

**SEND TAX NOTICES TO:**  
COUNCE ENTERPRISES, LLC  
1022 First Street North, Suite 400,  
Alabaster, AL, 35007

## **SPECIAL WARRANTY DEED**

STATE OF ALABAMA  
COUNTY OF SHELBY

**KNOW ALL MEN BY THESE PRESENTS**, that in consideration of the sum of Three Hundred Forty Thousand and 00/100 Dollars (\$340,000.00) to the undersigned grantors, in hand paid by the grantee herein, the receipt of which is hereby acknowledged, **Donald Vincent Rubin and Linda Rubin, Trustees, under the HAROLD A. RUBIN LIVING TRUST, dated November 7, 2002 and all amendments thereto** (herein referred to as "Grantor"), hereby grants, bargains, sells, and conveys unto **COUNCE ENTERPRISES, LLC** (herein referred to as "Grantee"), the real estate situated in Shelby County, Alabama, and described on Exhibit "A" attached hereto.

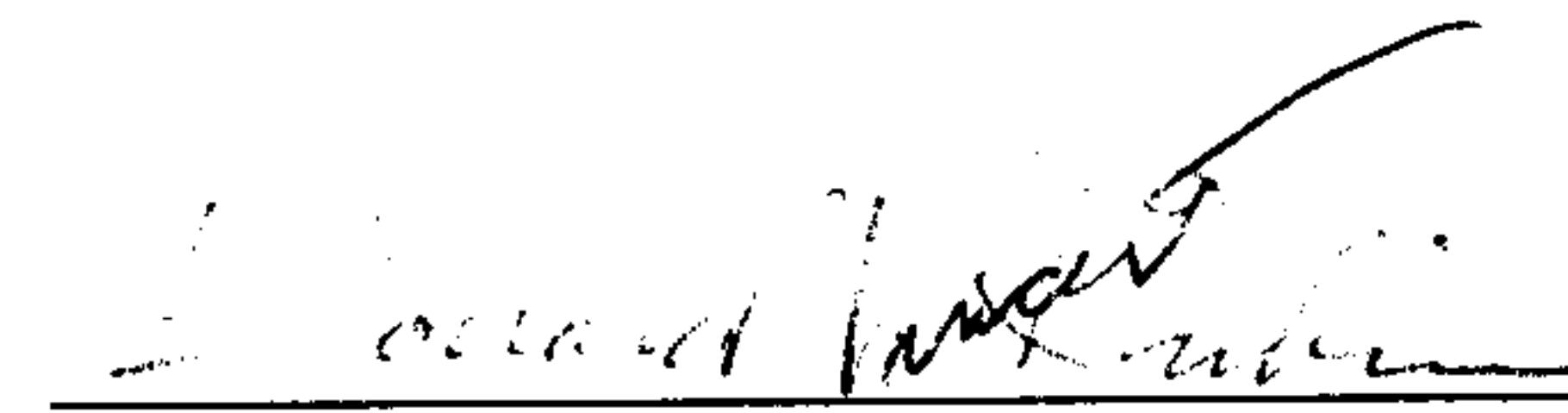
[A portion of the purchase price recited above was paid from a mortgage loan closed simultaneously herewith.]


[This property does not constitute the homestead of Grantor nor of Grantor spouse.]

**TO HAVE AND TO HOLD** the described premises to Grantee, its successors and assigns forever.

**AND THE GRANTOR** will warrant and forever defend the right and title to the above described property unto the Grantee against the claims of Grantor and all others claiming by or under Grantor.

**IN WITNESS WHEREOF**, the Grantor has signed and sealed this Deed on the 10<sup>th</sup> day of December, 2007.


  
Donald Vincent Rubin, Trustee under the  
HAROLD A. RUBIN LIVING TRUST, dated  
November 7, 2002 and all amendments  
thereto

  
Linda Rubin, Trustee under the HAROLD A.  
RUBIN LIVING TRUST, dated November 7,  
2002 and all amendments thereto

STATE OF COLORADO  
COUNTY OF \_\_\_\_\_

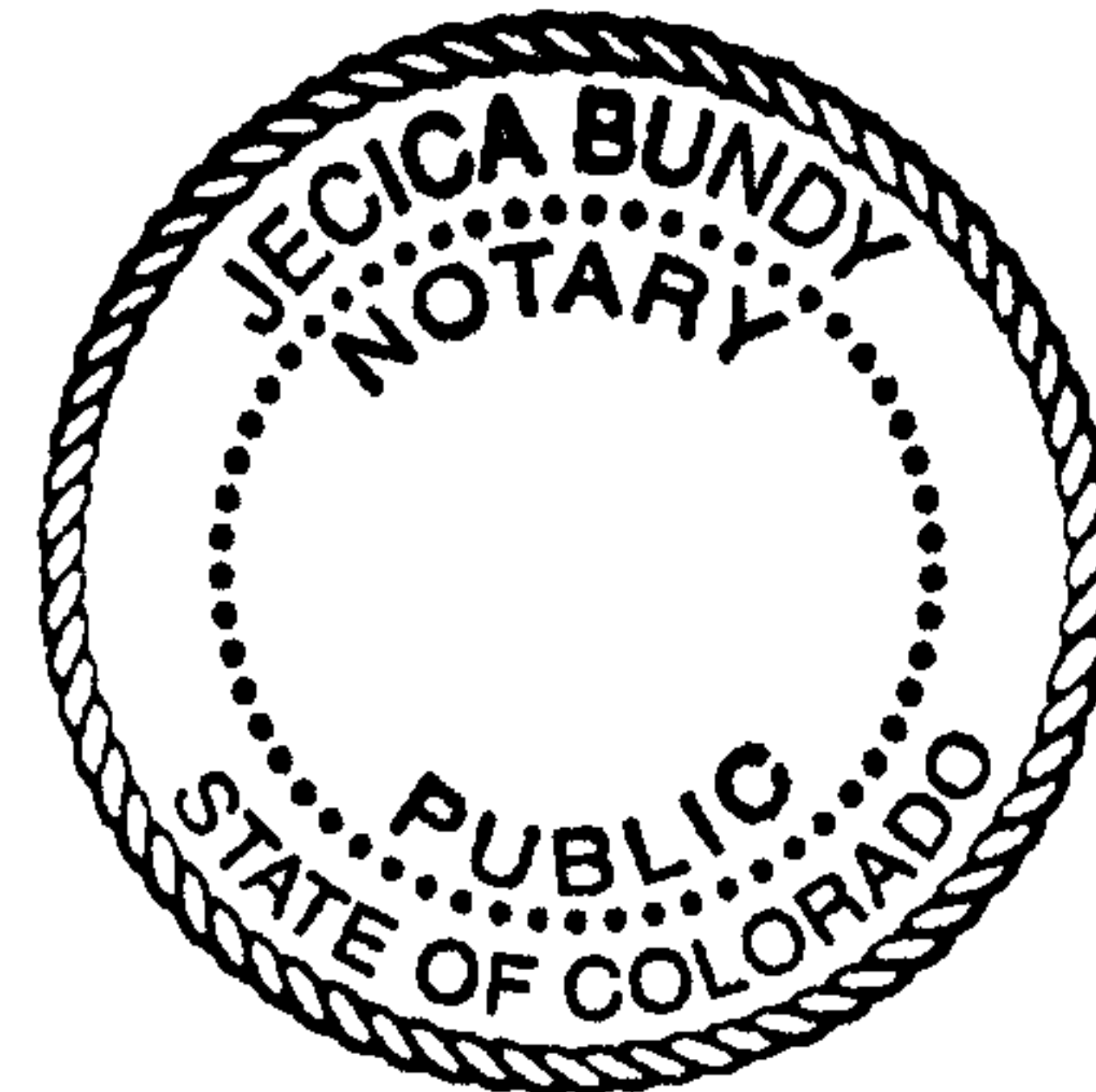
I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Donald Vincent Rubin and Linda Rubin whose name as Trustees of the HAROLD A. RUBIN LIVING TRUST, dated November 7, 2002 and all amendments thereto, are signed to the foregoing instrument and who are known to me, acknowledged before me on this day that, being informed of the contents of said instrument, they, as such trustees, and with full authority, executed the same voluntarily, as an act of said trust, acting in their capacity as aforesaid.

Given under my hand and official seal, this the 10 day of December, 2007.

  
NOTARY PUBLIC  
My Commission Expires: 04 MAY 2011

THIS INSTRUMENT PREPARED BY AND AFTER  
RECORDATION SHOULD BE RETURNED TO:

William B. Hairston III  
Engel, Hairston, & Johanson P.C.  
P.O. Box 11405  
Birmingham, AL 35202  
(205) 328-4600



My Commission Expires May 4, 2011

Shelby County, AL 12/18/2007  
State of Alabama

Deed Tax: \$51.00




20071218000569510 2/3 \$68.00  
Shelby Cnty Judge of Probate, AL  
12/18/2007 03:50:40PM FILED/CERT

## EXHIBIT "A"

### PARCEL I:

Lot Number 8 and the South ½ of Lot Number 7, Block Number 1, according to the Survey of Cedar Grove Estates, as recorded in Map Book 3, page 53, in the Probate Office of Shelby County, Alabama, excepting the highway right of way consisting of a strip of land 77 feet wide across the West end thereof.

**SUBJECT TO:** i) taxes and assessments for the year 2008, a lien but not yet payable; ii) Easements as shown by map recorded in Map Book 3, page 53 Probate Office of Jefferson County, AL; iii) transmission line permit to Alabama Power Company, recorded in Deed 176, page 377, Deed 138, page 443, and Deed 157, page 285; iv) right of way granted to Alabama Power Company by instrument recorded in Deed 103, page 54, Deed 134, page 25, Deed 160, page 63, and Deed 175, page 394; v) easement to South Central Bell as recorded in Deed 168, page 480 and Deed 80, page 44; vi) easement and right of way to the State of Alabama as recorded in Deed 102, page 446, final record 16, page 112, and deed 167 page 242; vii) transmission line permit as recorded in Deed Book 103, pages 50 and 54 and Deed Book 138, page 434; viii) right of way for telephone line recorded in Deed Book 80, page 44 and deed book 175, page 409; ix) declaration of easement recorded in Instrument 1998-15828 and partial termination recorded in Instrument 20020506000209200; x) easement to Bellsouth Communications as recorded in Instrument 20050526000257580; and xi) coal, oil, gas and mineral and mining rights which are not owned by Grantor.

  
20071218000569510 3/3 \$68.00  
Shelby Cnty Judge of Probate, AL  
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