

20101221000429230 1/5 \$804.00
Shelby Cnty Judge of Probate, AL
12/21/2010 02:32:57 PM FILED/CERT

THIS INSTRUMENT PREPARED BY:

W. Harold Parrish, Jr.
Leitman, Siegal, Payne & Campbell, P.C.
420 North 20th Street, Suite 2000
Birmingham, Alabama 35203

SEND TAX BILL TO:

D.R. Horton, Inc. – Birmingham
2090 Columbiana Road, Suite 4000
Birmingham, Alabama 35216

STATUTORY WARRANTY DEED

STATE OF ALABAMA)

SHELBY COUNTY)

KNOW ALL MEN BY THESE PRESENTS, That for and in consideration of the sum of Ten and No/100 Dollars (\$10.00), in hand paid and other good and valuable consideration to the undersigned grantor, **THORNTON NEW HOME SALES, INC.**, an Alabama corporation, the surviving entity and successor by merger according to the Articles of Merger as recorded in Book LR200718, Page 2606, in the Office of the Judge of Probate of Shelby County, Alabama ("Grantor"), in hand paid by **D.R. HORTON, INC. – BIRMINGHAM**, an Alabama corporation ("Grantee"), the receipt and sufficiency of which are hereby acknowledged, Grantor does hereby grant, bargain, sell and convey unto Grantee all of its right, title and interest in and to that certain real estate (the "Property") situated in Shelby County, Alabama, to-wit:

Lots 94, 96, 98, 99, 100, 101 and 102, according to the Final Plat of Holland Lakes, Sector 1, as recorded in Map Book 34, page 85, in the Probate Office of Shelby County, Alabama.

Lots 161, 163, 166, 247, 249, and 263, according to the Final Plat of Holland Lakes, Sector 2, Phase 2, as recorded in Map Book 36, page 55, in the Probate Office of Shelby County, Alabama.

Lots 176, 179, 182, 186, 196, 197, 200, 207, 208, 210, 213, 221, 223, 224, 227, 229, 230, 231, 232, 233, 238, 239, 240, 241, 243, and 244, according to the Final Plat of Holland Lakes, Sector 3, as recorded in Map Book 37, page 85, in the Probate Office of Shelby County, Alabama.

TOGETHER WITH the non-exclusive easement to use the Common Areas as more particularly described in Holland Lakes Declaration of Covenants, Conditions and Restrictions executed by Holland Lakes, Inc. and filed in

Instrument 20050425000196100 amended by First Amendment recorded in Instrument 20050602000267270 and further amended by Second Amendment recorded in Instrument 20070312000109050, in the Probate Office of Shelby County, Alabama.

Subject, however, to those matters which are set forth on Exhibit "A" which is attached hereto and incorporated herein by reference (the "Permitted Encumbrances").

TO HAVE AND TO HOLD the Property unto the Grantee, and the Grantee's successors and assigns, forever.

[Signatures on following page]



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IN WITNESS WHEREOF, Grantor has caused this Deed to be properly executed on this the 16th day of December, 2010.

GRANTOR:

THORNTON NEW HOME SALES, INC.
an Alabama corporation

By: [Signature]
Name: William L. Thornton, III
Title: Chief Executive Officer

STATE OF ALABAMA)

COUNTY OF JEFFERSON)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that William L. Thornton, III, whose name as Chief Executive Officer of **THORNTON NEW HOME SALES, 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 the conveyance, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal this the 16th day of December, 2010.

[Signature]

Notary Public

My Commission Expires: _____

NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: June 14, 2014
BONDED THRU NOTARY PUBLIC UNDERWRITERS



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EXHIBIT "A"


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PERMITTED ENCUMBRANCES

1. All taxes for the year 2011 and subsequent years, not yet due and payable.
2. Building lines, easements, restrictions and reservations as shown on the Final Plat of Holland Lakes, Sector 1, as recorded in Map Book 34, Page 85, in the Probate Office of Shelby County, Alabama.
3. Building lines, easements, restrictions and reservations as shown on the Final Plat of Holland Lakes, Sector 2, Phase 2, as recorded in Map Book 36, Page 55, in the Probate Office of Shelby County, Alabama.
4. Building lines, easements, restrictions and reservations as shown on the Final Plat of Holland Lakes, Sector 3, as recorded in Map Book 37, Page 85, in the Probate Office of Shelby County, Alabama.
5. Right of way to Southern Natural Gas, recorded in Deed Book 90, Page 281 and 461, in the Probate Office of Shelby County, Alabama.
6. Easement to Postal Telegraph Cable Company, as recorded in Deed Book 90, pages 36 and 41, in the Probate Office of Shelby County, Alabama.
7. Easement to AT&T, as recorded in Deed Book 168, Page 476, in the Probate Office of Shelby County, Alabama.
8. Title to all minerals within and underlying the Property, together with all mining rights and other rights, privileges and immunities relating thereto as recorded in Deed Book 303, page 226, in the Probate Office of Shelby County, Alabama.
9. Agreement for water line easement as recorded in Instrument 1993-22320, in the Probate Office of Shelby County, Alabama.
10. Transmission line permit to Alabama Power Company, recorded in Deed Book 113, Page 52; Deed Book 113, Page 95; Deed Book 107, Page 533; Deed Book 102, page 205; Deed Book 141, page 506; Deed Book 170, Page 262; Deed Book 55, Page 454 and Deed Book 92, page 437, in the Probate Office of Shelby County, Alabama.
11. Right of way to Shelby County, recorded in Deed Book 167, Page 462, 465 and 467; Deed Book 169, Page 59; Deed Book 271, page 748; Deed Book 256, page 868 and Deed Book 102, Page 419, in the Probate Office of Shelby County, Alabama.
12. Right of way to Colonial Pipeline, recorded in Deed Book 269, page 203, in the Probate Office of Shelby County, Alabama.



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13. Easement to City of Pelham, as recorded in Deed Book 337, page 525, in the Probate Office of Shelby County, Alabama.
14. The rights of upstream and downstream riparian owners with respect to Buck Creek which may lie adjacent to, and/or traversing through, the Property.
15. Easement to City of Pelham for sewer, as recorded in Instrument 1999-18787, in the Probate Office of Shelby County, Alabama.
16. Easement to South Central Bell Telephone Company, as recorded in Real Book 20, Page 150, in the Probate Office of Shelby County, Alabama.
17. Restrictive Covenants and Grant of Land Easement to Alabama Power Company appearing of record in Instrument 20040910000506170, in the Probate Office of Shelby County, Alabama.
18. Declaration of Covenants, Conditions and Restrictions appearing of record in Instrument 20050425000196100, amended by First Amendment recorded in Instrument 20050602000267270 and further amended by Second Amendment recorded in Instrument 20070312000109050, in the Probate Office of Shelby County, Alabama.
19. Right of Way granted to Alabama Power Company recorded in Instrument 20051031000564150 in the Probate Office of Shelby County, Alabama.
20. Grant of Land Easement with Restrictive Covenants recorded in Instrument 20061212000601480 in the Probate Office of Shelby County, Alabama.

Shelby County, AL 12/21/2010
State of Alabama
Deed Tax: \$780.00