



20111212000374760 1/3 \$138.00
Shelby Cnty Judge of Probate, AL
12/12/2011 02:28:59 PM FILED/CERT

Shelby County, AL 12/12/2011
State of Alabama
Deed Tax: \$120.00

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, **THORNTON NEW HOME SALES, INC.**, an Alabama corporation ("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 90A, 92A and 94A, according to the Survey of Dunnivant Square Resurvey, as recorded in Map Book 42, Page 123A, 123B and 123C, in the Probate Office of Shelby County, Alabama.

Together with the nonexclusive easement to use the Common Areas as more particularly described in the Amended and Restated Declaration of Covenants, Conditions and Restrictions for Dunnivant Square as recorded in Instrument 20100713000222660 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 Grantee, and Grantee's successors and assigns, forever.

IN WITNESS WHEREOF, Grantor has caused this Deed to be properly executed on this
the 7th day of December, 2011.

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 7th day of December, 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 and easements as shown in Map Book 42, page 123A, 123B & 123C in the Probate Office of Shelby County, Alabama.
3. Right of way to Shelby County, recorded in Deed Volume 196, page 237; Deed Volume 196, page 248 and Deed Volume 196, page 254, in the Probate Office of Shelby County, Alabama.
4. Permits to Alabama Power Company recorded in Deed Volume 247, page 905; Deed Volume 139, page 569 and Deed Volume 134, page 411 in the Probate Office of Shelby County, Alabama.
5. Declaration of Protective Covenants pursuant to Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act as recorded In Instrument 20070410000164500, in the Probate Office of Shelby County, Alabama.
6. Amended and Restated Declaration of Covenants, Conditions and Restrictions for Dunnivant Square as recorded in Instrument 20100713000222660 in the Probate Office of Shelby County, Alabama.
7. Grant of Land Easement with Restrictive Covenants granted to Alabama Power Company as recorded in Instrument 20080401000129920 in the Probate Office of Shelby County, Alabama.
8. Mineral and mining rights and rights incident thereto recorded in Deed Volume 81, page 417, in the Probate Office of Shelby County, Alabama.