THIS DEED BEING RERECORDED TO CORRECT THE LEGAL DESCRIPTION: SPECIFICALLY THE LOT SHOULD BE 4-77

NTC060754

This Instrument Prepared By:

Stewart & Associates, P.C.
3595 Grandview Parkway #645
Birmingham, Alabama 35243

Send Tax Notice To:
David L. Cheek & Annette P. Cheek
3061 Chelsea Park Ridge
Chelsea, AL 35043

20061116000561480 1/2 $66.50
Shelby Cnty Judge of Probate,AL
11/16/2006 12:39:09PM FILED/CERT

Shelby County, AL 11/16/2006
State of Alabama

Deed Tax:$52.50

STATE OF ALABAMA)
COUNTY OF SHELBY)

STATUTORY WARRANTY DEED

KNOW ALL PERSONS BY THESE PRESENTS, that in consideration of Two Hundred Sixty Two Thousand, and Fifty Three Dollars and 00/100 ($262,053.00) to the undersigned Chelsea Park Homes, Inc., an Alabama corporation ("Grantor"), in hand paid by David L. Cheek and Annette P. Cheek ("Grantee"), the receipt and sufficiency of which are hereby acknowledged, the said Grantor does by these presents, grant, bargain, sell and convey (AS JOINT TENANTS WITH RIGHT OF SURVIVORSHIP) unto Grantee the following described real estate, situated in Shelby County, Alabama, to-wit:

Lot ~~XX~~ 4-77 according to the Plat of Chelsea Park 4th Sector, as recorded in Map Book 34, Page 147 A&B in the Probate Office of Shelby County, Alabama

Together with the nonexclusive easement to use the Common Areas as more particularly described in Declaration of Easements and Master Protective Covenants of Chelsea Park, a Residential Subdivision, executed by the Grantor and filed for record as Instrument No. 20041014000566950 in the Probate Office of Shelby County, Alabama and Declaration of Covenants, Conditions, and Restrictions for Chelsea Park 4th Sector executed by Grantor and Chelsea Park Residential Association, Inc., and recorded as Instrument No. 20041026000590790 (which, together with all amendments thereto, are hereinafter collectively referred to as the "Declaration").

$209,642.00 as was the consideration as was paid from the proceeds of a mortgage loan.

Subject to: (1) Ad valorem taxes due and payable October 1, 2006 and all subsequent years thereafter; (2) Mineral and mining rights not owned by Grantor; (3) The easements, restrictions, assessments, covenants, agreements and all other terms and provisions of the Declaration and in Map Book 34 page 147 A & B in the Probate Office of Shelby County, Alabama; (4) All easements, restrictions, reservations, agreements, rights-of-way, building setback lines and any other matters of record.

Grantee, by acceptance of this deed, acknowledges, covenants and agrees for itself and for its successors and assigns, that Grantor shall not be liable for and Grantee hereby waives and releases Grantor, its officers, agents, employees, directors, shareholders, partners, mortgagees and their respective successors and assigns from any liability of any nature on account of loss, damage, or injuries to buildings, structures, improvements, personal property or to Grantee or any owner, occupants or other person who enters upon any portion of the Property as a result of any past, present or future soil, surface and/or subsurface conditions (including, without

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limitation, radon, sinkholes, underground mines, tunnels and limestone formations and deposits) under or upon the Property or any property surrounding, adjacent to or in close proximity with the Property which may be owned by Grantor.

IN WITNESS WHEREOF, the said Chelsea Park Homes, Inc., an Alabama corporation, by its Closing Agent Kara Bowman, who is authorized to execute this conveyance, has hereto set its signature and seal, this the 10th Day of November, 2006.

CHELSEA PARK HOMES, INC., AN ALABAMA CORPORATION

By: Kara Bowman
Kara Bowman
Closing Agent

STATE OF ALABAMA)
COUNTY OF JEFFERSON)

I, the undersigned, a Notary Public in and for said County and State, hereby certify that Kara Bowman, whose name as Closing Agent of Chelsea Park Homes, Inc., an Alabama 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, she, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and seal this the 10th day of November, 2006.

Notary Public John Reed Williams
My Commission Expires: 9/12/2010

#164415

JOHN REED WILLIAMS
MY COMMISSION EXPIRES
SEPTEMBER 12, 2010
ALABAMA
NOTARY PUBLIC

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