

GENERAL WARRANTY DEED

**STATE OF ALABAMA)
COUNTY OF SHELBY)**

KNOW ALL BY THESE PRESENTS, that in consideration of **One Million Eight Hundred Thosuan & no/100 Dollars (\$1,800,000.00)**, to the undersigned grantors, **Windy Oaks Partnership**, an Alabama general partnership whose sole general partners are **Shelby Homes, Inc.** and **Roy Martin Construction, Inc.** (the "Grantor"), in hand paid by **Jones Rental Properties, L.L.C.**, an Alabama limited liability company (the "Grantee") the receipt of which is hereby acknowledged, the said Grantor does by these presents, grant, bargain, sell and convey unto the said Grantee the following described real estate, situated in Shelby County, Alabama:

See Exhibit A attached hereto and incorporated herein as if set forth fully and at length.

SUBJECT TO AND EXCEPT FOR:

1. 1998 Ad Valorem Taxes.
2. Right of Way granted to Alabama Power Company by instrument(s) recorded in Deed Book 101, Page 516; and Deed Book 327, Page 791 (Parcel I).
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 Instrument No. 1995-23437 (Parcel I).
4. Easements, as shown on recorded map. (Parcel I).
5. Right of Way to Shelby County as recorded by instrument(s) recorded in Deed Book 76, Page 252; Deed Book 102, Page 517; Deed Book 107, Page 239; Deed Book 255, Page 554 (Parcels I).
6. Right of Way granted to Alabama Power Company by instrument(s) recorded in Deed Book 101, Page 97; Deed Book 127, Page 302; Deed Book 103, Page 486; Deed Book 165, Page 122 (Parcels II and III).
7. Right of way to Shelby County by instrument(s) recorded in Deed Book 244, page 129. (Parcels II and III).
8. 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 Book 275, Page 320 (Parcels II and III).
9. Right of Way to Louisville & Nashville Railroad by instruments recorded in Deed Book 61, Page 373. (Parcels II and III).
10. Reservations, provisions and conditions as recorded by instrument(s) in Deed Book 273, Page 870. (Parcels II and III).
11. Right of Way to Shelby County as recorded by instrument(s) recorded in Deed Book 216, Page 584 (Parcel IV).
12. Oil, Gas and Mineral Lease by instrument(s) recorded in Deed Book 322, Page 3 (Parcel IV).

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13. Right of Way granted to Alabama Power Company by instrument(s) recorded in Deed Book 126, Page 172. (Parcel IV)
14. Right of Way granted to Alabama Power Company by instrument(s) recorded in Deed Book 242, Page 952; and Deed Book 248, page 842. (Parcel V).
15. Right of Way to Shelby County by instrument(s) as recorded in Deed Book 101, Page 263. (Parcel V).
16. Easement to Plantation Pipe Line by instrument(s) recorded in Deed Book 112, Page 217; and Deed Book 254, Page 323 (Parcel V).
17. Easements and building line as shown on recorded map. (Parcel VI).
18. Right of Way granted to Alabama Power Company by instrument(s) recorded in Deed Book 317, Page 489; Deed Book 245, Page 120; and Deed Book 118, Page 581. (Parcel VI).
19. Title to all minerals within and underlying the premises, together with all mining 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 Book 314, Page 260 (Parcel VI).
20. Right of Way granted to Alabama Power Company by instrument(s) recorded in Deed Book 113, Page 386; and Deed Book 170, Page 228 (Parcel VII).
21. Right of Way to Shelby County as recorded by instrument(s) in Deed Book 112, Page 163; and Deed Book 167, Page 444 (Parcel VII).
22. Title to all mineral 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 Book 43, Page 199 (Parcel VII).

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

And said Grantor does for itself, its successors and assigns, covenant with said Grantee 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 Grantee, its successors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the said Grantor by its general partners, Shelby Homes, Inc. and Roy Martin Construction, Inc., who are authorized to execute this conveyance, has executed and delivered this instrument, this the 4th day of September, 1998.

Windy Oaks Partnership, an Alabama General Partnership

By: **Shelby Homes, Inc.**
Its: **General Partner**

By: *J.W. Palmer*
Its: *VP*

By: **Roy Martin Construction, Inc.**
Its: **General Partner**

By: *Roy Martin*
Its: *VP*

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that J. W. Palmer, whose name as VP of **Shelby Homes, Inc.**, an Alabama corporation, as general partner of Windy Oaks Partnership, an Alabama general partnership, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation, in its capacity as general partner of said partnership.

Given under my hand this 4th day of September, 1998.

Catherine M. Mills
Notary Public
My Commission Expires: 11/2/98

NOTARIAL SEAL

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Roy L. Martin, whose name as President of Roy Martin Construction, Inc., an Alabama corporation, as general partner of Windy Oaks Partnership, an Alabama general partnership, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation, in its capacity as general partner of said partnership.

Given under my hand this 4th day of September, 1998.

Catherine D. Mills
Notary Public
My Commission Expires: 11-2-98

NOTARIAL SEAL

THIS INSTRUMENT WAS PREPARED BY:

James E. Vann, Esquire
Johnston & Conwell, L.L.C.
800 Shades Creek Parkway
Suite 325
Birmingham, Alabama 35209
(205) 414-1212

SEND TAX NOTICE TO:

Jones Rental Properties, L.L.C.
300 Union Hill Drive
Birmingham, AL 35209

RE-3542.1

EXHIBIT A

PARCEL I:

Lots 1, 2 & 3, according to the Survey of Ashville Park, as recorded in Map Book 20, Page 148, in the Probate Office of Shelby County, Alabama.

PARCEL II:

A parcel of land located in the SW $\frac{1}{4}$ of Section 17, Township 21 South, Range 2 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the intersection of the southerly R.O.W. line of Shelby County Highway #87 (80' R.O.W.) and the easterly R.O.W. line of Longview Industrial Road (60' R.O.W.) as recorded in Map Book 24, Page 52, in the Office of the Judge of Probate, Shelby County, Alabama; thence North 64 deg 05' 17" East along the southerly R.O.W. line of said Shelby County Highway #87 a distance of 168.66' to the Point of Beginning; thence continue along last described course and said R.O.W. line a distance of 191.04'; thence leaving said R.O.W. line South 34 deg 40' 33" East a distance of 446.16'; thence South 55 deg 19' 27" West a distance of 188.81'; thence North 34 deg 40' 33" West a distance of 475.26' to the POINT OF BEGINNING.

PARCEL III:

A parcel of land located in the SW $\frac{1}{4}$ of Section 17, and the NW $\frac{1}{4}$ of Section 20, all in Township 21 South, Range 2 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the intersection of the southerly R.O.W. line of Shelby County Highway #87 (80' R.O.W.) and the easterly R.O.W. line of Longview Industrial Road (60' R.O.W.) as recorded in Map Book 24, Page 52, in the Office of the Judge of Probate, Shelby County, Alabama; thence South 26 deg 11' 11" East along the easterly R.O.W. line of said Longview Industrial Road, a distance of 234.77' to the POINT OF BEGINNING; thence continue along last described course a distance of 147.35' to the beginning of a curve to the right, having a radius of 1030.0', a central angle of 7 deg 54' 31" and subtended by a chord which bears South 22 deg 13' 55" East a distance of 142.06'; thence along the arc of said curve and said R.O.W. line a distance of 142.17' to the end of said curve; thence South 18 deg 16' 40" East along said R.O.W. line a distance of 234.51'; thence South 82 deg 53' 28" East along said R.O.W. line a distance of 9.55'; thence leaving said R.O.W. line, North 17 deg 08' 30" West a distance of 78.39'; thence North 8 deg 18' 18" West a distance of 104.29'; thence North 81 deg 45' 24" East a distance of 187.22'; thence North 9 deg. 47' 41" West a distance of 178.78'; thence North 71 deg 30' 52" West a distance of 335.83' to the POINT OF BEGINNING.

PARCEL IV:

A parcel of land situated in Section 15, Township 21 South, Range 3 West and being more particularly described as follows:

Commence at the Northwest corner of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 15, Township 21 South, Range 3 West; thence run South 0 deg 52' 06" West along the West line of said $\frac{1}{4}$ - $\frac{1}{4}$ section a distance of 80.72' to a point, said point being on the south R.O.W. line of Shelby County Highway #26 (80' R.O.W.); thence run South 86 deg 20' 40" East along said R.O.W. a distance of 131.28' to a point, said point being the beginning of a curve to the left, said curve having a central angle of 2 deg 11' 54" and a radius of 2135.09', said curve being subtended by a chord which bears South 87 deg 26' 38" East a distance of 81.91'; thence run easterly along the arc of said curve and said R.O.W. line, a distance of 81.92' to the POINT OF BEGINNING; thence run South 0 deg 52' 06" West a distance of 201.20'; thence run South 89 deg 07' 54" East, a distance of 214.00'; thence run North 0 deg 52' 06" East, a distance of 208.67', to a point on the south R.O.W. line of said Shelby County Hwy #26; thence run South 87 deg 31' 33" West, a distance of 67.68', along said R.O.W. to the beginning of a curve to the right, said curve having a central angle of 3 deg 55' 54" and a radius of 2135.09', said curve being subtended by a chord which bears South 89 deg 29' 28" West, a distance of 146.48'; thence run westerly along said R.O.W. and along the arc of said curve a distance of 146.51' to the POINT OF BEGINNING.

EXHIBIT A

PARCEL V:

A parcel of land located in the S $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 13, Township 20 South, Range 3 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the Southwest corner of said Section 13; thence South 81 deg 50' 28" East along the South line of said Section 13 a distance of 1560.35' (map); thence North 8 deg 09' 32" East a distance of 1059.26' (map) to the southeasterly R.O.W. line of Yeager Parkway (70' R.O.W.) and the POINT OF BEGINNING; thence North 72 deg 49' 25" East along said R.O.W. line a distance of 188.52'; thence leaving said R.O.W. line, South 49 deg 06' 22" East a distance of 131.98' to a point on the centerline of Martin Street; thence South 38 deg 08' 22" West along said centerline a distance of 92.12'; thence South 40 deg 57' 14" West along said centerline a distance of 67.98'; thence North 49 deg 06' 22" West a distance of 236.04' to the POINT OF BEGINNING.

PARCEL VI:

Lot 5, Lunceford's Industrial Park, as recorded in Map Book 7, Page 133, in the Office of the Judge of Probate, Shelby County, Alabama.

PARCEL VII:

A parcel of land located in the SW $\frac{1}{4}$ - SW $\frac{1}{4}$ of Section 24, Township 20 South, Range 3 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the Northwest corner of the SW $\frac{1}{4}$ - SW $\frac{1}{4}$ of said Section 24; thence North 87 deg 37' 45" East along the north line of said $\frac{1}{4}$ - $\frac{1}{4}$ section a distance of 909.08 (map); thence South 18 deg 41' 15" East a distance of 537.99 (map) to the POINT OF BEGINNING; thence continue along last described course a distance of 210.80'; thence South 90 deg 00' 00" West a distance of 367.99' to a point lying on the easterly R.O.W. line of U.S. Highway #31 (200' R.O.W.); thence North 18 deg 03' 04" West along said R.O.W. line a distance of 207.52'; thence leaving said R.O.W. line North 89 deg 37' 35" East a distance of 364.76' to the POINT OF BEGINNING.

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