



20111221000387300 1/4 \$71.00  
Shelby Cnty Judge of Probate, AL  
12/21/2011 01:32:15 PM FILED/CERT

Shelby County, AL 12/21/2011  
State of Alabama  
Deed Tax:\$50.00

**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 )

*50,000*

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, **TYROL, 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 4-19 and 4-23, according to the Survey of Chelsea Park, 4th Sector, as recorded in Map Book 34, pages 147A and 147B, in the Probate Office of Shelby County, Alabama.

Together with the nonexclusive easement to use the Common Areas as more particularly described in Declaration of Easements and Master Protective Covenants of Chelsea Park, a Residential Subdivision, executed by Chelsea Park, Inc. and filed for record as Instrument No. 20041014000566950 in the Probate Office of Shelby County, Alabama and Declaration of Covenants, Conditions, and Restrictions for Chelsea Park 4th Sector executed by Chelsea Park, Inc. and Chelsea Park Residential Association, Inc., and recorded as Instrument No. 20050425000195430 (which, together with all amendments thereto, are hereinafter collectively referred to as the "Declaration").

Together with the nonexclusive easement to use the Easement Parcel as more particularly described in the Easement Agreement as recorded in Instrument 20040816000457750, 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 Grantee, and Grantee's successors and assigns, forever.




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IN WITNESS WHEREOF, Grantor has caused this Deed to be properly executed on this  
the 13<sup>th</sup> day of December, 2011.

**GRANTOR:**

**TYROL, INC.,**  
an Alabama corporation

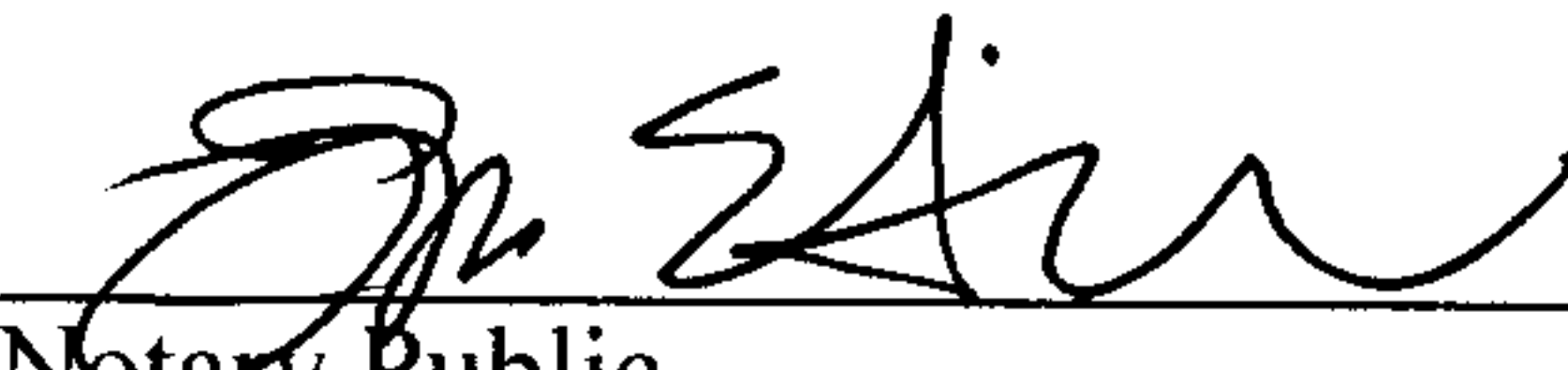
By:   
Name: Michael D. Fuller  
Title: President

STATE OF ALABAMA )

COUNTY OF JEFFERSON )

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Michael D. Fuller, whose name as President of **TYROL, INC.**, is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents thereof, 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 13<sup>th</sup> day of December, 2011.

  
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 the Plat of Chelsea Park, 4th Sector as recorded in Map Book 34, pages 147A and 147B, in the Probate Office of Shelby County, Alabama.
3. Easement to Level 3 Communications, LLC, recorded in Instrument 2000-0007 and Instrument 2000-0671, in the Probate Office of Shelby County, Alabama.
4. Easement to Colonial Pipeline Company recorded in Deed Book 283, page 716 and Deed Book 253, page 324, in the Probate Office of Shelby County, Alabama.
5. Mineral and mining rights and rights incident thereto recorded in Instrument 1997-9552; Instrument 2000-4450 and Instrument 2001-27341, in the Probate Office of Shelby County, Alabama.
6. Easement to U.S. Alliance for road, as set out in Instrument 2000-4454, in the Probate Office of Shelby County, Alabama.
7. Easement Agreement recorded in Instrument 20040816000457750, in the Probate Office of Shelby County, Alabama.
8. Conservation Easement recorded in Instrument 20041228000703970; Instrument 20041228000703980 and Instrument 20041228000703990 in the Probate Office of Shelby County, Alabama.
9. Easement to Alabama Power Company recorded in Instrument 20051031000564090; Instrument 20060828000422650; Instrument 20050203000056210; Instrument 20050802000390130; Instrument 20051031000564100; Instrument 20050203000056190; Instrument 20051031000564050; Instrument 20050203000056200; Instrument 20060828000422540; and in Instrument 20070517000231130 in the Probate Office of Shelby County, Alabama.
10. Permanent Easement for water mains and/or Sanitary Sewer Main to the City of Chelsea as recorded in Instrument 20040120000033550, in the Probate Office of Shelby County, Alabama.
11. Articles of Incorporation of Chelsea Park Residential Association, Inc. as recorded in Instrument 200413/8336, in the Probate Office of Jefferson County, Alabama.
12. Transmission Line Permit to Alabama Power Company as recorded in Deed Volume 112, page 111, in the Probate Office of Shelby County, Alabama.

13. Articles of Incorporation of The Chelsea Park Improvement District One as recorded in Instrument 20041223000699620, in the Probate Office of Shelby County, Alabama.
14. Declaration of Easements and Master Protective Covenants of Chelsea Park, a Residential Subdivision filed for record as Instrument No. 20041014000566950 in the Probate Office of Shelby County, and Alabama and Declaration of Covenants, Conditions, and Restrictions for Chelsea Park 4th Sector recorded as Instrument No. 20050425000195430.
15. Restrictions recorded in Instrument 20030815000539670 in the Probate Office of Shelby County, Alabama.