

1020

Send Tax Notices To:

Eddleman Properties, Inc.  
2700 Highway 280 South  
Suite 325  
Birmingham, AL 35223

STATE OF ALABAMA )  
SHELBY COUNTY )

STATUTORY WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That:

*\$1,180,000.00 Pd by Mtg*

WHEREAS, Eddleman & Associates (the "Grantor") was organized by The Meadows, Ltd. ("The Meadows") and Jefferson Land Services, Inc. ("Jefferson Land") as an Alabama general partnership under a partnership agreement dated April 13, 1987, as amended August 3, 1990;

WHEREAS, Jefferson Land has on this date assigned to The Meadows all of its right, title and interest in and to the Grantor pursuant to an Agreement between and among The Meadows, the Grantor, Jefferson Land and Jefferson Federal Savings & Loan Association, F.A.;

WHEREAS, The Meadows as the sole partner of the Grantor has authorized the liquidation and dissolution of the Grantor, and by Agreement among The Meadows, Grantor and Eddleman Properties, Inc. (the "Grantee"), Grantor has agreed to sell all of its business assets to the Grantee in connection with the winding up of the affairs of the Grantor;

NOW, THEREFORE, These Premises Considered, and in consideration of Ten and no/100 Dollars (\$10.00) and the consideration paid to Eddleman & Associates, an Alabama general partnership (the "Grantor") by Eddleman Properties, Inc., an Alabama corporation (the "Grantee") pursuant to that certain Agreement by and among The Meadows, Grantee and Grantor of even date herewith, receipt of which is hereby acknowledged, the said Grantor does by these presents, grant, bargain, sell and convey unto the said Grantee the following described real estate, situated in Shelby County, Alabama, to-wit:

See Exhibit A attached hereto and incorporated herein by reference for a description of said real estate.

Subject to all those permitted encumbrances which are more particularly described in Exhibit B attached hereto and incorporated herein by reference.

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

IN WITNESS WHEREOF, the said Grantor, who is authorized to execute this conveyance, hereto sets its signature and seal this the 16 day of October, 1991.

EDDLEMAN & ASSOCIATES, an  
Alabama general partnership,  
by its general partner:

THE MEADOWS, LTD., whose  
general partner is:  
EDDLEMAN REALTY, INC.

By: Billy D. Eddleman  
Its President

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STATE OF ALABAMA     )  
JEFFERSON COUNTY    )

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that BILLY D. EDDLEMAN, whose name as PRESIDENT of EDDLEMAN REALTY, INC., a corporation, as general partner for THE MEADOWS, LTD., a limited partnership, as general partner for EDDLEMAN & ASSOCIATES, a general partnership, 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, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation acting in its capacity as general partner as aforesaid on the day the same bears dates.

Given under my hand and official seal of office this 16  
day of October, 1991.

  
Notary Public

My Commission Expires: 1-6-92

This instrument was prepared by:

Jack P. Stephenson, Jr.  
Burr & Forman  
420 N. 20th Street, Suite 3000  
Birmingham, Alabama 35203

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**EXHIBIT A**

**PROPERTY TO BE CONVEYED TO  
EDDLEMAN PROPERTIES, INC.**

Lots 28 and 29 according to the Survey of Brook Highland, First Sector, as recorded in Map Book 12, page 62 A & B, in the Office of the Judge of Probate of Shelby County, Alabama.

Lot 59 according to the Survey of Brook Highland, Second Sector, as recorded in Map Book 12, page 63 A & B in said Office.

Lots 77, 78, 80, 81, 87, 90, 93, 100 and 103 according to the survey of Brook Highland, Third Sector, as recorded in Map Book 12, page 64 A & B in said Office.

Lots 123 through and including 135 according to the Survey of Brook Highland, Fourth Sector, as recorded in Map Book 13, page 12 A & B in said Office.

Lots 139, 142, 147, 156, 157 and 161 according to the Survey of Brook Highland, Fifth Sector, as recorded in Map Book 13, pages 36 A & B in said Office.

Lots 140, 141, 171, 227, 229, 230, 231, 232, 236, 237, 240, 276, 277, 282 and 283 according to the Survey of Brook Highland, Sixth Sector, Second Phase, as recorded in Map Book 15, page 50 A & B in said Office.

Lot 303 according to the Survey of Brook Highland, Seventh Sector, as recorded in Map Book 13, page 99 A & B in said Office.

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A parcel of land to be known as Brook Highland 6th Sector 3rd Phase, said parcel being situated in the west half of Section 29 and the east half of Section 30, Township 18 South, Range 1 West, Shelby County, Alabama, said parcel being more particularly described as follows:

From the northwest corner of said Section 29, run thence along the west line of said section for a distance of 2121.34 feet to the point of beginning of the parcel herein described; thence turn an angle to the right of 93° 14' 37" and run in a westerly direction along the south line of Lots 279 & 278 of Brook Highland 6th Sector 2nd Phase, as recorded in Map Book 15, Page 50, in the Office of the Judge of Probate, Shelby County, Alabama, for a distance of 89.01 feet to the southwest corner of said Lot 278; thence turn an angle to the left of 53° 23' 30" and run in a southwesterly direction along the east line of Lots 277 & 276 and a part of the east line of Lot 275 for a distance of 159.28 feet; thence turn an angle to the left of 14° 44' 43" and run along the east line of Lots 275 & 274 for a distance of 150.00 feet; thence turn an angle to the left of 67° 54' 49" and run in a southeasterly direction along the northeast line of Lots 273, 272 & 271 for a distance of 121.17 feet; thence turn an angle to the left of 38° 26' 42" and run in an easterly direction along the north line of Lot 271 for a distance of 64.16 feet to the northeast corner of said Lot 271; thence turn an angle to the right of 90° 00' 00" and run in a southerly direction for a distance of 158.14 feet along the east line of said Lot 271 to the southeast corner of said Lot 271; thence turn an angle to the left of 32° 08' 33" and run in a southeasterly direction for a distance of 70.86 feet to the northeast corner of Lot 248 of said Brook Highland 6th Sector 2nd Phase; thence turn an angle to the right of 32° 08' 33" and run along the east line of said Lot 248 for a distance of 226.85 feet to the southeast corner of said Lot 248; thence turn an angle to the left of 103° 20' 45" and run in an easterly direction along the north line of Lot 290 of Brook Highland 7th Sector as recorded in Map Book 13, Page 99, in the Office of the Judge of Probate, Shelby County, Alabama, for a distance of 276.22 feet; thence turn an angle to the left of 34° 32' 08" and run in a northeasterly direction along the northwest line of Lot 182 of said Brook Highland 6th Sector 1st Phase as recorded in Map Book 14, Page 83, in the Office of the Judge of Probate, Shelby County, Alabama, for a distance of 173.45 feet to the northernmost corner of said Lot 182; thence turn an angle to the right of 00° 27' 38" and run in a northeasterly direction along the northwest line of Lots 181 & 180 for a distance of 173.17 feet; thence turn an angle to the left of 19° 42' 52" and run in a northeasterly direction along the northwest line of Lots 179, 178, 177, 176, 175 & 174 to the northernmost corner of said Lot 174 for a distance of 650.00 feet; thence turn an angle to the left of 77° 39' 13" and run in a northwesterly direction along the southwest line of Lot 285 of said Brook Highland 6th Sector 2nd Phase for a distance of 126.12 feet to the southwest corner of said Lot 285; thence turn an angle to the left of 51° 44' 29" and run in westerly direction along the south line of Lots 284 & 283 for a distance of 302.65 feet; thence turn an angle to the left of 38° 29' 22" and run in a southwesterly direction for a distance of 103.66 feet along the southeasterly line of Lot 282 of said Brook Highland 6th

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Sector 2nd Phase to the southwest corner of said Lot 282: thence turn and angle to the right of  $57^{\circ} 32' 20''$  and run along the south line of Lot 281 for a distance of 115.40 feet to the southwest corner of said Lot 281; thence turn an angle to the left of  $08^{\circ} 01' 25''$  and run in a westerly direction along the south line of Lots 280 & 279 of said Brook Highland 6th Sector 2nd Phase for a distance of 171.34 feet to the point of beginning. Said parcel contains 12.0 acres, more or less.

A parcel of land to be known as Brook Highland 6th Sector 4th Phase, said parcel being situated in the east half of Section 30 and the west half of Section 29, Township 18 South, Range 1 West, Shelby County, Alabama, said parcel being more particularly described as follows:

From the southwest corner of the said Section 29, run thence in a northerly direction along the west line of said section for a distance of 3,969.25 feet to the point of beginning of the parcel herein described: from the point of beginning thus obtained turn an angle to the right of  $56^{\circ} 14' 44''$  and run in a northeasterly direction for a distance of 156.33 feet along the south line of Lots 146 and 147 of Brook Highland 5th Sector as recorded in Map Book 13, Page 36 A & B, in the Office of the Judge of Probate, Shelby County, Alabama; thence turn an angle to the right of  $18^{\circ} 42' 03''$  and run in a northeasterly direction for a distance of 177.34 feet along the south line of Lots 148 and 149 of said Brook Highland 5th Sector; thence turn an angle to the right of  $18^{\circ} 34' 44''$  and run in an easterly direction for a distance of 177.34 feet along the south line of Lots 150 and 151 of said Brook Highland 5th Sector; thence turn an angle to the right of  $18^{\circ} 34' 44''$  and run in a southeasterly direction for a distance of 88.67 feet to the southeast corner of Lot 152 of said Brook Highland 5th Sector; thence turn an angle to the left of  $90^{\circ} 00' 00''$  and run in a northeasterly direction for a distance of 167.20 feet along the east line of said Lot 152 to the northeast corner of said Lot and a point on the south right of way line of Brook Highland Drive; thence turn an angle to the right of  $101^{\circ} 20' 34''$  to the chord of a curve bearing southeast in the southerly right of way of said Brook Highland Drive, said curve having a radius of 709.30 feet and a central angle of  $22^{\circ} 41' 08''$ ; thence run in a southeasterly direction along the arc of said right of way for a distance of 280.84 feet to the end of said curve; thence run southeasterly and tangent to said curve along said southerly right of way of Brook Highland Drive for a distance of 186.82 feet to the northernmost corner of Lot 156 of said Brook Highland 5th Sector; thence turn an angle to the right of  $90^{\circ} 00' 00''$  and run from said right of way in a southwesterly direction, along the northwesterly line of said Lot 156 for a distance of 180.00 feet; thence turn an angle to the left of  $92^{\circ} 36' 09''$  and run in a southeasterly direction along the southwest line of said Lot 156 for a distance of 64.17 feet to a point on the north line of Lot 169, Brook Highland 6th Sector 2nd Phase as recorded in Map Book 15, Page 50, in the Office of the Judge of Probate, Shelby County, Alabama; thence turn an angle to the right of  $117^{\circ}$



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12' 56" and run in a southwesterly direction for a distance of 265.84 feet along the north line of Lots 169, 227 and 228 of said Brook Highland 6th Sector 2nd Phase; thence turn an angle to the right of 12° 45' 02" and run in a southwesterly direction for a distance of 335.19 feet along the north line of Lots 228, 229, 230 and 231 of said Brook Highland 6th Sector 2nd Phase; thence turn an angle to the right of 12° 15' 11" and run in a westerly direction for a distance of 145.07 feet along the north line of Lots 231 and 232 of said Brook Highland 6th Sector 2nd Phase; thence turn an angle to the left of 13° 40' 16" and run in a southwesterly direction for a distance of 181.22 feet along the north line of Lots 233 and 234 of said Brook Highland 6th Sector 2nd Phase; thence turn an angle to the right of 12° 52' 38" and run in a westerly direction for a distance of 292.99 feet along the north line of Lots 234, 235 and 236 of said Brook Highland 6th Sector 2nd Phase; thence turn an angle to the right of 33° 37' 32" and run in a northwesterly direction along the northeast line of Lot 142 of said Brook Highland 5th Sector for a distance of 225.00 feet to the northernmost corner of said Lot 142 and a point that is located on the south right of way line of Brook Highland Drive; thence turn an angle to the right of 95° 44' 11" to the chord of a curve to the right in said south line of said right of way, said curve having a radius of 788.51 feet and a central angle of 11° 28' 22"; thence run in a northeasterly direction along the arc of said curve for a distance of 157.89 feet to the end of said curve; thence run tangent to said curve along said south right of way line of Brook Highland Drive for a distance of 198.00 feet to the westernmost corner of Lot 145 of said Brook Highland 5th Sector; thence turn an angle to the right of 90° 00' 00" and run in a southeasterly direction along the southwest line of said Lot 145 for a distance of 163.42 feet to the southernmost corner of said Lot 145; thence turn an angle to the left of 91° 42' 08" and run in a northeasterly direction along the southeast line of said Lot 145 for a distance of 115.05 feet; thence turn an angle to the right of 9° 14' 14" and run in a northeasterly direction along the south line of Lot 146, Brook Highland 5th Sector for a distance of 25.56 feet to the point of beginning. Said parcel contains 12.1 acres more or less.

## **EXHIBIT B**

### **PERMITTED EXCEPTIONS**

1. Ad valorem taxes for the year 1992.
2. Building setback lines as shown by plats referred to in Exhibit A.
3. Public utility easements as shown by recorded plats referred to in Exhibit A.
4. Declaration of Protective Covenants for the "Watershed Property," which provides, among other things, for an Association to be formed to assess and maintain the Watershed Maintenance Areas, etc. of the development; all of said covenants, restrictions and conditions being set out in instrument recorded in Real 194 page 54 in Probate Office of Shelby County, Alabama (the "Probate Office").
5. Declaration of Protective Covenants, Agreements, Easements, Charges and Liens for Brook Highland, as set out in instrument recorded in Real 194 page 254 in Probate Office, along with Articles of Incorporation as recorded in Real 194 page 281 and By-Laws recorded in and Real 194 page 287-A in Probate Office. Along with Supplemental Covenants as recorded in Real 228 page 882; Real 228 page 886, Real 353 page 969, Real 255 page 131, Real 263 page 604, Map Book 12 page 62 A & B, Map Book 12 page 63, Map Book 12 page 64 A & B, Map Book 13 page 12 A & B, Map Book 13 page 36 A & B, Map Book 15 page 50 A & B, and Map Book 13 page 99 A & B in said Probate Office.
6. A non-exclusive easement and agreement between Eddleman and Associates and The Water Works and Sewer Board of the City of Birmingham dated July 11, 1988, and recorded in Real 194 page 20 and Real 194 page 43 in Probate Office and as shown by plats referred to in Exhibit A.
7. Easement and Agreements between AmSouth Bank, N.A., as Ancillary Trustee for NCNB National Bank of North Carolina, as Trustee for the Public Employees Retirement System of Ohio and The Water Works and Sewer Board of the City of Birmingham, as set out in instrument recorded in Real 194 page 1 and Real 194 page 40 in Probate Office.
8. Drainage Agreement between AmSouth Bank, N.A., as Ancillary Trustee for NCNB National Bank of North Carolina, as Trustee of the Public Employees Retirement system of Ohio and

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Eddleman and Associates as set in Real 125 page 238 dated April 14, 1987 in Probate Office.

9. Reciprocal Easement Agreement between AmSouth Bank, N.A., as Ancillary Trustee for NNCB National Bank of North Carolina as Trustee for the Public Employees Retirement System of Ohio and Eddleman and Associates, as set out in instrument dated April 14, 1987 and recorded in Real 125 page 249 and Real 199 page 18 in Probate Office and as shown by plats referred to in Exhibit A.
10. Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto, including rights set out in Deed Book 32 page 48 and Deed Book 127 page 140 in Probate Office.
11. Restrictive covenants with regard to underground transmission installation by Alabama Power Company as recorded in Real 181 page 995 in the Probate Office.
12. Covenants releasing predecessors in title from any liability arising from sinkholes, limestone formations, soil conditions or any other known or unknown surface or subsurface conditions that may now or hereafter exist or occur or cause damage to subject property, as shown by survey of said subdivision, recorded in Map Book 12 page 62 A & B, Map Book 12 page 63, Map Book 12 page 64 A & B, Map Book 13 page 12 A & B, Map Book 13 page 36 A & B, Map Book 15 page 50 A & B and Map Book 13 page 99 A & B, in Probate Office.
13. Subdivision restrictions shown on recorded plat in Map Book 12 page 62 A & B, Map Book 12 page 63, Map Book 12 page 64 A & B, Map Book 13 page 12 A & B, Map Book 13 page 36 A & B, Map Book 15 page 50 A & B and Map Book 13 page 99 A & B in said Probate Office, for construction of single family residences only.
14. Easement(s) to Birmingham Water Works & Sewer Board as shown by instrument recorded in Real 252 page 210 in Probate Office and as shown by plats referred to in Exhibit A.
15. Agreement with Alabama Power Company as to underground cables recorded in Real 298 page 936 in Probate Office and as shown by plats referred to in Exhibit A.
16. Covenants with Alabama Power Company as to underground cables recorded in Real 364 page 399 in Probate Office.

STATE OF ALA. SHELBY I  
I CERTIFY THIS  
INSTRUMENT WAS FILED

91 OCT 17 AM 9:29

JUDGE OF PROBATE

1. Deed Tax	_____	No TAX
2. Mfg. Tax	_____	
3. Recording Fee	_____	22.56
4. Indexing Fee	_____	3.60
5. No Tax Fee	_____	1.60
6. Certified Fee	_____	1.60
Total	_____	27.56