

## NOTICE STATEMENT OF MORTGAGEE

THIS NOTICE STATEMENT OF MORTGAGEE is given this 18 day of July, 2013, by SYNOVUS BANK, a Georgia banking corporation ("Synovus").

### R E C I T A L S:

WHEREAS, PROSPT ALABASTER, LLC ("Propst") is the owner in fee simple of certain real property located in Shelby County, Alabama, as more fully described in *Exhibit A* attached hereto and made a part hereof (the "Land"); and,

WHEREAS, Synovus is the owner and holder of that certain Mortgage and Security Agreement dated July 14, 2013, recorded with the Office of the Judge of Probate, Shelby County, Alabama, at Instrument 20130726000303930 (the "Mortgage"), pursuant to which Propst granted, pledged and mortgaged to Synovus a lien on, assignment of and security interest in Propst's rights to the Land;

WHEREAS, Section 19 of the Easements With Covenants and Restrictions Affecting Land ("ECR") provides any person or entity acquiring a fee or mortgage interest to any parcel subject to the ECR to execute and file a Notice Statement (as such term is defined in the ECR) and Synovus hereby desires to notify Existing Interest Holders of Synovus's interest in the Land as a Mortgagee, as such terms are defined in the ECR.

### W I T N E S S E T H:


NOW, THEREFORE, pursuant to the provisions of the ECR, Synovus hereby sets forth the following in accordance with Section 19 of the ECR:

1. Name of Mortgagee: SYNOVUS BANK, a Georgia banking corporation;
2. Notice Address of the Mortgagee:

SYNOVUS BANK, a Georgia banking corporation  
800 Shades Creek Parkway  
Birmingham, Alabama 35209  
Attention: Stephen Hodges

with a copy to:

Burr & Forman LLP  
420 North 20th Street  
Suite 3400  
Birmingham, Alabama 35203  
Attention: Damon P. Denney, Esq.

  
20130726000303940 1/3 \$18.00  
Shelby Cnty Judge of Probate, AL  
07/26/2013 08:42:10 AM FILED/CERT

3. Method of service of notice: United States Mail, certified or registered, postage prepaid, return receipt requested, or Federal Express or overnight United States Mail or other national overnight carrier.

4. Nothing herein shall be deemed to limit, restrict or otherwise modify the terms, conditions, restrictions and/or remedies more particularly set forth in the Loan Documents or of any prior notice previously given to Propst, and Synovus hereby reserves any and all rights and remedies available thereunder. This Notice is provided for the sole purpose of setting forth information requested under Section 19 of the ECR.

**IN WITNESS WHEREOF**, the parties hereto have each caused this **NOTICE STATEMENT OF MORTGAGEE** to be executed, under seal, as of the date hereinabove written.

SYNOVUS BANK, a Georgia banking corporation

By: [Signature]  
Its: Vice President

STATE OF Alabama

COUNTY OF Jefferson

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Stephen T. Hodges, whose name as Vice President of SYNOVUS BANK, a Georgia banking corporation, 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 officer and with full authority, executed the same voluntarily for and as the act of said banking corporation.

Given under my hand and official seal, this the 19 day of July, 2013.

(SEAL)

Laura J. Knight  
Notary Public

My Commission Expires: 3/15/2015


  
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Exhibit A

Legal Description of Real Property

Lots 1 and 3, according to the survey of Colonial Promenade, Alabaster Survey, as recorded in Map Book 35, page 102A and 102B, in the Probate Office of Shelby County, Alabama.

Together with rights, title and interest beneficial to the use and ownership of Lots 1 and 3 granted in the following documents:


Easements with covenants and restrictions affecting land as recorded in Instrument 20040507000243250 and First Amendment thereto recorded in Instrument 20040507000243260, in the Probate Office of Shelby County, Alabama.

Declaration of Covenants, Conditions and Restrictions and Operating Agreements as recorded in Instrument 20100916000304710, Instrument 20050705000331870, Instrument 20050627000315620, Instrument 20051031000564260, Instrument 20050923000494710 and Instrument 20050907000460460, in the Probate Office of Shelby County, Alabama.

Detention Facilities Maintenance Agreement as recorded in Instrument 20051013000534440, in the Probate Office of Shelby County, Alabama.

Alabaster Development Agreement as recorded in Instrument 20050712000346700, in the Probate Office of Shelby County, Alabama.

Declaration of Slope, Detention Pond and Construction Easement as recorded in Instrument 20040521000271360, in the Probate Office of Shelby County, Alabama.

  
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