

wm R09-17412  
17412

20100211000042890 1/2 \$334.00  
Shelby Cnty Judge of Probate, AL  
02/11/2010 02:37:08 PM FILED/CERT

Shelby County, AL 02/11/2010

State of Alabama

Deed Tax : \$320.00

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

**This instrument was prepared by:**

**SEND TAX NOTICE TO:**

R. Shan Paden  
PADEN & PADEN  
Five Riverchase Ridge  
Birmingham, Alabama 35244

HPH PROPERTIES, LLC  
2236 CAHABA VALLEY DRIVE  
SUITE 100  
BIRMINGHAM, AL 35242

**STATE OF ALABAMA  
COUNTY OF SHELBY**

**STATUTORY WARRANTY DEED**

**Know All Men by These Presents:** That in consideration of **THREE HUNDRED TWENTY THOUSAND DOLLARS 00/100 (\$320,000.00)** to the undersigned grantor, **BENT RIVER, LLC**, in hand paid by the GRANTEE herein, the receipt of which is hereby acknowledged, the said GRANTOR, does by these presents, grant, bargain, sell and convey unto **HPH PROPERTIES, LLC**, (herein referred to as GRANTEE, the following described real estate, situated in **Shelby County, Alabama**, to-wit:

**Lots 91, 68, 133 and 134, according to the Final Plat for Bent River – Phase IV, as recorded in Map Book 41, Page 64 A & B, in the Probate Office of Shelby County, Alabama.**

**SUBJECT TO:**

1. TAXES FOR THE YEAR BEGINNING OCTOBER 1, 2009 WHICH CONSTITUTES A LIEN BUT ARE NOT YET DUE AND PAYABLE UNTIL OCTOBER 1, 2010.
2. SEWER AND UTILITY EASEMENT AS RECORDED IN INST. NO. 2003-71329.
3. RIGHTS OF UTILITIES IN AND TO THE PORTION OF THE VACATED RIGHT OF WAY AS RECORDED IN INST. NO. 20050330000145520 AND INST. NO. 2005020800064200.
4. RESTRICTIONS APPEARING OF RECORD IN BOOK 153, PAGE 395; BOOK 160, PAGE 495; BOOK 182, PAGE 1; BOOK 69, PAGE 582; MISC. BOOK 2, PAGE 298; MISC. BOOK 16, PAGE 768; BOOK 3, PAGE 717; BOOK 5, PAGE 815; DEED BOOK 277, PAGE 204; INST. NO. 9501-3042 (JEFFERSON COUNTY) AND MISC. BOOK 22, PAGE 589.
5. RIGHT OF WAY GRANTED TO ALABAMA POWER COMPANY RECORDED IN BOOK 114, PAGE 134; INST. NO. 200406-4814 (JEFFERSON COUNTY); DEED BOOK 225, PAGE 979; DEED BOOK 129, PAGE 572 AND DEED BOOK 219, PAGE 734.
6. TITLE TO ALL MINERALS WITHIN AND UNDERLYING THE PREMISES, TOGETHER WITH ALL MINING RIGHTS AND OTHER RIGHTS, PRIVILEGES AND IMMUNITIES RELATING THERETO, INCLUDING RELEASE OF DAMAGES.
7. RIGHT OF WAY GRANTED TO SOUTH CENTRAL BELL TELEPHONE COMPANY RECORDED IN DEED BOOK 230, PAGE 928.
8. RIPARIAN RIGHTS ASSOCIATED WITH THE CAHABA RIVER UNDER APPLICABLE STATE AND/OR FEDERAL LAW.
9. LIMITED OR CONTROLLED ACCESS DUE TO THE SUBJECT PROPERTY FRONTING ON OR ABUTTING AGAINST INTERSTATE HIGHWAY I-65 ON THE WESTERLY SIDE.
10. RIGHT OF WAY, TERMS, CONDITIONS, EASEMENTS, RIGHTS IN CONNECTION THEREWITH, INCLUDING LIMITED RIGHT OF ACCESS AS GRANTED TO THE STATE OF ALABAMA BY INSTRUMENT(S) RECORDED IN LIS PENDONS 5, PAGE 348; DEED BOOK 295, PAGE 425; MISC. BOOK 13, PAGE 544; MISC. BOOK 14, PAGE 208 AND INST. NO. 1993-4661.



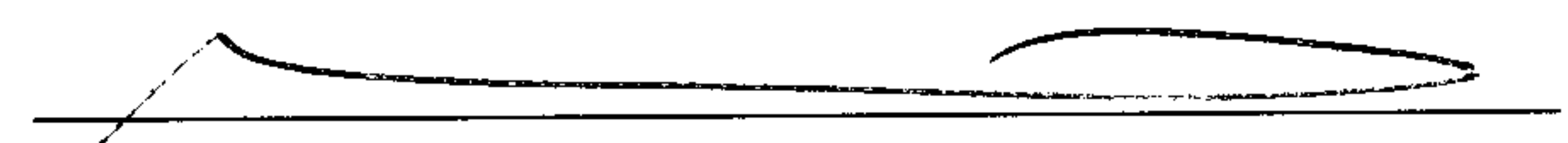
11. AGREEMENT WITH PLANTATION PIPELINE AS RECORDED IN DEED BOOK 145, PAGE 275.
12. RIGHT OF WAY GRANTED TO SHELBY COUNTY RECORDED IN DEED BOOK 177, PAGE 38.
13. NOTICE OF PERMITTED LAND USE IN BOOK 160, PAGE 492.

\$.00 of the consideration herein was derived from a mortgage closed simultaneously herewith.

**TO HAVE AND TO HOLD** unto the said GRANTEE, her/his heirs and assigns, forever.

IN WITNESS WHEREOF, the said **ALAN C. HOWARD** as **MANAGING MEMBER** of **BENT RIVER, LLC**, has hereunto subscribed his/her name on this the 8th day of December, 2009.

**BENT RIVER, LLC**

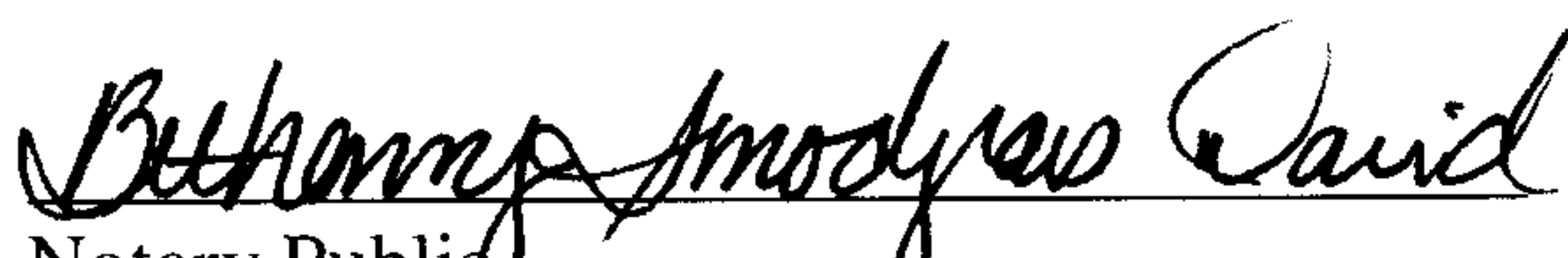
  
**ALAN C. HOWARD**  
**MANAGING MEMBER**

**STATE OF ALABAMA)**  
**COUNTY OF SHELBY)**

**ACKNOWLEDGEMENT**

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that **ALAN C. HOWARD**, whose name as **MANAGING MEMBER** of **BENT RIVER, LLC**, 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 or she, as such officer and with full authority, executed the same voluntarily for and as the act of said limited liability company.

Given under my hand this the 8th day of December, 2009.

  
Notary Public

My commission expires: February 8, 2010