


\$1,591.75

Send Tax Notice To:
Proctor Holdings, LLC
P.O. Box 381867
Birmingham, Alabama 35238


20090819000320140 1/4 \$21.00
Shelby Cnty Judge of Probate, AL
08/19/2009 03:23:48 PM FILED/CERT

STATE OF ALABAMA)

SHELBY COUNTY)

STATUTORY WARRANTY DEED

THIS IS A STATUTORY WARRANTY DEED executed and delivered this ____ day of May, 2009, by **RD Development, LLC**, an Alabama limited liability company (the "*Grantor*"), to **Proctor Holdings, LLC**, an Alabama limited liability company (hereinafter referred to as the "*Grantee*").

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of the sum of Ten & No/100 Dollars and other valuable consideration in hand paid by Grantee to Grantor, the Grantor does by these presents, grant, bargain, sell and convey unto the Grantee, the following described real estate situated in Jefferson County, Alabama; to-wit:

Lots 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, and 15 and Common Area A and Common Area B according to the Final Record Plat of Heatherwood, 5th Sector, as recorded in Map Book 40, Page 128, in the Probate Office of Shelby County, Alabama.

This conveyance is made subject to the matters set forth on Exhibit "A" attached hereto and made a part hereof.

TO HAVE AND TO HOLD, to the said Grantee, its successors and assigns forever.

The Grantor hereby covenants and agrees with the Grantee, its successors, and assigns, that the Grantor, its successors, and assigns, will warrant and defend the above described real estate against the lawful claims (unless otherwise noted above) of all persons claiming by, through, or under the Grantor, but not further or otherwise.



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IN WITNESS WHEREOF, the Grantor has caused this Statutory Warranty Deed to be
executed on this 26TH day of ~~May~~, 2009.

JUNE

RD DEVELOPMENT, LLC,
an Alabama limited liability company

By: DR Holding Company, LLC
Its Member

By: Donald R. Proctor
Donald R. Proctor
Its Member

STATE OF ALABAMA)
COUNTY OF SHELBY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Donald R. Proctor, whose name as Member of DR Holding Company, LLC, an Alabama limited liability company, as Member of RD Development, LLC, an Alabama limited liability company, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of said instrument, he, as such Member and with full authority, executed the same voluntarily for and as the act of said limited liability company.

Given under my hand and official seal this 26TH day of ~~May~~, 2009.

JUNE

Kristy M. Redford
Notary Public
My Commission Expires: _____

THIS INSTRUMENT PREPARED BY:

Aaron B. Thomas
Spain & Gillon, LLC
2117 2nd Avenue North
Birmingham, Alabama 35203

KRISTY M. REDFORD
Notary Public, State of Alabama
Alabama State At Large
My Commission Expires
January 24, 2010

EXHIBIT "A"

1. All taxes due in the year 2009 and subsequent years, which are not yet due and payable.
2. Restrictions as shown by recorded map.
3. Subject to terms, conditions, limitations, obligations and restrictions set forth in Declaration of Protective Covenants recorded in Instrument 20030411000221760 and Instrument 20050104000002410.
4. Restrictions appearing of record in Book 146, Page 237 and Instrument 20030411000221790, in the Probate Office of Shelby County, Alabama, but omitting any covenant or restriction based on race, color, religion, sex, handicap, familial status, or national origin.
5. Non-exclusive assignment of sign rights as set forth in Instrument 20030411000221770.
6. Reservations and rights in deed recorded in Instrument 20030411000221750 and corrected in Instrument 20060307000106860.
7. Subject to Heather-wood Homeowner's Association By-Laws, Rules and Regulations set forth in Instrument 20050329000142990.
8. Right of way to Shelby County, recorded in Book 290, page 552 and Book 243, Page 93, in the Probate Office of Shelby County, Alabama.
9. Easement to USX and South Central Bell Telephone Company, as recorded in Book 119, Page 887, in the Probate Office of Shelby County, Alabama. Right of Way granted to Alabama Power Company by instrument recorded in Book 337, Page 267; Real 270, Page 91; Real 75, Page 707 and Volume 318, Page 16 in the Probate Office of Shelby County, Alabama.
10. Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto in the Probate Office of Shelby County, Alabama.
11. Right of parties in possession, extension of golf course improvements, public utilities, extension of improvements, encroachments, overlaps, unrecorded easements, violated restrictive covenants, deficiency in quantity of ground, or any matters, not of record, which would be disclosed by an accurate survey and inspection of the premises.
12. Rights of claim of parties other than insured in actual possession of any or all of the property.

13. Subject to the rights and use of others over and across subject property as set forth in instrument 2000-24963.
14. Right of way to Southern Bell Telephone and Telegraph Company, recorded in Volume 329, Page 423, in the Probate Office of Shelby County, Alabama.
15. Subject to any easements within and without Heatherwood Subdivision and/or golf course, cart path and tunnel, Map Book 8, Page 27; Map Book 9, Page 66; Map Book 8, Page 28; Map Book 9, Page 161 and Map Book 19, Page 158 and as shown by the Survey of Charles A. Williams, dated November 20, 2006.
16. Mineral and mining rights and rights incident thereto recorded in Instrument 20040323000148620 and Instrument 20040323000148630, in the Probate Office of Shelby County, Alabama.
17. Agreement as recorded in Instrument 20040323000148640, in the Probate Office of Shelby County, Alabama.