WARRANTY DEED

20050722000368620 1/5 $729.50
Shelby Cnty Judge of Probate,AL
07/22/2005 02:54:50PM FILED/CERT

THE STATE OF ALABAMA)
SHELBY COUNTY)

KNOW ALL MEN BY THESE PRESENTS, that in consideration of Ten and No/100 Dollars and other valuable considerations to the undersigned GRANTOR(S) in hand paid by the GRANTEE(S) herein, the receipt whereof is acknowledged I/we, **Elliot B. Evers, a married man, W.D. Evers Family Trust, Gordon W. Matthews, Jr. and Meredith April Matthews, husband and wife, April Matthews Defined Benefit Plan & Trust, and Gordon Matthews Profit Sharing Plan and Trust,** [herein referred to as GRANTOR(S)] do hereby GRANT, BARGAIN, SELL and CONVEY unto **Little Mountain Apartments, LLC** [herein referred to as GRANTEE(S)], its successors and assigns, the following described real estate, situated in the County of Shelby and the State of Alabama, to-wit:

Part of the Northwest quarter of the Northwest quarter of Section 31, Township 19 South, Range 2 West, Shelby County, Alabama, being more particularly described as follows:

From an existing open top iron pin, being the Southeast corner of the Northwest quarter of the Northwest quarter of Section 31, Township 19 South, Range 2 West, run in a Northerly direction along the East line of said quarter-quarter section for a distance of 207.59 feet to an existing iron rebar being the point of beginning; thence turn an angle to the left of 86 degrees 42 minutes 13 seconds and run in a Northwesterly direction for a distance of 209.28 feet; thence turn an angle to the right of 92 degrees 20 minutes 15 seconds and run in a Northerly direction for a distance of 21.0 feet to an existing iron rebar; thence turn an angle to the left of 97 degrees 02 minutes 36 seconds and run in a Westerly direction for a distance of 231.61 feet; thence turn an angle to the left of 76 degrees 15 minutes 40 seconds and run in a Southwesterly direction for a distance of 72.22 feet; thene turn an angle to the right of 10 degrees 48 minutes 49 seconds and run in a Southwesterly direction for a distance of 37.95 feet; thence turn an angle to the right of 19 degrees 34 minutes 50 seconds and run in a Southwesterly direction for a distance of 34.92 feet; thence turn an angle to the right of 27 degrees 45 minutes 15 seconds and run in a Southwesterly direction for a distance of 48.83 feet; thence turn an angle to the right of 24 degrees 01 minutes 57 seconds and run in a Westerly direction for a distance of 224.32 feet to an existing iron rebar being on the East right of way line of Little Mountain Circle; thence turn an angle to the right of 105 degrees 42 minutes 34 seconds and run in a Northeasterly direction along the East right of way of said Little Mountain Circle for a distance of 75.32 feet to the point of beginning of a curve, said curve being concave in a Southeasterly direction and having a deflection angle of 3 degrees 45 minutes 30 seconds and a radius of 1497.29 feet; thence turn an angle to the right and run in a Northeasterly direction along the arc of said curve and along the Southeast right of way line of Little Mountain Circle for a distance of 196.43 feet to the point of ending of said curve; thence continue in a Northeasterly diection along the line tangent to the end of said curve and along the Southeast right of way line of Little Mountain Circle for a distance of 231.06 feet to the point of beginning of a new curve, said new curve being concave in a Southeasterly direction and having a deflection angle of 29 degrees 36 minutes 30 seconds and a radius of 106.91 feet; thence turn an angle to the right and run in a Northeasterly direction along the arc of said curve and along the Southeast right of way line of Little Mountain Circle for a distance of 110.49 feet; thence run in a Northeasterly direction along line tangent to the end of said curve and along the South right of way line of Little Mountain Circle for a distance of 67.50 feet to the point of beginning of another curve, said latest curve being concave in a Southerly direction and a deflection angle of 2 degrees 47 minutes 30 seconds and a radius of 1000.32 feet; thence turn an angle to the right and run in an Easterly direction along the arc of said curve and along the Southerly right of way line of Little Mountain Circle for a distance of 97.48 feet to the point of ending of said curve; thence run in an Easterly direction along line tangent to the end of said curve and along the Southerly right of way line of Little Mountain Circle for a distance of 94.94 feet to the point of beginning of another curve, said newest curve being concave in a Southwesterly direction and having a deflection angle of 17 degrees 58 minutes 14.5 seconds and a radius of 128.59 feet; thence turn an angle to the right and run in an Easterly and Southeasterly directions along the Southerly right of way line of Little Mountain Circle and along the arc of said curve for a distance of 80.67 feet to the point of ending of said curve; thence run in a Southeasterly direction along the Southwest right of way line of Little Mountain Circle and along line tangent to the end of said curve for a distance of 137.70 feet to the point of beginning of another curve, said curve being concave in a Northeasterly direction and having a central angle of 60 degrees and a radius of 50.0 feet; thence turn an angle to the right, (60 degrees 26 minutes 19 seconds to the tangent of said curve) and run in a Southerly and Southeasterly directions along the arc of said curve for a distance of 52.36 feet to the point of ending of said curve; thence turn an angle to the right (51 degrees 05 minutes from the tangent of last mentioned curve) and run in a Southerly direction along the East line of said quarter-quarter section for a distance of 248.68 feet, more or less, to the point of beginning.

Subject to mortgage originally in favor of GMAC Commercial Mortgage Bank, recorded under Instrument No. 20031230000833190, which Grantee assumes and agrees to pay according to the terms thereof.

For ad valorem tax purposes only the address of the subject property is 2033 Little Mountain Circle, Pelham, Alabama 35124.

This conveyance is made subject to covenants, restrictions, reservations, easements and rights-of-ways, if any, heretofore imposed of record affecting title and use of property, and municipal zoning ordinances now or hereafter becoming applicable and taxes or assessments now or hereafter becoming due against said property.

TO HAVE AND TO HOLD, the aforegranted premises to the said GRANTEE(S), its successors and assigns FOREVER.

And GRANTOR(S) do(es) covenant with the said GRANTEE(S), its successors and assigns, that I/we am/are lawfully seized in fee simple of the aforementioned premises; that it is free from all encumbrances, except as herein provided; that I/we have good right to sell and convey the same to the said GRANTEE(S), its successors and assigns, and that GRANTOR(S) WARRANT and DEFEND the premises to the said GRANTEE(S), its successors and assigns forever, against the lawful claims and demands of all persons, except as hereinabove provided.

IN WITNESS WHEREOF, I/we have hereunto set my/our hand(s) and seal(s), this the _____ day of July, 2005 or the respective dates each has acknowledged the same.

WITNESS:

_____

_____ L.S.
Elliot B. Evers as an individual

Samuel Morris

W.D. Evers Family Trust
BY: _____ L.S.
William D. Evers, Co-Trustee

BY: _____ L.S.
Elliot B. Evers, Co-Trustee Co-Trustee

_____ L.S.
Gordon W. Matthews, Jr.

_____ L.S.
Meredith April Matthews

April Matthews Defined Benefit Plan & Trust

BY: _____ L.S.
Meredith April Matthews, Co-Trustee

BY: _____ L.S.
Gordon W. Matthews, Jr., Co-Trustee

Gordon Matthews Profit Sharing Plan and Trust

BY: _____ L.S.
Meredith April Matthews, Co-Trustee

BY: _____ L.S.
Gordon W. Matthews, Jr., Co-Trustee

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THE STATE OF CALIFORNIA)

COUNTY OF San Francisco)

I, the undersigned authority, a Notary Public in and for said State of California hereby certify that Elliot B. Evers 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 executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 14 day of July, 20 05.

My commission expires:

March 13, 2009

(Notary Public)

CHARLES N. VEZINAW
Commission # 1558578
Notary Public - California
San Francisco County
My Comm. Expires Mar 13, 2009

THE STATE OF CALIFORNIA)

COUNTY OF San Francisco)

I, the undersigned authority, a Notary Public in and for said State of California hereby certify that William D. Evers as Co-Trustee of the W. D. Evers Family Trust, 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 such Co-Trustee and with full authority, executed the same voluntarily for and as the act of the W. D. Evers Family Trust.

Given under my hand and official seal this 13 day of July, 20 ~~04~~ 05.

My commission expires: Jan 31, 2009

Samuel Wong

(Notary Public)

SAMUEL WONG
COMM. #1549151
NOTARY PUBLIC • CALIFORNIA
SAN FRANCISCO COUNTY
Comm. Exp. JAN. 31, 2009

THE STATE OF CALIFORNIA)

COUNTY OF San Francisco

I, the undersigned authority, a Notary Public in and for said State of California hereby certify that Elliot B. Evers as Co-Trustee of the W. D. Evers Family Trust, 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 such Co-Trustee and with full authority, executed the same voluntarily for and as the act of the W. D. Evers Family Trust.

Given under my hand and official seal this 14 day of July, 20 04.

My commission expires:

March 13, 2009

(Notary Public)

CHARLES N. VEZINAW
Commission # 1558578
Notary Public - California
San Francisco County
My Comm. Expires Mar 13, 2009

THE STATE OF CALIFORNIA)

COUNTY OF Contra Costa

I, the undersigned authority, a Notary Public in and for said State of California hereby certify that Gordon W. Matthews, Jr. 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 executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 14 day of July, 20 05.

My commission expires: 11/21/05

20050722000368620 4/5 $729.50
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(Notary Public)

SHANNON VICENCIO
Commission # 1331683
Notary Public - California
Contra Costa County
My Comm. Expires Nov 21, 2005

THE STATE OF CALIFORNIA)

COUNTY OF Contra Costa

I, the undersigned authority, a Notary Public in and for said State of California hereby certify that Meredith April Matthews 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 she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 14 day of July, 20 05.

My commission expires: 11/21/05

(Notary Public)

SHANNON VICENCIO
Commission # 1331683
Notary Public - California
Contra Costa County
My Comm. Expires Nov 21, 2005

THE STATE OF CALIFORNIA)

COUNTY OF Contra Costa)

I, the undersigned authority, a Notary Public in and for said State of California hereby certify that Meredith April Matthews as Co-Trustee of the April Matthews Defined Benefit Plan & Trust, 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 she as such Co-Trustee and with full authority, executed the same voluntarily for and as the act of the April Matthews Defined Benefit Plan & Trust.

Given under my hand and official seal this 14 day of July, 20 ~~04~~ 05.

My commission expires: 11/21/05

(Notary Public)

SHANNON VICENCIO
Commission # 1331683
Notary Public - California
Contra Costa County
My Comm. Expires Nov 21, 2005

THE STATE OF CALIFORNIA)

COUNTY OF Contra Costa

I, the undersigned authority, a Notary Public in and for said State of California hereby certify that Gordon W. Matthews, Jr. as Co-Trustee of the April Matthews Defined Benefit Plan & Trust, 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 such Co-Trustee and with full authority, executed the same voluntarily for and as the act of the April Matthews Defined Benefit Plan & Trust.

Given under my hand and official seal this 14 day of July, 20 ~~04~~ 05.

My commission expires: 11/21/05

(Notary Public)

SHANNON VICENCIO
Commission # 1331683
Notary Public - California
Contra Costa County
My Comm. Expires Nov 21, 2005

THE STATE OF CALIFORNIA)

COUNTY OF Contra Costa

I, the undersigned authority, a Notary Public in and for said State of California hereby certify that Gordon W. Matthews, Jr. as Co-Trustee of the Gordon Matthews Profit Sharing Plan and Trust, 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 such Co-Trustee and with full authority, executed the same voluntarily for and as the act of the Gordon Matthews Profit Sharing Plan and Trust.

Given under my hand and official seal this 14 day of July, 20~~04~~ 05.

My commission expires: 11/21/05

(Notary Public)

SHANNON VICENCIO
Commission # 1331683
Notary Public - California
Contra Costa County
My Comm. Expires Nov 21, 2005

THE STATE OF CALIFORNIA)

COUNTY OF Contra Costa)

I, the undersigned authority, a Notary Public in and for said State of California hereby certify that Meredith April Matthews as Co-Trustee of the Gordon Matthews Profit Sharing Plan and Trust, 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 she as such Co-Trustee and with full authority, executed the same voluntarily for and as the act of the Gordon Matthews Profit Sharing Plan and Trust.

Given under my hand and official seal this 14 day of July, 20~~04~~ 05.

My commission expires: 11/21/05

(Notary Public)

SHANNON VICENCIO
Commission # 1331683
Notary Public - California
Contra Costa County
My Comm. Expires Nov 21, 2005

PREPARED BY:
Charles W. Edmondson, P.C.
Attorneys at Law
621 S. Perry Street
Montgomery, Alabama 36104

FOR RECORDING ONLY

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Shelby County, AL 07/22/2005
State of Alabama

Deed Tax:$702.50