

This instrument prepared by:
Mary Thornton Taylor, Esquire
3570 Grandview Parkway, suite 100
Birmingham, Alabama 35243

Send tax notice to:
Chesser Plantation, Inc.
3570 Grandview Parkway, suite 100
Birmingham, Alabama 35243

STATUTORY WARRANTY DEED

STATE OF ALABAMA)
) **KNOW ALL PERSONS BY THESE PRESENTS:**
SHELBY COUNTY)

That for and in consideration of Forty-two Thousand and No/100 Dollars (\$42,000.00) and other good and valuable consideration to the undersigned **CHESSER DEVELOPMENT, LLC**, an Alabama limited liability company ("Grantor"), in hand paid by **THORNTON NEW HOME SALES, INC.**, an Alabama corporation ("Grantee"), the receipt and sufficiency of which are hereby acknowledged, Grantor does by these presents grant, bargain, sell and convey unto the said Grantee the following described real estate situated in Shelby County, Alabama, to-wit:

Lot 114 according to the Survey of Cottages at Chesser, Phase 2, as recorded in Map Book 38, Page 49, in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama (the "Property").

TOGETHER WITH the nonexclusive easement to use the Common Areas as more particularly described in the Cottages at Chesser Declaration of Covenants, Conditions and Restrictions recorded as Instrument # 20040511000248910 in the Probate Office of Shelby County, Alabama, as may be amended from time to time (which, together with all amendments thereto, is hereinafter collectively referred to as the "Declaration").

The Property is conveyed subject to the following:

- (1) The lien of Ad valorem taxes for the year 2008 are a lien but neither due nor payable until October 1, 2008;
 - (2) Municipal improvements, assessments and fire district dues against subject property, if any;
 - (3) Building setback lines and easements as shown on recorded plat recorded in Map Book 33 page 45;
 - (4) Transmission Line Permits to Alabama Power Company as recorded in Deed Book 127, page 317;
 - (5) Easement(s) to Alabama Power Company as recorded in Instrument # 20030612000368390 in the Probate Office of Shelby County, Alabama;
 - (6) Title to all oil, gas minerals within and underlying the premises, together with all oil and mining rights and other rights, privileges and immunities relating thereto, together with any release of liability for injury or damage to persons or property as a result of the exercise of such rights as recorded in Deed Book 69, page 177 in the Probate Office of Shelby County, Alabama;
 - (7) Reciprocal Easement Agreement as recorded in Instrument # 20030429000262650 in said Probate Office;
 - (8) Restrictions, limitations, conditions and other provisions as set out in Map Book 33 page 45 in said Probate Office.
 - (9) Restrictive covenants as recorded in Instrument No. 20040511000248910, in said Probate Office.
 - (10) Restrictive covenants and grant of land easement to Alabama Power Company as recorded in Instrument No. 20040910000504210 and Instrument No. 2004062900035550.
- The full consideration quoted above was paid from a mortgage loan closed simultaneously herewith.**

