

Send Tax Notice to:
AGA Partners, LLC
c/o Earl M. Gibson
2539 Rocky Ridge Road
Birmingham, Alabama 35243

STATE OF ALABAMA)
SHELBY COUNTY)

STATUTORY WARRANTY DEED

THIS INSTRUMENT was executed and delivered as of December 29, 2006 by **E.R. DEVELOPMENT, INC.**, an Alabama corporation (herein the "Grantor") to **AGA PARTNERS, LLC**, an Alabama limited liability company (herein the "Grantee") for the purposes hereinafter described.

RECITALS:

A. The Grantor holds fee title to that certain tract of property, more particularly described as Lots 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662 and 2663, according to the Survey of Weatherly Highlands The Ledges Sector 26 - Phase Two, as recorded in Map Book 38, Page 16 in the Probate Office of SHELBY County, ALABAMA (collectively, herein the "Subject Property").

B. The Grantor has agreed to convey the Subject Property to the Grantee for the consideration hereinafter recited.

42,250.00
NOW, THEREFORE, in consideration of the premises recited above, the sum of \$10.00 (Ten and 00/100 Dollars) paid by the Grantee and other good and valuable consideration, the receipt and sufficiency of which is acknowledged, the Grantor does by these presents grant, bargain, sell and convey the Subject Property to the Grantee, together with all of the rights, tenements, hereditaments, and appurtenances thereto belonging or in any way appertaining, as well as any and all assignable rights and benefits of Grantor as successor in interest to Weatherly Partners, L.L.C. under the Declarations of Protective Covenants filed in Shelby County, Alabama as Instrument 2000-14750, but only to the extent that such rights and benefits pertain to the Subject Property and not otherwise.

TO HAVE AND TO HOLD the Subject Property, together with all and singular the rights, members and appurtenances thereof to the same being, belonging or in any way appertaining, to the use and benefit of the Grantee and its successors and assigns, forever, subject only to the matters set forth on **Exhibit "A"** attached hereto and incorporated by reference.

[Remainder of Page Intentionally Left Blank]

IN WITNESS WHEREOF, the Grantor has caused this instrument to be executed and delivered as of the date first shown above.

GRANTOR:

20070104000003690 2/3 \$18.00
Shelby Cnty Judge of Probate, AL
01/04/2007 12:21:29PM FILED/CERT

E. R. DEVELOPMENT, INC., an Alabama corporation

By: 

Jack Fiorella, III, its President

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Jack Fiorella III, in his capacity as President of E.R. Development, Inc., an Alabama corporation, whose name 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, in such capacity and with full authority, executed the same voluntarily on the date referenced below.

Given under my hand and official seal this 29th day of December, 2006.


[SEAL]


Notary Public

My Commission Expires **COMMISSION EXPIRES 2-11-09**

Prepared by:
William R. Sylvester, Esq.
Walston, Wells & Birchall, LLP
1819 Fifth Avenue North, Suite 1100
Birmingham, Alabama 35203
205-244-5200

EXHIBIT A


20070104000003690 3/3 \$18.00
Shelby Cnty Judge of Probate, AL
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1. Taxes for the year 2007 and subsequent years.
2. Easements and building line as shown on recorded map.
3. Any previous reservation or severance of oil, gas, and other minerals together with mining rights, privileges and immunities relating thereto, if any, it being the intention of Grantor to convey, without warranty, only those oil, gas, mineral and mining rights to which it has title, if any.
4. Right-of Way granted to Alabama Power Company recorded in Instrument No. 2006-60272 and Instrument No. 2006-42216, both recorded Shelby County Probate Office.