



20110708000198120 1/4 \$31.00
Shelby Cnty Judge of Probate, AL
07/08/2011 10:09:58 AM FILED/CERT

THIS INSTRUMENT WAS PREPARED BY:

Clayton T. Sweeney, Attorney at Law
2700 Highway 280 East, Suite 160
Birmingham, Alabama 35223

SEND TAX NOTICE TO:

Raintree Properties, Inc.
2315 Mountain Oaks Circle
Birmingham, Alabama 35226

STATE OF ALABAMA

}

:

SPECIAL WARRANTY DEED

COUNTY OF SHELBY

}

10,000⁰⁴

Know all men by these presents, that for and in consideration of **Ten and No/100 Dollars** (\$10.00) and other good and valuable consideration in hand paid to **Cadence Bank, N.A., a National Banking Association** (hereinafter referred to as “Grantor”) by **Raintree Properties, Inc., an Alabama corporation**, (hereinafter referred to as “Grantees”) the receipt and sufficiency of which are acknowledged hereby, Grantor does by these presents grant, bargain, sell and convey unto the said Grantees, as joint tenants with right of survivorship, the following described real estate situated in **Shelby County, Alabama**, (the “Property”), together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining:

See Exhibit “A” attached hereto and made a part hereof for legal description.

This conveyance is subject however, to the following:

1. Ad valorem taxes for 2011 and subsequent years not yet due and payable until October 1, 2011.
2. Mineral and mining rights not owned by Grantor.
3. Easements of record, recorded restrictions, rights of way, agreements and other matters of record.
4. Matters that would be revealed by an accurate survey of the Property or that may be shown on any recorded map or plat of the property.
5. Any applicable zoning, subdivision or other land use ordinances, laws or regulations.

“AS IS” and “WHERE IS”, with all faults and specifically and expressly without any warranties, representations, or guaranties of any kind, oral or written, express or implied, concerning the Property or this conveyance from or on behalf of Grantor;

To the maximum extent permitted by law, Grantor makes no representations, warranties or guarantees of any kind, oral or written, express or implied concerning the Property, including, without limitation, (i) the profitability, suitability or fitness of the Property for a particular use or purpose, (ii) the manner or quality of the construction or materials incorporated into the improvements, if any, on the Property, (iii) the manner of repair, quality, state of repair, or lack of repair of the Property, and (iv) the availability of utilities and access of the Property to public roads.

To the maximum extent permitted by law, Grantor makes no representations or warranties with regard to compliance with any environmental protection, pollution, or land use laws, rules, regulations, orders or requirements, including but not limited to, those pertaining to the handling, generating, treating, storing, or disposing of any solid waste, as defined by the U.S. Environmental Protection Agency Regulations at 40 C.F.R. Part 2261, or hazardous substances, as defined by the Comprehensive Environmental Response Compensation and Liability Act of 1990, as amended, and regulations promulgated thereunder.

Grantor is not liable or bound in any manner by any verbal or written statement, representations or information pertaining to the Property furnished by any broker, agent, employee, servant, or other person.

Grantor shall not be liable to the Buyer for any prospective or speculative profits, or special, indirect or consequential damages, whether based upon contract, tort, or negligence or in any other manner arising from the transactions contemplated by this conveyance.


TO HAVE AND TO HOLD to the Grantees and Grantees' heirs, successors and assigns, for and during their joint lives and upon the death of either of them, then to the survivor of them in fee simple, and to the heirs and assigns of such survivor, forever.

Shelby County, AL 07/08/2011
State of Alabama
Deed Tax: \$10.00

100-443886-100

IN WITNESS WHEREOF, Grantor has caused this Deed to be executed by Grantor's duly authorized representative this 23rd day of June, 2011.

CADENCE BANK, N.A.
A National Banking Association

By: 
Printed Name: Scott Harris
Its: Vice President

STATE OF ALABAMA }
 :
COUNTY OF JEFFERSON }

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Scott Harris, whose name as Vice President on behalf of Cadence Bank, N.A., a National Banking Association, 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 the instrument, he, in his capacity as such officer and with full authority, executed the same voluntarily for and as the act of said national banking association.

Given under my hand and seal of office this the 23rd day of June, 2011.

[NOTARIAL SEAL]


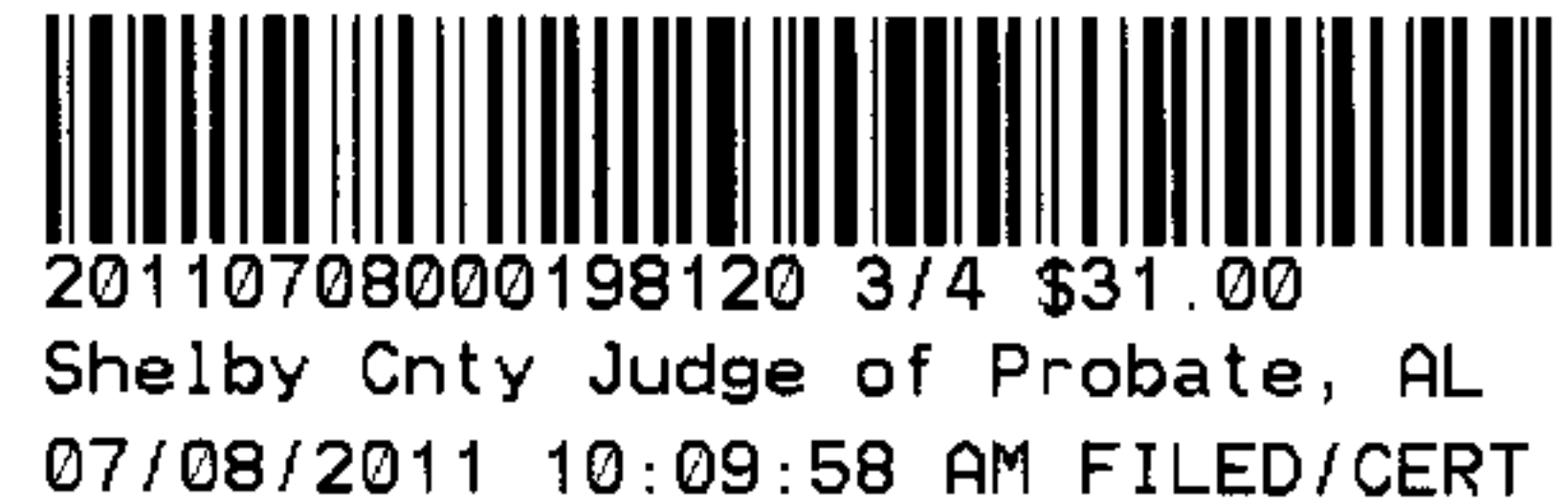

Notary Public
My commission expires: 6/5/2015

Exhibit "A"
Legal Description



Parcel I

Lot 1, according to the Map and Survey of Mountaintop Farms, as recorded in Map Book 12, Page 9, in the Probate Office of Shelby County, Alabama. Said Lot also described as follows: The West 1/2 of the Northwest 1/4 of the Northeast 1/4 of Section 27, Township 20 South, Range 4 West, Shelby County, Alabama.

SUBJECT TO:

A non-exclusive easement for ingress and egress across Lot 2, as shown on map of Mountaintop Farms, as recorded in Map Book 12, Page 9, in the Probate Office of Shelby County, Alabama.

SUBJECT TO:

A non-exclusive easement for ingress and egress along the following described private road. Commence at the Northwest corner of the Northwest 1/4 of the Southeast 1/4 of Section 22, Township 20 South, Range 4 West, thence run Easterly along the North line of said 1/4-1/4 86.14 feet to a point in the centerline of South Shades Crest Road; thence run 41 degrees 29 minutes 03 seconds left and run Northeasterly along the centerline of said South Shades Crest Road 121.40 feet to the point of beginning of a 50 foot easement lying 25 feet on either side of the following described centerline; from the point of beginning thus obtained, thence turn 90 degrees right from the last described course and run Southeasterly 21.36 feet to the point of beginning of a curve to the right having a central angle of 41 degrees 20 minutes 07 seconds and a radius of 175 feet, thence run along the arc of said curve 126.25 feet to the end of said curve; thence continue along the tangent if extended of the last described curve and run Southerly 310.00 feet; thence turn 59 degrees 24 minutes 23 seconds left and run Southeasterly 106.75 feet; thence turn 122 degrees 58 minutes 39 seconds right and run Southwesterly 101.62 feet; thence turn 6 degrees 47 minutes 56 seconds left and run Southwesterly 86.02 feet; thence turn 22 degrees 10 minutes 32 seconds left and run Southwesterly 170.37 feet; thence turn 33 degrees 09 minutes 18 seconds left and run Southwesterly 299.31 feet; thence turn 20 degrees 19 minutes 51 seconds left and run Southeasterly 97.03 feet; thence turn 30 degrees 33 minutes 48 seconds left and run Southeasterly 228.82 feet; thence turn 13 degrees 50 minutes 14 seconds right and run Southeasterly 256.11 feet; thence turn 11 degrees 34 minutes 07 seconds right and run Southeasterly 303.94 feet, thence turn 33 degrees 07 minutes 52 seconds left and run Southeasterly 470.97 feet, thence turn 14 degrees 01 minutes 19 seconds left and run Southeasterly 147.58 feet; thence turn 25 degrees 58 minutes 43 seconds left and run Northeasterly 229.75 feet, thence turn 56 degrees 03 minutes 32 seconds right and run Southeasterly 282.28 feet; thence turn 36 degrees 15 minutes 43 seconds left and run Southeasterly 96.10 feet; thence turn 127 degrees 53 minutes 07 seconds right and run Southwesterly 217.29 feet; thence turn 42 degrees 04 minutes 11 seconds left and run Southwesterly 299.69 feet, thence turn 18 degrees 44 minutes 57 seconds left and run Southerly 43.99 feet to the South line of the Southwest 1/4 of the Southeast 1/4 of said Section 22, said point being 30 feet West of the Southeast corner of said 1/4-1/4 Section, said point also being the end of said easement, located in Jefferson County, Alabama.

Lot 2, according to the Map and Survey of Mountaintop Farms, as recorded in Map Book 12, Page 9, in the Probate Office of Shelby County, Alabama ,

Said Lot also described as follows: The East half or the Northwest Quarter of the Northeast Quarter of Section 27, Township 20 South, Range 4 West, Shelby County, Alabama.

ALSO

A non-exclusive easement for ingress and egress along the following described private road: Commence at the Northwest corner of the Northwest Quarter of the Southeast Quarter of Section 22, Township 20 South, Range 4 West, thence run Easterly along the North line of said Quarter-Quarter 86.14 feet to a point in the centerline of South Shades Crest Road; thence turn 41 degrees 29 minutes 03 seconds left and run Northeasterly along the centerline of said South Shades Crest Road 121.40 feet to the point of beginning of a 50 foot easement lying 25 feet on either side of the following described centerline, from the point of beginning thus obtained, thence turn 90 degrees right from the last described course and run Southeasterly 21.36 feet to the point of beginning of a curve to the right having a central angle of 41 degrees 20 minutes 07 seconds and a radius of 175 feet; thence run along the arc of said curve 126.25 feet to the end of said curve; thence continue along the tangent if extended of the last described curve and run Southerly 310.0 feet; thence turn 59 degrees 24 minutes 23 seconds left and run Southeasterly 106.75 feet; thence turn 122 degrees 58 minutes 39 seconds right and run Southwesterly 101.62 feet; thence turn 6 degrees 47 minutes 56 seconds left and run Southwesterly 86.02 feet, thence turn 22 degrees 10 minutes 32 seconds left and run Southwesterly 170.37 feet; thence turn 33 degrees 09 minutes 18 seconds left and run Southwesterly 299.31 feet, thence turn 20 degrees 19 minutes 51 seconds left and run Southeasterly 97.03 feet; thence turn 30 degrees 33 minutes 48 seconds left and run Southeasterly 228.82 feet, thence turn 13 degrees 50 minutes 14 seconds right and run Southeasterly 256.11 feet; thence turn 11 degrees 34 minutes 07 seconds right and run Southeasterly 303.94 feet: thence turn 33 degrees 07 minutes 52

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