

✓ This instrument was prepared by:
✓ Harry W. Gamble
✓ 105 Owens Parkway, Suite B
Birmingham, Alabama 35244

Send tax notice to:
125 Lauchlin Way
Pelham, AL 35124

**STATE OF ALABAMA
COUNTY OF SHELBY**

WARRANTY DEED

Know All Men by These Presents: That in consideration of **THREE HUNDRED THIRTY TWO THOUSAND FIVE HUNDRED EIGHTY SEVEN AND NO/100 (\$332,587.00)** to the undersigned grantor (whether one or more), in hand paid by the grantee herein, the receipt of which is acknowledged, I or we, **LOWERY HOMES, INC.** (herein referred to as grantor, whether one or more), grant, bargain, sell and convey unto **BENJAMIN T. CARTER** (herein referred to as grantees, whether one or more), the following described real estate, situated in Shelby County, Alabama, to-wit:

Lot 1128, according to the Survey of Final Plat of Lauchlin at Ballantrae Phase 2, as recorded in Map Book 38, page 114, in the Probate Office of Shelby County, Alabama.

Subject to:

(1) Taxes or assessments for the year 2008 and subsequent years not yet due and payable; (2) Mineral and mining rights not owned by the Grantor (3) All easements, restrictions, covenants, and rights of way of record, including but not limited to: (a) Declaration of Protective Covenants as recorded in Instrument 20070618000285050, in the Probate Office of Shelby County, Alabama; (b) Reciprocal Easement Agreement recorded in Instrument 200505020000209290 in the Probate Office of Shelby County, Alabama; (c) Articles of Incorporation of Homeowners Association, recorded in Volume 2003, page 66776, in the Probate Office of Shelby County, Alabama; (d) Non Exclusive Private Road Easement recorded in Volume 1996, page 39741, in the Probate Office of Shelby County, Alabama; (e) Easement to ingress and egress and public utilities, as recorded in Volume 1999, page 47153, in the Probate Office of Shelby County, Alabama; (f) Easement to ingress and egress and public utilities, as recorded in Volume 1995, page 6002, in the Probate Office of Shelby County, Alabama; (g) Mineral and mining rights and rights incident thereto recorded in Instrument 200207110000321840, in the Probate Office of Shelby County, Alabama; (h) Declaration of Easement recorded in Volume 1998, page 444 in the Probate Office of Shelby County, Alabama; (i) Release of Damages as recorded in Instrument 20070719000337670, in the Probate Office of Shelby County, Alabama.

\$249,440.00 of the purchase price recited above was paid from mortgage loan closed simultaneously herewith.

To Have And To Hold to the said grantees, his, her or their heirs and assigns forever.

The grantor covenants and agrees with the grantees that it is seized of an indefeasible estate in fee simple of said property, and that the grantor has the lawful right to sell and convey the same in fee simple; that the grantor is executing this Deed in accordance with the Articles of Incorporation and Bylaws of Lowery Homes, Inc., which have not been modified or amended; that the property is free from encumbrances, and that the grantor and that its successors and assigns shall warrant and defend the same to the grantees, his, her or their heirs and assigns, against the lawful claims and demands of all persons.

In Witness Whereof, I (we) have hereunto set my (our) hand(s) and seal(s) this
28th day of December, 2007.

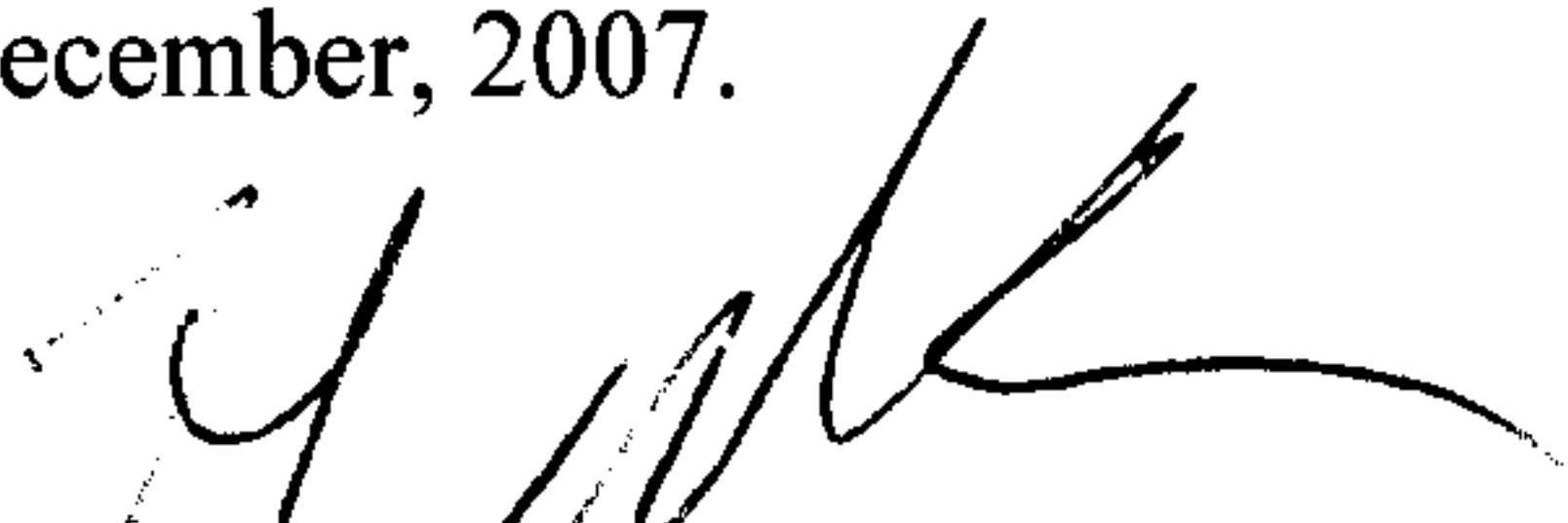
By:  (SEAL)
John Lowery
Its: President

STATE OF ALABAMA
COUNTY OF SHELBY

I, Harry W. Gamble, a Notary Public in said and for said County, in said State, hereby
certify that **John Lowery**, whose name as **President of Lowery Homes, Inc.** 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 this conveyance, as such officer and with full authority, he executed
the same voluntarily on the day the same bears date.

Given under my hand and official seal this 28th day of December, 2007.

HARRY W. GAMBLE
NOTARY PUBLIC
STATE OF ALABAMA
MY COMMISSION EXPIRES MAR. 1, 2008


Notary Public

Shelby County, AL 01/04/2008
State of Alabama

Deed Tax: \$83.50