



20111205000366070 1/3 \$46.50  
Shelby Cnty Judge of Probate, AL  
12/05/2011 01:41:20 PM FILED/CERT

Shelby County, AL 12/05/2011  
State of Alabama  
Deed Tax: \$28.50

**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  
3570 Grandview Parkway, Suite 100  
Birmingham, AL 35243

**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, **CHESSER DEVELOPMENT LLC**, an Alabama limited liability company ("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:

Lot 123, according to the Amended Map of Cottages at Chesser Phase II, recorded in Map Book 38, page 49, in the Office of the Judge of Probate Shelby County, Alabama.

Together with the nonexclusive easement to use the Common Areas as more particularly described in the Declaration of Covenants, Conditions and Restrictions for Cottages at Chesser as recorded in Instrument 20040511000248910, First Amendment to Declaration as recorded in Instrument. 20091008000381600 in the Probate Office of Shelby County, Alabama, as may be amended from time to time (which together with all amendments thereto, is hereinafter referred to as the "Declaration").

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.

IN WITNESS WHEREOF, Grantor has caused this Deed to be properly executed on this  
the 29<sup>th</sup> day of November, 2011.

**GRANTOR:**

**CHESSER DEVELOPMENT, LLC,**  
an Alabama limited liability company

By: Thornton, Inc.  
Its: Member

By: [Signature]  
Name: William L. Thornton, III  
Title: President

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 President of Thornton, Inc., Member of **CHESSER DEVELOPMENT, LLC**, an Alabama limited liability company, 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 limited liability company.

Given under my hand and official seal this the 29<sup>th</sup> day of November, 2011.

[Signature]

Notary Public

My Commission Expires:

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

## **EXHIBIT "A"**

### **PERMITTED ENCUMBRANCES**

1. All taxes for the year 2012 and subsequent years, not yet due and payable.
2. Building lines, easements and restrictions as shown on Map Book 33, Page 45.
3. Building lines, easements and restrictions as shown on Map Book 38, Page 49.
4. Easement to Alabama Power Company recorded in Deed Book 127, page 317, in the Probate Office of Shelby County, Alabama.
5. Mineral and mining rights and rights incident thereto recorded in Deed Book 69, page 177, in the Probate Office of Shelby County, Alabama.
6. Grant of Land Easement with Restrictive Covenants granted to Alabama Power Company, recorded in Instrument 20040910000504210, Instrument 20040629000355500 and Instrument 20060828000422450, in the Probate Office of Shelby County, Alabama.
7. Declaration of Covenants, Conditions and Restrictions for Cottages at Chesser as recorded in Instrument 20040511000248910, First Amendment to Declaration as recorded in Instrument 20091008000381600 in the Probate Office of Shelby County, Alabama.
8. Articles of Incorporation of Cottages at Chesser Owners Association Inc as recorded in Instrument 200406/9975, in the Probate Office of Shelby County, Alabama
9. Reciprocal Easement Agreement as recorded in Instrument 20030429000262650, in the Probate Office of Shelby County, Alabama.