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Bk: LR201006 Pg:23564
Jefferson County, Alabama
 I certify this instrument filed on
 08/09/2010 12:50:50 PM D
 Judge of Probate- Alan L. King

SEND TAX NOTICE TO
 Xpress Investments, LLC
 1200 Greystone Parc Drive
 Birmingham, Alabama 35242
 Attention: Doug Levene

STATE OF ALABAMA)
JEFFERSON COUNTY)

4,500,000.00

STATUTORY WARRANTY DEED

THIS STATUTORY WARRANTY DEED is executed and delivered this 9 day of August, 2010, by **XPRESS PARTNERS, LLC**, an Alabama limited liability company ("Grantor"), to **XPRESS INVESTMENTS, LLC**, an Alabama limited liability company ("Grantee").

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of the sum of Ten and 00/100 Dollars (10.00) paid by Grantee to Grantor, Grantor does by these presents grant, bargain, sell and convey unto the Grantee, its successors and assigns, that certain real estate situated in those certain counties in Alabama and more particularly described in Exhibit "A" attached hereto and incorporated herein by reference (the "**Property**"), to wit;

TOGETHER WITH all appurtenances thereto belonging or in anywise appertaining and all right, title and interest of Grantor in and to all roads, alleys and ways bounding the Property.

This conveyance is made subject to the following (the "**Exceptions**"):

1. Taxes and assessments for the year 2010, and subsequent years;
2. Mineral and mining rights not owned by Grantor; and
3. Easements, encumbrances and other matters of record affecting the Property and any matter that would be reflected by an accurate ALTA/ACSM survey of the Property.

TO HAVE AND TO HOLD, to Grantee, and its successors and assigns forever.

The Grantor hereby covenants and agrees with the Grantee, and its successors and assigns, that the Grantor, and its successors and assigns, will warrant and defend the above described Property against the lawful claims (unless otherwise noted above) of all persons claiming by, through, or under the Grantor, but not further or otherwise.

[Signature on following page]




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 Shelby Cnty Judge of Probate, AL
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IN WITNESS WHEREOF, the undersigned has caused this Statutory Warranty Deed to be executed on the date first above written.

Grantor:

XPRESS PARTNERS, LLC,
an Alabama limited liability company

By: 
Douglas A. Levene, Authorized Member

[Notary acknowledgements appear on following page]

The consideration for this conveyance has been paid out of the proceeds of a mortgage loan closed simultaneously herewith.



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Shelby Cnty Judge of Probate, AL
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STATE OF ALABAMA

COUNTY OF JEFFERSON

I, the undersigned authority, a Notary Public in and for said State and County, hereby certify that Douglas A. Levene, whose name as Authorized Member of Xpress Partners, LLC, an Alabama limited liability company, 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 said instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said limited liability company on the day the same bears date.

Given under my hand and official seal of office this 9 day of Aug, 2010.

Jay t. Quales
Notary Public

My commission expires:

6-10-2014
[SEAL]

THIS INSTRUMENT PREPARED BY
Maynard, Cooper & Gale, P.C.
1901 Sixth Avenue North
2400 Regions Harbert Plaza
Birmingham, Alabama 35203


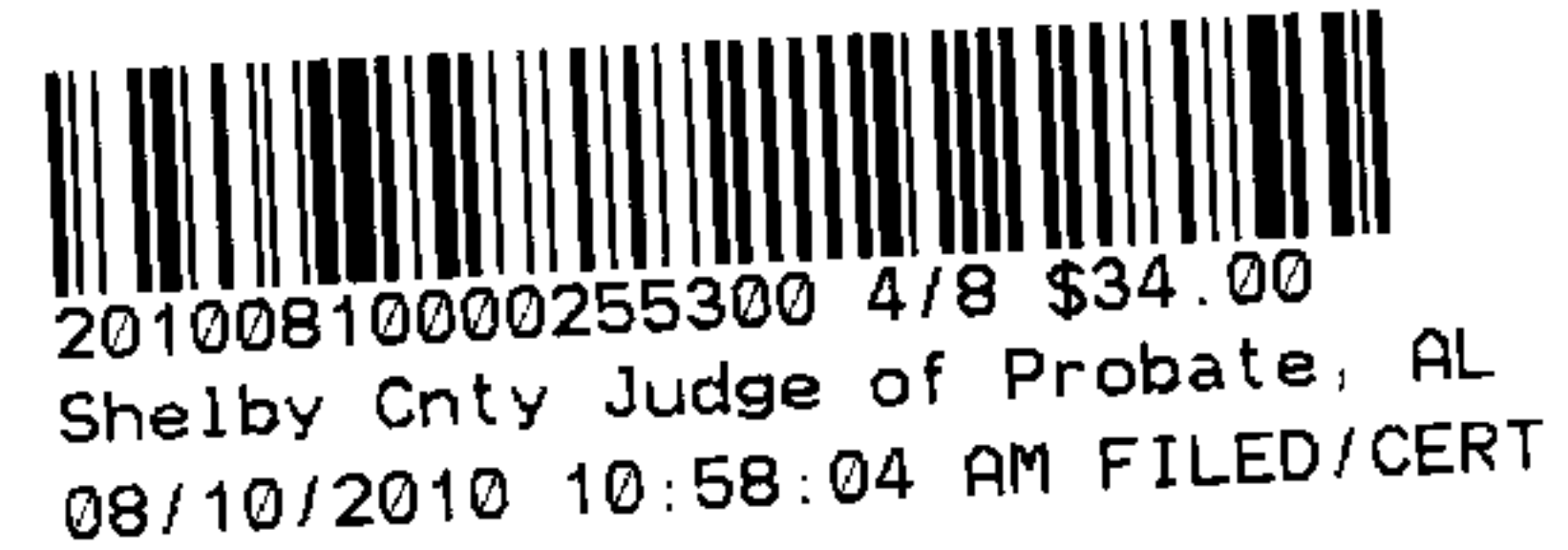

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EXHIBIT "A"
(The Property)



Parcel I (Wildwood)

Lot 2, according to the Survey of John Carroll Subdivision Sector II Resurvey, as recorded in Map Book 183, Page 39, in the Probate Office of Jefferson County, Alabama.

Parcel II (Eastwood)

Lot 2-B, according to Baker Property Resurvey No. 2, as recorded in Map Book 194, Page 69, in the Probate Office of Jefferson County, Alabama; TOGETHER WITH rights and easements granted in that certain Declaration of Covenants, Conditions and Restrictions as recorded in Instrument No. 9903/4658.

Parcel III (Fort Payne)

Commence at the NE corner of Lot 1 in Block 15 of the Greenhill Addition to the City of Fort Payne, as is recorded in Plat Book 4 at Page 47 in the DeKalb County Probate Office, said point located on the SE ROW boundary of Alabama Avenue North (50' ROW), and proceed S 48 deg. 26'00"E along the NE boundary of Block 15, for a distance of 156.88 ft. to the NE Corner of Lot 2 of said Block 15, said point being the point of beginning; thence continue S 48 deg. 26' 00" E, along the NE boundary of said Block 15, for 104.23 ft. to a point; thence leaving the NE boundary of said Block 15, proceed S 57 deg. 59' 15" W, for 184.82 ft. to a point on the NE ROW boundary of Greenhill Blvd. (Alabama Highway No. 11 – 80 ft. ROW) and the SW boundary of said Block 15; thence proceed N 30 deg. 22' 10" W along the chord of a curve to the left marking the NE ROW boundary of said road and the SW boundary of Block 15 for 100.00 ft. to a point; thence leaving the NE ROW boundary of said road and the SW boundary of said Block 15, proceed N 57 deg. 59' 15" E for 152.48 ft. to the point of beginning.

Said parcel of land containing a portion of Lot 2 of Block 15 of the Greenhill Addition to the City of Fort Payne, as recorded in Plat Book 4 at Page 47 in the DeKalb County Probate Office.

Parcel IV (Greystone)

A parcel of land located in the Southwest One-Quarter of Section 32, Township 18 South, Range 1 West, Shelby County, Alabama, more particularly described as follows:

Commence at the Southwest corner of said quarter section; thence North along the West boundary thereof, for a distance of 762.28 feet; thence 103 degrees 32 minutes 37 seconds right, in a southeasterly direction for a distance of 154.37 feet; thence 9 degrees 23 minutes 05 seconds right in a Southeasterly direction a distance of 325.01 feet to the Southeast right of way line of Alabama Highway No. 119; thence 91 degrees 01 minute 59 seconds (measured 91 degrees 02 minutes 27 seconds) left, in a Northeasterly direction and along said right of way line a distance of 340.45 feet; thence deflect right 92 degrees 56 minutes 17 seconds and run in a Southeasterly direction for a distance of 6.80 feet to the point of beginning; thence continue along last described course for a distance of 155.69 feet to the beginning of a curve to the right, said curve having a radius of 85.00 feet, a central angle of 12 degrees 19 minutes 38 seconds, a chord length of 18.25 feet and a deflection angle right to chord of 173 degrees 16 minutes 09 seconds; thence



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08/10/2010 10:58:04 AM FILED/CERT

run along arc of said curve and said right of way line in a Northwesterly direction for a distance of 18.29 feet; thence deflect right from chord of said curve 06 degrees 08 minutes 49 seconds and run in a Northwesterly direction for a distance of 134.50 feet to the beginning of a curve to the right, said curve having a radius of 49.00 feet, a central angle of 05 degrees 25 minutes 22 seconds, a chord length of 4.64 feet and a deflection angle right to chord of 49 degrees 03 minutes 04 seconds; thence run along arc of said curve and said right of way line in a Northwesterly direction for a distance of 4.64 feet to the point of beginning.

ALSO:

A parcel of land located in the SW $\frac{1}{4}$ of Section 32, Township 18 South, Range 1 West, Shelby County, Alabama, more particularly described as follows: Commence at the SW corner of said $\frac{1}{4}$ Section; thence North, along the West boundary thereof, for a distance of 762.28 feet; thence 103 degrees 32 minutes 37 seconds right, in a Southeasterly direction, for a distance of 154.37 feet; thence 9 degrees 23 minutes 05 seconds right, in a Southeasterly direction, a distance of 325.01 feet to the Southeast right of way line of Alabama Highway No. 119; thence 91 degrees 01 minutes 59 seconds (measured 91 degrees 02 minutes 27 seconds) left, in a Northeasterly direction and along said right of way line, a distance of 340.45 feet, said point being the point of beginning of the property herein described: Thence continue in a Northeasterly direction, along said right of way line, a distance of 70.98 feet; thence 82 degrees 39 minutes 59 seconds right, in a Northeasterly direction, a distance of 260.72 feet; thence 89 degrees 46 minutes 58 seconds right, in a Southerly direction, a distance of 29.38 feet to the beginning of a curve to the left, said curve having a radius of 131.00 feet; a delta of 25 degrees 55 minutes 01 seconds, and an arc of 59.26 feet; thence 46 degrees 06 minutes 06 seconds right to chord of said curve, in a Southwesterly direction, a chord distance of 58.75 feet to end of said curve; thence continue in a Southwesterly direction, along tangent of last curve, a distance of 3.79 feet to the beginning of a curve to the right, said curve having a radius of 85.00 feet, a delta of 66 degrees 46 minutes 13 seconds, and a chord of 93.54 feet; thence along arc of said curve, in a Southwesterly then Northwesterly direction, a distance of 99.06 feet to end of said curve; thence continue in a Northwesterly direction, along tangent of last curve, a distance of 134.50 feet to the beginning of a curve to the right, said curve having a radius of 49.00 feet, a delta of 22 degrees 54 minutes 00 seconds, and an arc of 19.58 feet; thence 57 degrees 47 minutes 23 seconds right to chord of said curve, in a Northwesterly direction, a chord distance of 19.45 feet to the point of beginning.

Being further described as: Lot 3 of The Crossroads of Greystone as recorded in Map Book 28, Page 29 in the Office of the Judge of Probate of Shelby County, Alabama.

Also, those certain easements which benefit the above described property as set out in that certain Reciprocal Easement Agreement as recorded in Instrument No. 1999-7730 and that Modification of Reciprocal Easement Agreement as recorded in Instrument No. 2001-7233 and as shown on Map Book 28, Page 29.

Parcel V (Jasper)

Lot 1-B of the Resurvey of Lot 1 of Hager Subdivision according to the Map recorded in Map Book 8, Page 123, in the Office of the Judge of Probate of Walker County, Alabama.

Lot 1-B is also described as a part of Lot 1 of the Hager Subdivision as recorded in Map Book 8, Page 112, in the Office of the Judge of Probate of Walker County, Alabama being more particularly described as follows:

Begin at the Northeast corner of Lot 1 and run Southwesterly along the East boundary of said Lot 1 and along the West right of way of Airport Road for a distance of 87.00 feet to a point; thence turn an angle of 90 degrees 03 minutes 29 seconds to the right and run West parallel to the North line of said Lot 1 for a distance of 153.00 feet to a point; thence turn an angle of 89 degrees 56 minutes 31 seconds to the right and run parallel to the East line of said Lot 1 for a distance of 87.00 feet to a point on the North line of said Lot 1; thence run East along said North line for a distance of 153.00 feet to the point of beginning.

Together with that certain Ingress and Egress Easement as shown on the Map of the Hager Subdivision as recorded in Map Book 8, Page 112, in the Probate Office of Walker County, Alabama (the "Probate Office"), which easement (i) was granted by grantor's predecessor in interest to Mulberry Fork Corporation by sublease agreement and (ii) designated as Non-Exclusive and located by that certain designation of Non-exclusive Easement for Ingress and Egress which was recorded in the Probate Office at Book 1597, Page 297. The location of said easement being the North 25.00 feet of Lot 1C of the Resurvey of Lot 1 of Hager Subdivision as recorded in Map Book 8, Page 123, in the Probate Office.

ALSO:

Lot 1-C of the Resurvey of Lot 1, Hager Subdivision, as recorded in Plat Book 8, Page 123, in the Probate Office of Walker County, Alabama.

Also, those certain easements which benefit the above described parcels as set out in that certain Designation of Non-Exclusive Easement for Ingress and Egress as recorded in Book 1597, Page 297.

Parcel VI (Moody)

Parcel A:

A parcel of land situated in the Southeast Quarter of the Northeast Quarter of Section 10, Township 17 South, Range 1 East, Huntsville Meridian, St. Clair County, Alabama being more particularly described as follows:

Commence at the Northwest corner of the Southeast Quarter of the Northeast Quarter of Section 10, Township 17 South, Range 1 East, Huntsville Meridian, St. Clair County, Alabama; thence run in an Easterly direction along the North line of said quarter-quarter for a distance of 526.53 feet to the Northwesterly right of way line of U.S. Highway No. 411; thence turning an interior angle to the left of 61°47'29" and leaving said North line run in a Southwesterly direction along said Northwesterly right of way line for a distance of 43.20 feet to the point of curvature of a



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Shelby Cnty Judge of Probate, AL
08/10/2010 10:58:04 AM FILED/CERT

tangent curve to the left having a central angle of $08^{\circ}12'43''$, a radius of 3,487.75 feet, and a chord of 499.46 feet which forms an interior angle to the left of $184^{\circ}12'05''$ with the preceding course; thence run in a Southwesterly direction along the Northwesterly right of way line and along the arc of said curve for a distance of 499.89 feet to a point of curvature of a curve to the left having a central angle of $00^{\circ}42'35''$ and a radius of 3,487.75 feet, and a chord of 43.19 feet which forms an interior angle to the left of $184^{\circ}27'38''$, as measured from the chord of the preceding curve; thence continue in Southwesterly direction along said Northwesterly right of way line and along the arc of said curve for a distance of 43.19 feet; thence turn an interior angle to the left of $85^{\circ}21'08''$ as measured from the chord of the preceding curve, and leaving said right of way line run in a Northwesterly direction for a distance of 129.49 feet; thence turn an interior angle to the left of $181^{\circ}59'14''$ and run in a Northwesterly direction for a distance of 170.00 feet to the West line of said quarter-quarter section; thence turn an interior angle to the left of $113^{\circ}50'45''$ and run in a Northerly direction along said West line for a distance of 12.89 feet to a found nail and cap at the point of beginning; thence continue along the last stated course for a distance of 166.97 feet to an iron pin set on said West Line; thence turn an angle to the right of $107^{\circ}27'49''$ and run in a Southeasterly direction for a distance of 169.56 feet to a found $\frac{1}{4}$ inch rebar; thence turn an angle to the right of $96^{\circ}50'32''$ and run in a Southwesterly direction for a distance of 153.49 feet to a found cross; thence turn an angle to the left of $00^{\circ}04'00''$ and run in a Southwesterly direction for a distance of 7.22 feet a found nail and cap; thence turn an angle to the right of $83^{\circ}55'53''$ and run in Northwesterly direction for a distance of 100.63 feet to the point of beginning.

Less and Except: Commence at an existing $\frac{1}{2}$ " rebar marking the Northwest corner of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 10, Township 17 South, Range 1 East and run South $07^{\circ}00'17''$ East along the West line of said forty a distance of 239.53 feet to a point; thence South $79^{\circ}36'19''$ East a distance of 121.78 feet to the point of beginning; thence South $19^{\circ}11'00''$ West a distance of 20.00 feet to a point; thence South $70^{\circ}58'59''$ East a distance of 48.52 feet to a point; thence North $16^{\circ}27'05''$ East a distance of 27.19 feet to a point; thence North $79^{\circ}36'19''$ West a distance of 47.78 feet to the point of Beginning.

Parcel B:

Commence at an existing $\frac{1}{2}$ " rebar marking the Northwest corner of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 10, Township 17 South, Range 1 East and run South $07^{\circ}00'17''$ East along the West line of said forty a distance of 239.53 feet to a point; thence South $79^{\circ}36'19''$ East a distance of 18.84 feet to the point of beginning; thence North $10^{\circ}23'41''$ East a distance of 20.00 feet to a point, thence South $79^{\circ}36'19''$ East a distance of 70.00 feet to a point; thence South $10^{\circ}23'41''$ West a distance of 20.00 feet to a point; thence North $79^{\circ}36'19''$ West a distance of 70.00 feet to the point of beginning.

Also, those certain easements which benefit the above described parcels as set out in that certain Easement Agreement recorded in Deed Book 2002, Page 626; Agreement with Alabama Power Company as recorded in Deed Book 266, Page 141 and Easement Agreement as recorded in Deed Book 2002, Page 7357 and First Amendment to Easement Agreement as recorded in Deed Book 2005, Page 3904.

Parcel VII (Sylacauga)

Commence at the Northeast intersection of Fort Williams Street and North Norton Avenue as now located in the City of Sylacauga, Alabama; thence proceed North 00°01'16" West along the East right of way line of said North Avenue for a distance of 90.0 feet to the point of beginning. From this beginning point continue North 00°01'16" West along the East right of way line of said Norton Avenue for a distance of 130.03 feet to a 1" rebar in place; thence proceed South 89°06'45" East for a distance of 131.02 feet to a 3/8" rebar in place; thence proceed South 00° East for a distance of 217.25 feet to a 5/8" rebar in place being located on the North right of that way line of Fort Williams Street; thence proceed South 89°40'12" West along the North right of way line of said Fort Williams Street for a distance of 40.92 feet to a scribe in concrete; thence proceed North 00°01'16" West for a distance of 90.0 feet; thence proceed South 89°40'12" West for a distance of 90.0 feet to the point of beginning.

ALSO:

Lots 1, 2, 3, 4, 5, and the South 10.0 feet of Lot 6 of the Knight & Howard Survey of the Resubdivision of Block 6, as recorded in the Office of the Judge of Probate of Talladega County, Alabama, in Plat Book 3, Page 95.



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STATE OF ALABAMA - JEFFERSON COUNTY
I hereby certify that no mortgage tax or deed tax
has been collected on this instrument.
Alan J. King Judge of Probate
NO TAX COLLECTED

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Bk: LR201006 Pg: 23564
Jefferson County, Alabama
08/09/2010 12:50:50 PM D
Fee - \$27.00

Total of Fees and Taxes-\$27.00
JCOCKRELL