

This Instrument Prepared By:  
Justin D. Fingar, Esq.  
Johnston, Conwell & Donovan, L.L.C.  
813 Shades Creek Parkway, Ste. 200  
Birmingham, AL 35209

Send Tax Notice To:  
Valleydale Limited Liability Company  
Attn: Tab Bisignani  
365 Greystone Glen Circle  
Birmingham, AL 35242

STATE OF ALABAMA     )  
COUNTY OF SHELBY    )

**GENERAL WARRANTY DEED**

**THIS WARRANTY DEED** is executed and delivered on this 5<sup>th</sup> day of December, 2005, by **ALLISTON PROPERTIES, L.L.C.**, an Alabama limited liability company, and **R. LEON ALLISTON**, a married man (hereinafter referred to collectively as "Grantors"), in favor of **VALLEYDALE LIMITED LIABILITY COMPANY**, an Alabama limited liability company (hereinafter called "Grantee").

**KNOW ALL PERSONS BY THESE PRESENTS**, that in consideration of One Million One Hundred Twenty-Five Thousand and No/100 Dollars (\$1,125,000.00) to the undersigned Grantors, in hand paid by the Grantee herein, the receipt whereof is hereby acknowledged, Grantors do grant, bargain, sell, and convey unto Grantee the following described real estate situated in Shelby County, Alabama, namely:

PARCEL I

Lot 1B, according to the Resurvey of Lot 1, Davis Addition to Valleydale, as recorded in Map Book 22, page 147, in the Probate Office of Shelby County, Alabama.

PARCEL II

The following described real estate, situated in Shelby County, Alabama, to-wit:

For point of reference, beginning at the SW corner of the SE ¼ of SW ¼ of Section 16, Township 19 South, Range 2 West, Shelby County, Alabama, and run N 43° 12' 35" E, 85.43 feet to an iron pin; thence N 74° 11' 23" E, 241.31 feet to an iron pin and the Point of Beginning; thence N 44° 15' 00" W, 75.70 feet to an iron pin; thence S 65° 28' 55" E, 102.85 feet to an iron pin; thence S 74° 11' 23" W, 42.36 feet to the Point of Beginning.

Shelby County, AL 12/07/2005  
State of Alabama

Deed Tax: \$56.00

Subject to:

1. General and special taxes or assessments for 2006 and subsequent years not yet due and payable (PARCEL I and PARCEL II).
2. Building lines, easements, and restrictions as shown by recorded map (PARCEL I).
3. Transmission line permit to Alabama Power Company, as recorded in Deed Book 129, page 565 and Deed Book 102, page 55, in the Probate Office of Shelby County, Alabama (PARCEL I).
4. Right-of-way to Shelby County recorded in Deed Book 177, page 30 (PARCEL I).
5. Mineral and mining rights and rights incident thereto recorded in Deed Book 261, page 528 (PARCEL I).
6. Mineral and mining rights being assessed by John H. Bankhead & Co., Inc. and Trimm Building Corporation as set out in Real 87, page 418 (PARCEL I).
7. 8' easement across the subject property for the purpose of connecting water main to public road as recorded in Real 48, page 787 (PARCEL I).
8. Mineral and mining rights and rights incident thereto recorded in Volume 196, page 591 (PARCEL II).

Grantors make no warranties of any nature or kind, whether statutory, express or implied, with respect to the physical condition of the real estate herein conveyed (including without limitation any and all improvements located thereon and/or comprising a part thereof), and Grantee by acceptance of this deed accepts the physical condition of the said described property **"AS IS, WITH ALL FAULTS."**

R. Leon Alliston, one of the Grantors herein, is one and the same as Leon Allison, the grantee in that certain Statutory Warranty Deed recorded in Instrument No. 1997-31790 in the Shelby County Probate Office (as to PARCEL II).

This property does not constitute the homestead of R. Leon Alliston or his spouse.

One Million Sixty-Nine Thousand and No/100 Dollars (\$1,069,000.00) of the consideration recited above was paid from a purchase money mortgage loan closed simultaneously herewith.

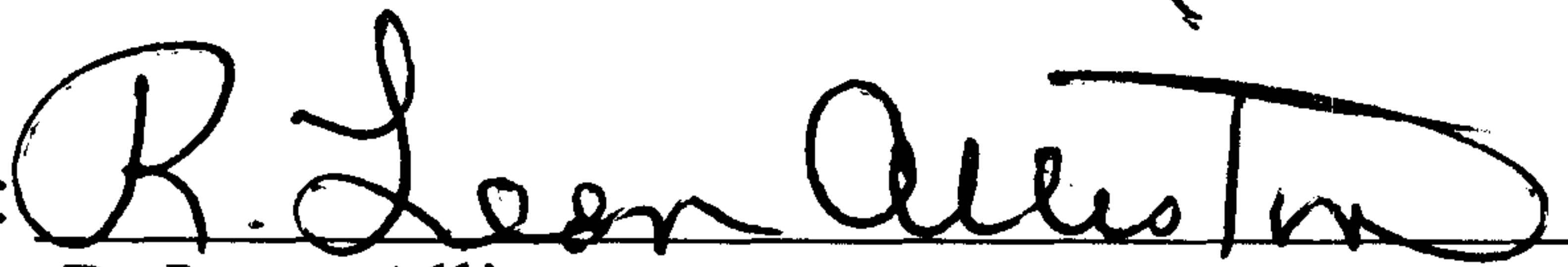
**TO HAVE AND TO HOLD**, unto the said Grantee, its successors and assigns forever in fee simple.

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

IN WITNESS WHEREOF, the Grantors have executed this instrument as of the day and year first above written.

**GRANTORS:**

**ALLISTON PROPERTIES, L.L.C.**, an Alabama limited liability company

By:   
R. Leon Alliston  
Manager

  
**R. LEON ALLISTON**



20051207000634690 4/4 \$76.00  
Shelby Cnty Judge of Probate, AL  
12/07/2005 02:41:28PM FILED/CERT

**ACKNOWLEDGMENT**

**STATE OF ALABAMA**           )  
**COUNTY OF JEFFERSON**    )

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that R. Leon Alliston, whose name as Manager of **ALLISTON PROPERTIES, L.L.C.**, an Alabama limited liability company, 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, in his capacity as aforesaid and with full authority, executed the same voluntarily for and as the act of said limited liability company.

GIVEN under my hand and seal of office this 5<sup>th</sup> day of December, 2005.

[SEAL]

Justin D. Finigan  
NOTARY PUBLIC  
My Commission Expires: 10/20/07

**STATE OF ALABAMA**           )  
**COUNTY OF JEFFERSON**    )

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that **R. LEON ALLISTON**, whose name 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 executed the same voluntarily on the day the same bears date.

GIVEN under my hand and seal of office this 5<sup>th</sup> day of December, 2005.

[SEAL]

Justin D. Finigan  
NOTARY PUBLIC  
My Commission Expires: 10/20/07