

20060113

20060113000022830 1/5 \$6754.50
Shelby Cnty Judge of Probate, AL
01/13/2006 04:24:43PM FILED/CERT

This instrument was prepared by:
Nancy C. Drummond, Esq.
King, Drummond & Dabbs, P.C.
100 Centerview Drive, Suite 180
Birmingham, Alabama 35216

SEND TAX NOTICES TO:
HIGHWAY 31 ALABASTER, LLC
3500 Blue Lake Drive, Suite 100
Birmingham, AL 35243

STATE OF ALABAMA)
 :
COUNTY OF SHELBY)

GENERAL WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that in consideration of Six Million Seven Hundred Thirty-One Thousand Three Hundred and Twenty-Four and No/100 Dollars (\$6,731,324.00) and other good and valuable consideration, in hand paid to the following-named Grantor by the following-named Grantee, the receipt of which is hereby acknowledged by Grantor, the undersigned, VENTURE DEVELOPMENT, L.L.C., an Alabama limited liability company ("Grantor") does hereby grant, bargain, sell and convey unto HIGHWAY 31 ALABASTER, LLC, an Alabama limited liability company ("Grantee") all right, title, and interest in and to the following described real estate situated in Shelby County, Alabama, together with any and all buildings, improvements, fixtures, and appurtenances thereon or appertaining thereto including without limitation any and all rights and interests which have or may accrue relating to the said property or any property adjacent thereto:

SEE ATTACHED EXHIBIT A INCORPORATED HEREIN BY REFERENCE.

SUBJECT TO:

Those certain matters set forth in Exhibit B attached hereto and incorporated herein by reference.

TO HAVE AND TO HOLD, to the said Grantee, Grantee's heirs, executors, successors and assigns forever. And said Grantor does for Grantor, and Grantor's heirs, executors, successors and assigns covenant with said Grantee, and Grantee's heirs, executors, successors and assigns, that Grantor is lawfully seized in fee simple of said property, that the

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said property is free from all encumbrances except as noted above, that Grantor has a good right to sell and convey the same as aforesaid, and that Grantor will, and Grantor's heirs, executors, successors and assigns shall, warrant and defend the same to the said Grantee, Grantee's heirs, executors, successors and assigns forever against the lawful claims of all persons.

IN WITNESS WHEREOF, Grantor has hereunto set its hand and seal this 11 day of January, 2006.

"GRANTOR":

VENTURE DEVELOPMENT, L.L.C.,
an Alabama limited liability company

By: David Kraftsow [SEAL]
David Kraftsow
Its: Manager

STATE OF ALABAMA)
 :
COUNTY OF SHELBY)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that David Kraftsow, whose name as Manager of VENTURE DEVELOPMENT, 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 said instrument, he as such duly authorized Manager and with full authority, executed the same voluntarily for and as the act of said entity on the day the same bears date.

Given under my hand and official seal this 11th day of January, 2006.

Nancy C. Drummond
Notary Public

{Notarial Seal}

My Commission Expires: Jan 29, 2007
NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES JAN 29, 2007
BONDED THRU NOTARY PUBLIC UNDERWRITERS

EXHIBIT A

**VENTURE OVERALL PROPERTY
LEGAL DESCRIPTION**

A parcel of land situated in part of the East half of the Northwest quarter and part of the South half of the Northeast quarter of Section 12, Township 21 South, Range 3 West, Shelby County, Alabama, being more particularly described as follows:

Begin at the Southwest corner of the Northwest one-quarter of the Northeast one-quarter of said Section and run South 87 degrees 31 minutes 35 seconds East along the South line for a distance of 916.78 feet to a point on the Southernmost right of way line of U.S. Highway 31 (right of way varies); thence run South 20 degrees 02 minutes 14 seconds East along said right of way for a distance of 211.90 feet to the point of commencement of a spiral curve to the left; thence run South 19 degrees 23 minutes 39 seconds East for a chord distance of 306.92 feet to the point of commencement of curve to the left, said curve having a radius of 2401.83 feet, a central angle of 04 degrees 34 minutes 11 seconds, a chord bearing of 24 degrees 09 minutes 33 seconds East for a chord distance of 191.51 feet; thence run along arc of said curve and along said right of way in a Southeasterly direction for a distance of 191.57 feet; thence run South 68 degrees 29 minutes 48 seconds West along said right of way for a distance of 9.96 feet to the point of commencement of a curve to the left, said curve having a radius of 2411.83 feet, a central angle of 10 degrees 42 minutes 14 seconds, a chord bearing of South 30 degrees 13 minutes 11 seconds East for a chord distance of 449.92 feet; thence run along arc of said curve and along said right of way in a Southeasterly direction for a distance of 450.57 feet; thence leaving said right of way, run South 14 degrees 14 minutes 05 seconds West for a distance of 196.57 feet; thence run South 41 degrees 36 minutes 27 seconds West for a distance of 23.06 feet; thence run South 02 degrees 27 minutes 46 seconds East for a distance of 36.91 feet to the Southeast corner of the Southwest one-quarter of the Northeast one-quarter of said Section; thence run North 87 degrees 51 minutes 24 seconds West along the South line for a distance of 716.00 feet; thence leaving said South line, run North 22 degrees 00 minutes 08 seconds West for a distance of 295.00 feet; thence run North 89 degrees 10 minutes 01 seconds West for a distance of 297.23 feet to a point on the Easternmost right of way line of Interstate 65 (right of way varies); thence run North 24 degrees 39 minutes 45 seconds West along said right of way for a distance of 445.56 feet; thence run North 64 degrees 14 minutes 34 seconds West for a distance of 126.44 feet; thence run North 24 degrees 35 minutes 31 seconds West along said right of way for a distance of 344.56 feet to the point of commencement of a curve to the right, said curve having a radius of 3669.72 feet, a



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EXHIBIT A (cont.)

central angle of 10 degrees 59 minutes 37 seconds, a chord bearing of North 19 degrees 07 minutes 40 seconds West for a chord distance of 703.05 feet; thence run along arc of said curve and along said right of way in a Northwesterly direction for a distance of 704.13 feet; thence run North 01 degrees 24 minutes 20 seconds East along said right of way for a distance of 151.25 feet; thence leaving said right of way, run South 89 degrees 27 minutes 02 seconds East for a distance of 473.77 feet to a point on the East line of the Northeast quarter of the Northwest quarter; thence run South 00 degrees 28 minutes 59 seconds West along said East line for a distance of 548.72 feet to the POINT OF BEGINNING. Said parcel contains 1,682,738 square feet or 38.63 acres more or less.



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EXHIBIT B

1. Taxes for the year 2006 and subsequent years, not yet due and payable.
2. Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto.
3. Right-of-way granted to Alabama Power Company recorded in Deed Book 107, Page 132, Deed Book 107, Page 135 and Deed Book 107, Page 136.
4. Agreement between Alabama Power Company and Shelby County, Alabama as recorded in Book 217, Page 418.
5. Right-of-way granted to South Central Bell Telephone Company recorded in Book 320, Page 909.
6. Alabaster Development Agreement recorded in Inst. No. 20050712000346700.
7. Denial of rights of access between subject property and I-65.
8. The following matters as shown on survey of Gonzales-Strength & Associates, Inc. dated January 9, 2006:
 - (a) Encroachment of gravel drives and fences on southerly and westerly property lines.
 - (b) Gravel road possibly serving adjoining premises.
 - (c) 12" RCP
9. Utility easement recorded in Inst. No. 1996-04040.

Shelby County, AL 01/13/2006
State of Alabama

Deed Tax: \$6731.50