

Send Tax Notice To:

Markpoint Properties, Inc.

c/o 1722 2<sup>nd</sup> Ave. North  
Birmingham, AL 35202

This instrument was prepared by:

Claude McCain Moncus, Esq.  
 Corley, Moncus, Bynum & De Buys, P.C.  
 2100 16th Avenue South  
 Birmingham, Alabama 35205

STATE OF ALABAMA )

JEFFERSON COUNTY ) KNOW ALL MEN BY THESE PRESENTS,

BOOK 158 PAGE 800  
 That in consideration of Five Hundred Ninety Five Thousand Three Hundred Forty Two and no/100 Dollars (\$595,342.00) to the undersigned Grantor in hand paid by the Grantee herein, the receipt whereof is acknowledged, Caldwell Road Properties, an Alabama General Partnership, (herein referred to as Grantor) does grant, bargain, sell and convey unto Mark-Point Properties, Inc. , an Alabama corporation, (herein referred to as Grantee), the real estate described on Exhibit "A" situated in Shelby County, Alabama.

Subject to:

1. Ad valorem taxes for the year 1988, which said taxes are not due or payable until October 1, 1988;
2. Right of Way granted to Alabama Power Company by instrument(s) recorded in Deed Volume 220, Page 47, and Deed Volume 129, Page 559;
3. Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto, together with any release of liability for injury or damage to persons or property as a result of the exercise of such rights as recorded in Deed Volume 42, Page 246, and Deed Volume 4, Page 472.

Anthony Suale

\$ 450,000.00 of the purchase price  
recited above was paid from a mortgage  
loan recorded simultaneously herewith.

TO HAVE AND TO HOLD unto the said Grantee,  
its successors and assigns forever.

And Caldwell Road Properties, an Alabama  
General Partnership, does for itself and for its  
successors and assigns, covenant with the said Grantee,  
its successors and assigns, that Caldwell Road Proper-  
ties, an Alabama General Partnership is lawfully seized  
in fee simple of said premises; that it is free from  
all encumbrances, unless otherwise noted above; that  
Caldwell Road Properties, an Alabama General Partner-  
ship has a good right to sell and convey the same as  
aforesaid; that Caldwell Road Properties, an Alabama  
General Partnership will and its successors and assigns  
shall warrant and defend the same to the said Grantee,  
its successors and assigns forever, against the lawful  
claims of all persons.

IN WITNESS WHEREOF, Caldwell Road Properties,  
an Alabama General Partnership, by and through all of  
its General Partners, has hereto set its hand and seal  
this 30<sup>th</sup> day of October, 1987.

CALDWELL ROAD PROPERTIES, an  
Alabama General Partnership

By [Signature]  
Hubert W. Goings, Jr.  
Its General Partner

By [Signature]  
S. Maurice Humphries, Jr.  
Its General Partner

Moncus Investments, an  
Alabama General Partnership,  
Its General Partner

By [Signature]  
Claude McCain Moncus  
Its General Partner

By [Signature]  
Michael E. Wald  
Its General Partner

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STATE OF ALABAMA        )

COUNTY OF JEFFERSON )

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Hubert W. Goings, Jr., S. Maurice Humphries, Jr., and Michael E. Wald, whose names as General Partners of Caldwell Road Properties, an Alabama General Partnership, and Claude McCain Moncus, whose name as General Partner of Moncus Investments, an Alabama General Partnership, a General Partner of Caldwell Road Properties, an Alabama General Partnership, are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, they as such General Partners and with full authority, executed the same voluntarily for and as the act of said Partnership.

Given under my hand and official seal, this  
30th day of October, 1987.

Laura Gonnaine Gawn  
Notary Public

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EXHIBIT "A"

LEGAL DESCRIPTION

Part of the NE 1/4 of NW 1/4 of Section 15, Township 19 South, Range 2 West, Shelby County, Alabama, being more particularly described as follows:

From the Southwest corner of said 1/4-1/4 section, run in a Northerly direction along the West line of said 1/4-1/4 section for a distance of 517.05 feet, more or less, to an existing iron pin; thence turn an angle to the right of  $89^{\circ}32'15''$  and run in an Easterly direction for a distance of 69.33 feet, more or less, to an existing iron pin being on the East right-of-way line of Caldwell Mill Road and being the point of beginning; thence continue along last mentioned course for a distance of 556.39 feet to an existing iron pin; thence turn an angle to the right of  $90^{\circ}27'14''$  and run in a Southerly direction for a distance of 204.51 feet to an existing iron pin being on the North right-of-way line of Valleydale Road; thence turn an angle to the right ( $72^{\circ}24'15''$  to chord) and run in a Southwesterly direction along the curved Northwest right-of-way line of said Valleydale Road (said curve being concave in a Southeasterly direction and having a radius of 723.85 feet and a central angle of  $31^{\circ}12'22''$ ) for a distance of 394.24 feet to an existing iron pin; thence turn an angle to the right ( $32^{\circ}28'34''$  from last mentioned chord line) and run in a Northwesterly direction for a distance of 100.00 feet to an existing iron pin being on the East right-of-way line of Valleydale Road; thence turn an angle to the right and run in a Northwesterly and Northerly direction along said East right-of-way line of Valleydale Road for a distance of 306.57 feet, more or less, to the point of beginning.

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STATE OF ALA. SHELBY CO.  
I CERTIFY THIS  
INSTRUMENT WAS FILED

1937 NOV -6 AM 8 37

*Thomas A. Snowling*  
JUDGE OF PROBATE

1. Deed Tax	\$ 145.50
2. Mtg. Tax	-----
3. Recording Fee	10.00
4. Indexing Fee	1.00
TOTAL	156.50