

THIS INSTRUMENT WAS PREPARED BY:
Richard W. Theibert, Attorney
NAJJAR DENABURG, P.C.
2125 Morris Avenue
Birmingham, Alabama 35203

SEND TAX NOTICE TO:
Brook Highland Center, LLC
4662 Old Looney Mill Lane
Birmingham, AL 35243

WARRANTY DEED

THE STATE OF ALABAMA)
COUNTY OF SHELBY) : KNOW ALL MEN BY THESE PRESENTS:

That in consideration of Seven Hundred Eighty Thousand and No/100, (\$780,000.00), DOLLARS, in hand paid to the undersigned, J. O. Gray, Jr., individually, an unmarried man and Douglas Glenn Gray, as Executor of the Estate of Donnie W. Gray, deceased, Probate Case Number 35-045, (hereinafter referred to as "GRANTORS"), by Brook Highland Center, LLC, (hereinafter referred to as "GRANTEE"), the receipt of which is hereby acknowledged, the said GRANTORS do by these presents, grant, bargain, sell and convey unto GRANTEE the following described real estate, located and situated in Shelby County, Alabama, to wit:

Tracts Numbered Three (3) and Five (5) according to Jessica Ingram's Map of the NE 1/4 of Section 31, Township 18, Range 1 West, Shelby County, Alabama as recorded in Map Book 3, Page 54 in the Probate Office of Shelby County, Alabama.

SUBJECT TO:

1. Ad valorem taxes for the current year, 1999.
2. Right of way granted to Alabama Power Company by instrument recorded in Volume 218, Page 648, in the Probate Office of Shelby County, Alabama.
3. Mineral and mining rights and rights incident thereto recorded in Volume 203, Page 60, in the Probate Office of Shelby County, Alabama.
4. Right of way to Alabama Power Company as referred to in Volume 203, Page 60 in the Probate Office of Shelby County, Alabama.

\$455,000.00 of the purchase price recited above was paid from the proceeds of a purchase money mortgage executed simultaneously with delivery of this deed.

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

And we do for ourselves and for our heirs, executors, and administrators covenant with the said GRANTEE, its successors and assigns, that we are lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that we have a good right to sell and convey the same as aforesaid; that we will and our heirs, executors and administrators shall warrant and defend the same to the said GRANTEE, its successors and assigns forever, against the lawful claims of all persons.

12/21/1998-50662
08:19 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 CRH 336.00

1998-50662

IN WITNESS WHEREOF, we have hereunto set our hands and seals,
this 16 day of December, 1998.

J. O. Gray, Jr. (SEAL)
J. O. Gray, Jr.

Douglas Glenn Gray (SEAL)
BY: Douglas Glenn Gray as Attorney
in Fact for J. O. Gray, Jr., under that
certain Durable Power of Attorney dated
June 24, 1996, recorded simultaneously
herewith.

THE STATE OF ALABAMA)
COUNTY OF JEFFERSON)

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Douglas Glenn Gray as Attorney in Fact for J. O. Gray, Jr., an unmarried man, whose name 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 Attorney in Fact, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 16th day of December, 1998.

R. S. Underwood
NOTARY PUBLIC
My commission expires: 6-23-2001

Inst # 1998-50662

12/21/1998-50662
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