

THIS INSTRUMENT WAS PREPARED BY:
Felton W. Smith
Balch & Bingham LLP
P. O. Box 306
Birmingham, AL 35201

SEND TAX NOTICE TO:
Shelby Commerce Park
Attn. Mike Graham
2200 Woodcrest Place Suite 210
Birmingham AL 35209

STATUTORY WARRANTY DEED

STATE OF ALABAMA)

COUNTY OF SHELBY)

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of Ten and No/100 Dollars (\$10.00) to the undersigned grantor, in hand paid by the grantees herein, the receipt whereof is acknowledged, **THE ECONOMIC DEVELOPMENT PARTNERSHIP OF ALABAMA FOUNDATION, INC.**, an Alabama nonprofit corporation (herein referred to as "Grantor"), grants, bargains, sells and conveys, subject to the matters set forth below, unto **SHELBY COMMERCE PARK LLC**, an Alabama limited liability company, as to an undivided 87 1/2 % interest, and **RICHARD T. DARDEN**, as to an undivided 12 1/2 % interest (herein referred to as "Grantees"), the real estate situated in Shelby County, Alabama, and described on **Exhibit A** hereto, together with all improvements and fixtures thereon and all easements and other appurtenances thereto (the "Property").

TO HAVE AND TO HOLD to the Grantees, their successors and assigns forever.

The Property is conveyed to the Grantees subject to the following:

1. General and special taxes or assessments for 2000 and subsequent years not yet due and payable.
2. Rights of others to use of road known as "Ebenezer Road".
3. Easement to Alabama Power Company dated June 21, 1996 and referred to in Instrument 1996/30200 in the Office of the Judge of Probate of Shelby County, Alabama.

Inst # 1999-50770

IN WITNESS WHEREOF, Grantor has hereunto set its hand and seal effective as of the 15th day of December, 1999.

**THE ECONOMIC DEVELOPMENT PARTNERSHIP
OF ALABAMA FOUNDATION, INC.**

By: Sara K. Dennis
Its: EXECUTIVE DIRECTOR

STATE OF ALABAMA)

COUNTY OF JEFFERSON)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Sara K. Dennis whose name as Exec. Director of **THE ECONOMIC DEVELOPMENT PARTNERSHIP OF ALABAMA FOUNDATION, INC.**, an Alabama nonprofit corporation, 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, executed the same voluntarily for and as the act of said corporation.

Given under my hand this 15th day of December, 1999.

[Notarial Seal]

Ph. E. Hester
NOTARY PUBLIC
My Commission expires: 9-19-02

EXHIBIT A

A parcel of land located in a portion of the SW 1/4 of Section 28, a portion of the NW 1/4 of the NW 1/4 of Section 33, a portion of the NE 1/4 of the NE 1/4 of Section 32 and a portion of the SE 1/4 of Section 29, Township 21 South, Range 2 West of Shelby County, Alabama, more particularly described as follows:
Commence at the NW corner of Section 28, said corner being a 1 1/2 inch pipe monument; thence South 00 deg. 01 min. 41 sec. West at a distance of 3750.39 feet to a point on the West line of Section 28, marked with a 1 1/2 inch pipe with disk cap, said point being the point of beginning of the hereinafter described parcel; thence South 88 deg. 17 min. 43 sec. East at a distance of 878.20 feet to the Westerly right of way of Highway No. 31, marked with a 5/8 inch rebar; thence South 04 deg. 11 min. 51 sec. East at a distance of 194.81 feet along the West right of way of Highway No. 31, marked by a 5/8 inch rebar; thence South 09 deg. 11 min. 51 sec. East at a distance of 7.81 feet continuing along the West right of way of Highway No. 31, marked by a 5/8 inch rebar; thence North 82 deg. 45 min. 42 sec. East at a distance of 15.00 feet, marked by a 5/8 inch rebar; thence South 07 deg. 17 min. 27 sec. East at a distance of 100.07 feet, continuing along the West right of way of Highway No. 31, marked by a 5/8 inch rebar; thence South 82 deg. 45 min. 28 sec. West at a distance of 15.00 feet continuing along right of way of Highway No. 31, marked by a 5/8 inch rebar; thence South 07 deg. 11 min. 56 sec. East at a distance of 386.09 feet, continue along the West right of way of Highway No. 31 to a point of tangent, marked by a 5/8 inch rebar; thence South 13 deg. 34 min. 34 sec. East with a delta angle of 12 deg. 45 min. 17 sec. radius of 2822.48 feet, tangent of 315.46 feet and an arc length of 628.31 feet at a distance of 627.02 feet chord, thus a point of curvature which adjoins the Westerly right of way of Highway No. 31; thence South 19 deg. 57 min. 12 sec. East at a distance of 336.41 feet, continuing along the West right of way of Highway No. 31, marked by a 5/8 inch rebar; thence South 19 deg. 47 min. 25 sec. East a distance of 781.95 feet to the Southeast corner of property, marked by a 5/8 inch rebar; thence South 70 deg. 32 min. 30 sec. West at a distance of 1063.06 feet attached to a Non-exclusive License Agreement for right of way of a 100 foot strip of land, thus being 50 feet on each side of centerline of survey recorded in Book 340 page 702, Shelby County, Alabama Probate Office, adjacent to Oak Tree Lane (dirt road), marked by an iron per deed called West property line; thence North 15 deg. 19 min. 16 sec. West at a distance of 588.05 feet, marked by a 3/4 inch steel pin; thence South 72 deg. 12 min. 50 sec. West at a distance of 258.03 feet, marked by a hub and tack fence corner; thence North 22 deg. 57 min. 44 sec. West at a distance of 918.39 feet, marked by an angle iron; thence South 61 deg. 32 min. 11 sec. West at a distance of 222.72 feet, marked by a 5/8 inch rebar; thence North 24 deg. 52 min. 57 sec. West at a distance of 1651.73 feet running adjacent to L & N Railroad, marked by a 5/8 inch rebar; thence South 89 deg. 50 min. 18 sec. East at a distance of 1154.58 feet to the point of beginning; being situated in Shelby County, Alabama.

Inst # 1999-50770

12/17/1999-50770

08:58 AM CERTIFIED

SHELBY COUNTY JUDGE OF PROBATE

003 XMS 878.50