770, Book 220, Page 67 and Book 217, Page 750.

Agreement with City of Hoover as recorded in Instrument #20050322000127490.

Easement as shown in Instrument #1993-31528 and in Instrument #1993-31529.

Terms, provisions, covenants, conditions, restrictions, easements, charges, assessments and liens (provisions, if any, based on race, color, religion, or national origin are omitted) provided in the Covenants, Conditions and Restrictions recorded in Instrument #20060426000194980, Instrument #20050413000172750, Instrument #20050322000127490, Misc. Vol. 27, Page 381 and Instrument #1997-23467.

Easement, mineral and mining rights as shown in Real Volume 319, Page 293.

Any riparian rights with respect to Moon Glow Lake bordering property.

Easement to the City of Hoover as shown in Instrument #2000-25987.

Power lines, drainage and other matters as shown on survey of Paragon Engineering, Inc., dated 05/07/97 and on survey of Laurence D. Weygand dated 01/22/05.

Memorandum of Lease to Foresite, LLC, as shown in Instrument #20021217000632730.