

\$180,000.00 of the purchase price recited was paid from a mortgage loan closed simultaneously herewith.

Inst # 1998-17290

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was
prepared by:

SEND TAX NOTICE TO:

R. Shan Paden
PADEN & PADEN
Attorneys at Law
100 Concourse Parkway, Suite 130
Birmingham, Alabama 35244

R. SHAN PADEN
100 CONCOURSE PARKWAY
SUITE 130
BIRMINGHAM, AL 35244

STATE OF ALABAMA)
COUNTY OF SHELBY)

WARRANTY DEED

Know All Men by These Presents: That in consideration of ONE HUNDRED EIGHTY THOUSAND (\$180,000.00) DOLLARS to the undersigned grantor, PEAK 17, L.L.C. an Alabama Limited Liability Company, in hand paid by the GRANTEES herein, the receipt of which is hereby acknowledged, the said GRANTOR, does by these presents, grant, bargain, sell and convey unto R. SHAN PADEN, (herein referred to as GRANTEES, whether one or more) the following described real estate, situated in SHELBY County, Alabama, to-wit:

LOT 5, ACCORDING TO THE SURVEY OF SOUTHWOOD OFFICE PARK, AS RECORDED IN MAP BOOK 23, PAGE 59, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

SUBJECT TO:

1. Subject to the taxes for the year beginning October 1, 1997 which constitutes a lien but are not yet due and payable until October 1, 1998.
2. Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges, and immunities relating thereto as recorded in Deed Book 4, Page 464; Deed Book 127, Page 140 and Deed Book 64, Page 501 in Probate Office.
3. Subject to Land Use Agreement between The Harbert-Equitable Joint Venture and Blue Cross and Blue Shield of Alabama as recorded in Misc. Book 19, Page 690, amended by Misc. Book 43 page 82, Real 16, page 64 and Real 381 page 465 in Probate Office.
4. Declaration of protective covenants, agreements, easements, charges and liens for Riverchase (Business) as recorded in Misc. Book 13, Page 50, as amended by Amendment No. 1, in Misc. Book 15, Page 189, and further amended by Amendment No. 2, in Misc. Book 19, page 633, and Real 208, page 174 in the Probate Office of Shelby County, Alabama.
5. Restrictions, conditions and other rights as set forth in deed recorded in Deed Book 331, Page 757 and amended by that certain instrument recorded in Real Volume 236, Page 56, and referenced by Letter recorded in Instrument #1997-38361.
6. 35 foot building set back from Riverchase Ridge; 35 foot building set back from Riverchase Trail; all as shown on the recorded map.
7. Terms and conditions of Grading and Drainage Agreement recorded in Instrument #1997-38360.

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08:17 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
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CALADA TIME

The entire consideration herein was derived from a mortgage closed simultaneously herewith.

TO HAVE AND TO HOLD Unto the said GRANTEE, his heirs and assigns, forever.

And said GRANTOR does for itself, its successors and assigns, covenant with the said GRANTEES, its successors and assigns, that it is lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that it has a good right to sell and convey the same as aforesaid, and that it will and its successors and assigns shall warrant and defend the same to the said GRANTEES, its successors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the said GRANTOR, PEAK 17, L.L.C., by all of its MEMBERS, namely, M. Scott Gurosky, Donald Wayne Myrick, Richard T. Batson and David M. Reese, have hereunto set their signatures and seals on behalf of said limited liability company and by execution of this instrument do aver that said execution is in conformity with the Articles of Organization and Operating Agreement which have not been modified or amended, this the 7th day of May, 1998.

PEAK 17, L.L.C.

By: [Signature]
M. SCOTT GUROSKY, MEMBER

By: [Signature]
DONALD WAYNE MYRICK, MEMBER

By: [Signature]
RICHARD T. BATSON, MEMBER

By: [Signature]
DAVID M. REESE, MEMBER

STATE OF ALABAMA)

COUNTY OF SHELBY)

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that M. SCOTT GUROSKY, DONALD WAYNE MYRICK, RICHARD T. BATSON, AND DAVID M. REESE, whose names as MEMBERS of PEAK 17, L.L.C., an Alabama Limited Liability Company, 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 the sole members and with full authority, executed the same voluntarily for and as the act of said limited liability company.

Given under my hand this the 8th day of May, 1998.

[Signature]
Notary Public

My commission expires: 10/12/98

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