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Shelby Cnty Judge of Probate, AL  
12/14/2004 10:31:00 FILED/CERTIFIED

This instrument prepared by:  
Elene G. Garrison  
Burr & Forman LLP  
420 North 20th Street, Suite 3100  
Birmingham, Alabama 35203

Send Tax Notice To:  
Poczatek Holdings, LLC  
2537 Fleetway Drive  
Birmingham, AL 35226

STATE OF ALABAMA )  
COUNTY OF SHELBY )

**GENERAL WARRANTY DEED**

**KNOW ALL MEN BY THESE PRESENTS** that in consideration of the sum of Five Hundred Forty-Five Thousand Dollars (\$545,000.00) and other good and valuable consideration, to the undersigned Grantor in hand paid by the Grantee herein, the receipt and sufficiency of which is hereby acknowledged, **FIRST COMMERCIAL BANK**, an Alabama corporation ("Grantor") does hereby grant, bargain, sell and convey unto **POCZATEK HOLDINGS, LLC**, an Alabama limited liability company ("Grantee"), that certain real property (the "Property") situated in Shelby County, Alabama, being more particularly described on Exhibit A attached hereto and incorporated herein by this reference.

This conveyance is made subject to encumbrances set forth in Exhibit B attached hereto and made a part hereof.

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

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

One hundred percent (100%) of the consideration for this deed is being financed by a note and mortgage executed and filed for record simultaneously herewith.

**IN WITNESS WHEREOF**, the Grantor has executed this conveyance as of this 22<sup>nd</sup> day of November, 2004.

**GRANTOR:**  
FIRST COMMERCIAL BANK,  
an Alabama corporation  
By: [Signature]  
Print Name: Scott Mathews  
Its: [Signature]

STATE OF ALABAMA )  
COUNTY OF JEFFERSON )

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Scott Mathews, whose name as First Vice President of FIRST COMMERCIAL BANK, an Alabama corporation, is signed to the foregoing General Warranty Deed, and who is known to me, acknowledged before me on this day that, being informed of the contents of such instrument, he or she, as such officer and with full authority, executed the same voluntarily for and as the act of said banking corporation. Given under my hand and seal, this 22<sup>nd</sup> day of November, 2004.

[Signature]  
NOTARY PUBLIC  
My Commission Expires: 07/30/2006

**EXHIBIT "A"**  
**TO GENERAL WARRANTY DEED**

**Legal Description of the Property**

**The NE ¼ of the SW ¼ of Section 18, Township 20 South, Range 3 West, being situated in Shelby County, Alabama.**

**EXHIBIT "B"**  
**TO GENERAL WARRANTY DEED**

**Permitted Exceptions**

1. Ad valorem taxes due October 1, 2005 subsequent years.
2. Coal, oil, gas, and other mining and mineral interests in, to or under the land herein described which are not owned by Grantor, if any.