

This instrument prepared by:
Mary P. Thornton
Dominick, Fletcher, Yeilding,
Wood & Lloyd, P.A.
2121 Highland Avenue South
Birmingham, Alabama 35205

Send Tax Notice to:
Greystone Ridge, Inc.
601 Beacon Parkway, West
Suite 211
Birmingham, Alabama 35209

STATUTORY WARRANTY DEED

STATE OF ALABAMA)
) **KNOW ALL MEN BY THESE PRESENTS:**
SHELBY COUNTY)

That for and in consideration of Five Million Seven Hundred Fifty Thousand Dollars (\$5,750,000.00), and other good and valuable consideration to the undersigned DANIEL OAK MOUNTAIN LIMITED PARTNERSHIP, an Alabama limited partnership ("Grantor") in hand paid by GREYSTONE RIDGE, INC. ("Grantee") the receipt and sufficiency of which is hereby acknowledged, 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 MADE A PART HEREOF

Together with all of the right, title and interest of Grantor in and to the non-exclusive easement and right-of-way set out in that certain Easement Agreement between Charles W. Daniel and Grantor recorded in Real 265, page 361 in the Probate Office of Shelby County, Alabama (the "Probate Office").

Subject to general and special taxes or assessments, fire district and library district dues and assessments for 1994 and subsequent years not yet due and payable.

As to Tracts 5A, 5B, 5D, 6 and 11 (as described in Exhibit "A" attached hereto), also subject to: (1) 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 121, page 294 and Deed Book 60, page 260 in said Probate Office; (2) Amended and Restated restrictive covenants including building setback lines and specific provisions for dense buffer along Hugh Daniel Drive, all as set out in instrument recorded in Real 265, page 96 in said Probate Office, and which said building setback lines and dense buffer are shown on survey of Paragon Engineering, Inc. dated July 14, 1994; (3) Rights of others to the use of Hugh Daniel Drive as described in instrument recorded in Deed Book 301, page 799 in said Probate Office; (4) Covenants and Agreement for Water Service as set out in an Agreement recorded in Real Book 235, page 574 as modified by Agreement recorded as Instrument #1992-20786, as further modified by Agreement recorded as Instrument #1993-20840 in said Probate Office; (5) Rights of others to use easement as set out in Easement Agreement between Grantor and Charles W. Daniel, recorded in Real 265, page 361 in said Probate Office; (6) Shelby Cable Agreement recorded in Real 350, page 545 in said Probate Office; (7) Development Agreement by and between Grantor, Greystone Residential Association, Inc., an Alabama non-profit corporation, Grantee and United States Fidelity and Guaranty Company, a Maryland corporation, dated 10/20/94, 1994 and recorded contemporaneously herewith in said Probate Office (the

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"Development Agreement"); and (8) Easement to Shelby County, Alabama recorded as Instrument #1994-21963 in said Probate Office.

As to Parcels 7 and 8 (as described in Exhibit "A" attached hereto), also subject to: (1) 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 60, page 260 in the Probate Office of Shelby County, Alabama; (2) Right(s)-of-Way(s) granted to The Water Works and Sewer Board of the City of Birmingham by instrument(s) recorded as Instrument #1993-20841 in said Probate Office (Parcel 7); (3) Amended and Restated restrictive covenants including building setback lines and specific provisions for dense buffer along Hugh Daniel Drive, all as set out in instrument recorded in Real 265, page 96 in said Probate Office, and which said building setback lines and dense buffer are shown on survey of Paragon Engineering, Inc. dated July 14, 1994; (4) Shelby Cable Agreement recorded in Real 350, page 545 in said Probate Office; (5) Rights of others to the use of Hugh Daniel Drive as described in instrument recorded in Deed Book 301, page 799 in said Probate Office; (6) Covenants and Agreements for water service as set out in an Agreement recorded in Real Book 235, page 574 as modified by Agreement recorded as Instrument #1992-20786, as further modified by Agreement recorded as Instrument #1993-20840 in said Probate Office; (7) Easement agreement between Grantor and Charles W. Daniel as recorded in instrument recorded in Real 265, page 361 in said Probate Office; (8) the Development Agreement; (9) Right(s)-of-Way(s) to 16' x 16' BellSouth Mobility, Inc. tower located in said Section 33, as shown by Real 265 page 368 and as shown by survey of Paragon Engineering, Inc. dated July 14, 1994; and (10) Easement to Shelby County, Alabama recorded as Instrument #1994-21963 in said Probate Office.

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

IN WITNESS WHEREOF, Grantor, DANIEL OAK MOUNTAIN LIMITED PARTNERSHIP, an Alabama limited partnership, by its general partner DANIEL REALTY INVESTMENT CORPORATION - OAK MOUNTAIN, an Alabama corporation, who is authorized to execute this conveyance, has hereto set its signature and seal this 15th day of July, 1994.

DANIEL OAK MOUNTAIN LIMITED PARTNERSHIP, an Alabama limited partnership

BY: DANIEL REALTY INVESTMENT CORPORATION - OAK MOUNTAIN, an Alabama corporation, Its General Partner

By: 

Its: Sr. Vice President

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned, a Notary Public, in and for said County in said State, hereby certify that Stephen R. Monk, whose name as Sr. Vice President

of Daniel Realty Investment Corporation - Oak Mountain, an Alabama corporation, the General Partner of Daniel Oak Mountain Limited Partnership, an Alabama limited partnership, 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 the conveyance, he, in his capacity as such officer and with full authority, executed the same voluntarily, for and as the act of said corporate general partner.

Given under my hand and seal, this 15 day of July, 1994.

Elizabeth D. Beek
Notary Public

[SEAL]

My commission expires:

10-3-94

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EXHIBIT A

TRACT 5-A

To locate the point of beginning commence at the southeast corner of Section 27, Township 18 South, Range 1 West, Shelby County, Alabama; thence South $89^{\circ}35'37''$ West on the South boundary of said Section 27 a distance of 961.13 feet to the point of beginning; thence South $30^{\circ}07'13''$ West a distance of 915.79 feet to a point; thence South $10^{\circ}31'03''$ West a distance of 428.55 feet to a point on the North right-of-way of Hugh Daniel Drive; thence South $68^{\circ}34'25''$ East on the North right-of-way of Hugh Daniel Drive a distance of 323.09 feet to a point, said point being the intersection of the North right-of-way of Hugh Daniel Drive and the Northwest right-of-way of Dunavant Valley Road; thence, along a curve to the right, said curve having a central angle of $19^{\circ}50'13''$ and a centerline radius of 5729.57 feet; thence North $27^{\circ}27'33''$ East a chord distance of 1399.05 feet to a point; thence North $77^{\circ}33'08''$ West a distance of 417.93 feet to a point; thence South $30^{\circ}07'13''$ West a distance of 176.20 feet to the point of beginning.

All lying and being in the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 34 and the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 27, Township 18 South, Range 1 West, Shelby County, Alabama and containing 12.000 acres.

TRACT 5-B

To locate the point of beginning commence at the Southeast corner of Section 27, Township 18 South, Range 1 West, Shelby County, Alabama; thence South $89^{\circ}35'37''$ West on the South boundary of said Section 27 a distance of 961.13 feet to a point; thence North $30^{\circ}07'13''$ East a distance of 176.20 feet to the point of beginning; thence South $77^{\circ}33'08''$ East a distance of 417.93 feet to a point, said point being on the Northwest right-of-way of Dunavant Valley Road; thence along a curve to the right, said curve having a central angle of $19^{\circ}50'13''$ and a centerline radius of 5729.57 feet; thence North $35^{\circ}05'51''$ East a chord distance of 135.82 feet to a point; thence North $64^{\circ}21'31''$ West a distance of 241.24 feet to a point; thence South $64^{\circ}58'38''$ West a distance of 296.55 feet to the point of beginning.

All lying and being in the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 27, Township 18 South, Range 1 West, Shelby County, Alabama, and containing 1.236 acres.

TRACT 5-D

To locate the point of beginning commence at the Southeast corner of Section 27, Township 18 South, Range 1 West, Shelby County, Alabama; thence South $89^{\circ}35'37''$ West on the South boundary of said Section 27 a distance of 961.13 feet to a point; thence North $30^{\circ}07'13''$ East a distance of 580.70 feet to a point; thence North $36^{\circ}49'59''$ East a distance of 196.00 feet to the point of beginning; thence South $10^{\circ}11'34''$ East a distance of 231.75 feet to a point; thence South $57^{\circ}16'23''$ East a distance of 253.90 feet to a point, said point being on the Northwest right-of-way of Dunavant Valley Road; thence North $36^{\circ}48'15''$ East on the Northwest right-of-way of Dunavant Valley Road a distance of 682.26 feet to a point; thence North $53^{\circ}09'22''$ West a distance of 422.46 feet to a point; thence South $36^{\circ}49'59''$ West a distance of 542.54 feet to the point of beginning.

All lying and being in the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 27, and the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 26, Township 18 South, Range 1 West, Shelby County, Alabama, and containing 6.436 acres.

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TRACT 6

To locate the point of beginning commence at the Southwest corner of the Northeast $\frac{1}{4}$ of Section 34, Township 18 South, Range 1 West, Shelby County, Alabama; thence South $89^{\circ}36'14''$ East on the South boundary of the Northeast $\frac{1}{4}$ of Section 34 a distance of 1124.27 feet to a point on the Northwest right-of-way of Dunavant Valley Road, County Road #41; thence North $17^{\circ}04'05''$ East on the Northwest right-of-way of said Dunavant Valley Road a distance of 1189.04 feet to the point of curve; thence Northeasterly along a curve to the right, said curve having a central angle of $19^{\circ}50'13''$ and a centerline radius of 5729.57 feet, a chord distance of 351.06 feet to a point on the Northerly right-of-way of Hugh Daniel Drive; thence North $68^{\circ}34'25''$ West on the Northerly right-of-way of Hugh Daniel Drive a distance of 323.09 feet to a point; thence North $74^{\circ}50'20''$ West on the Northerly right-of-way of Hugh Daniel Drive a distance of 100.37 feet to the point of beginning; thence North $10^{\circ}30'53''$ East a distance of 378.49 feet to a point; thence South $77^{\circ}43'44''$ West a distance of 1727.79 feet to a point; thence North $55^{\circ}44'00''$ West a distance of 407.82 feet to a point; thence South $23^{\circ}39'03''$ West a distance of 618.94 feet to a point on the Northerly right-of-way of Hugh Daniel Drive; thence South $68^{\circ}29'40''$ East on the Northerly right-of-way of Hugh Daniel Drive a distance of 409.95 feet to the point of curve; thence South $61^{\circ}08'39''$ East on the Northerly right-of-way of Hugh Daniel Drive a chord distance of 388.34 feet along a curve to the right having central angle of $14^{\circ}42'00''$ and a radius of 1517.79 feet to the point of reverse curve; thence North $79^{\circ}12'23''$ East on the Northerly right-of-way of Hugh Daniel Drive a chord distance of 212.10 feet along a curve to the left having a central angle of $94^{\circ}00'00''$ and a radius of 145.00 feet to the point of tangent; thence North $32^{\circ}12'21''$ East on the Northerly right-of-way of Hugh Daniel Drive a distance of 164.89 feet to the point of curve; thence North $53^{\circ}50'56''$ East on the Northerly right-of-way of Hugh Daniel Drive a chord distance of 398.33 feet along a curve to the right having a central angle of $43^{\circ}17'11''$ and a radius of 540.00 feet to the point of tangent; thence North $75^{\circ}29'32''$ East on the Northerly right-of-way of Hugh Daniel Drive a distance of 455.56 feet to the point of curve; thence North $69^{\circ}29'45''$ East on the Northerly right-of-way of Hugh Daniel Drive a chord distance of 61.26 feet along a curve to the left having a central angle of $11^{\circ}59'33''$ and a radius of 293.21 feet to the point of tangent; thence North $63^{\circ}29'59''$ East on the Northerly right-of-way of Hugh Daniel Drive a distance of 195.02 feet to the point of curve; thence North $80^{\circ}10'17''$ East on the Northerly right-of-way of Hugh Daniel Drive a chord distance of 195.08 feet along a curve to the right having a central angle of $33^{\circ}20'37''$ and a radius of 340.00 feet to the point of beginning.

All lying in the North $\frac{1}{2}$ of Section 34, Township 18 South, Range 1 West, Shelby County, Alabama.

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PARCEL 7

Commence at the Southwest corner of Section 34, Township 18 South, Range 1 West, Shelby County, Alabama; thence South 88°43'22" East on the South boundary of said Section 34, a distance of 2675.43 feet to a point; thence North 1°12'39" East on the east boundary of the Southwest ¼ of said Section 34 a distance of 1297.71 feet to a point; thence North 44°52'01" West a distance of 798.93 feet to a point; thence North 6°29'40" East a distance of 1590.53 feet to a point; thence North 36°12'25" East a distance of 120.00 feet to a point on the South right-of-way of Hugh Daniel Drive, said point being the P.C. of a curve to the left having a central angle of 14°42'00" and a radius of 1437.79 feet; thence Northwesterly along said curve a distance of 368.88 feet to the tangent of said curve; thence North 68°29'40" West on the South right-of-way of said Hugh Daniel Drive a distance of 409.95 feet to a curve to the left having a central angle of 67°01'19" and a radius of 240.00 feet; thence along said curve a distance of 280.74 feet to a point; thence tangent to said curve South 44°29'01" West a distance of 257.66 feet to a curve to the left having a central angle of 11°35'28" and a radius of 2275.31 feet; thence along said curve a distance of 460.30 feet to a point; thence tangent to said curve South 32°53'33" West a distance of 298.21 feet to a curve to the right having a central angle of 25°21'02" and a radius of 840.00 feet to a point; thence along said curve a distance of 371.66 feet to a point; thence tangent to said curve South 58°14'36" West a distance of 185.11 feet to a curve to the left having a central angle of 10°11'44" and a radius of 960.00 feet; thence along said curve a distance of 170.83 feet to a point; thence tangent to said curve South 48°02'51" West a distance of 141.57 feet to a curve to the right having a central angle of 06°57'27" and a radius of 862.51 feet; thence along said curve a distance of 104.73 feet to a point; thence tangent to said curve South 55°00'18" West a distance of 374.53 feet to a point; thence South 34°59'42" East a distance of 10.00 feet to a point on a curve to the right having a central angle of 14°17'16" and a radius of 847.86 feet; thence along said curve a distance of 211.43 feet to a point; thence tangent to said curve South 69°17'34" West a distance of 59.49 feet to a curve to the right having a central angle of 129°04'25" and a radius of 264.29 feet; thence along said curve a distance of 595.37 feet to a point; thence tangent to said curve North 18°21'59" East a distance of 274.66 feet to a curve to the right having a central angle of 03°28'23" and a radius of 1050.00 feet; thence along said curve a distance of 63.65 feet to a point, said point being on a curve to the left having a central angle of 40°43'07" and a radius of 236.22 feet; thence along said curve and leaving said Hugh Daniel Drive a distance of 167.88 feet to a point; thence South 60°05'29" East a distance of 81.19 feet to a point; thence South 30°17'01" West a distance of 269.86 feet to a point; thence North 59°56'13" West a distance of 168.34 feet to a point; thence North 30°06'13" East a distance of 103.47 feet to a point; thence South 73°56'54" West a distance of 163.51 feet to a point; thence South 36°30'36" West a distance of 700.31 feet to a point; thence South 33°39'46" West a distance of 2223.21 feet to a point on the South boundary of Section 33, Township 18 South, Range 1 West; thence South 88°48'29" East on the South boundary of said Section 33 a distance of 2853.61 feet to the point of beginning.

All lying and being in Section 33 and Section 34, Township 18 South, Range 1 West, Shelby County, Alabama and containing 285.68 acres.

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PARCEL 8

To locate the point of beginning commence at the Southwest corner of Section 34, Township 18 South, Range 1 West, Shelby County, Alabama; thence North $01^{\circ}25'28''$ East on the West boundary of said Section 34 a distance of 3312.17 feet to the point of beginning, said point of beginning being on the Southwest boundary of Lot 42 of The Crest at Greystone a subdivision which is recorded in Map Book 18, Page 17 in the Office of the Judge of Probate of Shelby County, Alabama; thence run Southeasterly on the Southwest boundary of said Lot 42 to a point; thence run Northeasterly on the East boundary of Lots 20-30 and 32-42 to the Northeast corner of said subdivision; thence with an interior angle of $08^{\circ}16'03''$ to the left run South $34^{\circ}16'37''$ West a distance of 3626.13 feet to a point; thence South $55^{\circ}44'00''$ East a distance of 464.32 feet to a point; thence South $23^{\circ}39'03''$ West a distance of 618.94 feet to a point on the North right-of-way of Hugh Daniel Drive, said point being on a curve to the left having a central angle of $67^{\circ}01'19''$ and a radius of 320.00 feet; thence along said curve a distance of 374.32 feet to a point; thence tangent to said curve South $44^{\circ}29'01''$ West a distance of 257.66 feet to a curve to the left having a central angle of $11^{\circ}35'28''$ and a radius of 2355.31 feet; thence along said curve a distance of 476.49 feet to a point; thence tangent to said curve South $32^{\circ}53'33''$ West a distance of 298.21 feet to a curve to the right having a central angle of $25^{\circ}21'02''$ and a radius of 760.00 feet; thence along said curve a distance of 336.26 feet to a point; thence tangent to said curve South $58^{\circ}14'36''$ West a distance of 185.11 feet to a curve to the left having a central angle of $10^{\circ}11'44''$ and a radius of 1040.00 feet; thence along said curve a distance of 185.07 feet to a point; thence tangent to said curve South $48^{\circ}02'51''$ West a distance of 141.57 feet to a curve to the right having a central angle of $06^{\circ}57'27''$ and a radius of 782.51 feet; thence along said curve a distance of 95.02 feet to a point; thence tangent to said curve South $55^{\circ}00'18''$ West a distance of 374.53 feet to a point; thence North $34^{\circ}59'42''$ West a distance of 10.00 feet to a curve to the right having a central angle of $14^{\circ}17'16''$ and a radius of 747.86 feet; thence along said curve a distance of 186.49 feet to a point; thence tangent to said curve South $69^{\circ}17'34''$ West a distance of 59.49 feet to a curve to the right having a central angle of $129^{\circ}04'25''$ and a radius of 164.29 feet; thence along said curve a distance of 370.09 feet to a point; thence North $18^{\circ}21'59''$ East on the East right-of-way of said Hugh Daniel Drive a distance of 67.94 feet to the South boundary of said The Crest at Greystone; thence run Northeasterly on the East boundary of said The Crest at Greystone to the a point on the South boundary of Lot 43 of said The Crest at Greystone; thence Southeasterly along the boundary of said Lot 43 to a point; thence Northeasterly along the boundary of said Lot 43 to a point; thence Northwesterly along the boundary of said Lot 43 to a point; thence Northeasterly to a point on the Southwest boundary of Lot 42 to a point; thence Southeasterly along the Southwest boundary of Lot 42 to the point of beginning.

Less and except the following:

BellSouth Mobility, Inc., Schedule B-Section II (File No. 43193) Tower Easement

To find the point of beginning, commence at the Southwest corner of the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 33; thence running along said section line North $00^{\circ}51'35''$ West a distance of 583.80 feet to a point; thence leaving said section line and running North $89^{\circ}08'25''$ East a distance of 5237.52 feet to a point and the point of beginning; thence running South $47^{\circ}00'00''$ East a distance of 8.00 feet to an iron pin set; thence running South $43^{\circ}00'00''$ West a distance of 16.00 feet to an iron pin set; thence running North $47^{\circ}00'00''$ West a distance of 16.00 feet to an iron pin set; thence running North $43^{\circ}00'00''$ East a distance of 16.00 feet to an iron pin set; thence running South $47^{\circ}00'00''$ East a distance of 8.00 feet to a point and the point of beginning, said tract being a 16' X 16' foot Tower Easement for BellSouth Mobility, Inc., containing 0.256 square feet, 0.006 acre.

All lying and being in Section 27, Section 33, and Section 34, Township 18 South, Range 1 West, Shelby County, Alabama, and containing 64.82 acres.



TRACT 11

For the point of beginning commence at the Northeast corner of the Southwest $\frac{1}{4}$ of Section 34, Township 18 South, Range 1 West, Shelby County, Alabama; thence South $1^{\circ}12'39''$ West on the East boundary of said Southwest $\frac{1}{4}$ a distance of 1372.77 feet to a point; thence North $44^{\circ}52'01''$ West a distance of 798.93 feet to a point; thence North $6^{\circ}29'40''$ East a distance of 1590.53 feet to a point; thence North $36^{\circ}12'25''$ East a distance of 120.00 feet to a point on the South right-of-way of Hugh Daniel Drive, said point being the end of a curve to the left, said curve having a central angle of $94^{\circ}00'04''$ and a radius of 225.00 feet; thence North $79^{\circ}22'23''$ East a chord distance of 329.11 feet to the point of tangent; thence North $32^{\circ}12'21''$ East on the Southeast right-of-way of Hugh Daniel Drive a distance of 164.89 feet to a curve to the right, said curve having a central angle of $43^{\circ}17'11''$ and a radius of 460.00 feet; thence North $53^{\circ}50'56''$ East a chord distance of 339.32 feet to the point of tangent; thence North $75^{\circ}29'32''$ East on the Southeast right-of-way of said Hugh Daniel Drive a distance of 455.56 feet to a curve to the left, said curve having a central angle of $11^{\circ}59'33''$ and a radius of 373.21 feet; thence North $69^{\circ}29'45''$ East a chord distance of 77.97 feet to the point of tangent; thence North $63^{\circ}29'59''$ East on the Southeast right-of-way of said Hugh Daniel Drive a distance of 195.02 feet to a curve to the right, said curve having central angle of $47^{\circ}55'36''$ and a radius of 260.00 feet; thence North $87^{\circ}27'47''$ East a chord distance of 211.20 feet to the point of tangent; thence South $68^{\circ}34'25''$ East on the South right-of-way of said Hugh Daniel Drive a distance of 339.12 feet to the intersection of the South right-of-way of Hugh Daniel Drive and the Northwest right-of-way of Dunavant Valley Road; thence along a curve to the left having a central angle of $2^{\circ}41'32''$ and a centerline radius of 5729.57 feet; thence South $18^{\circ}21'17''$ West a chord distance of 271.06 feet to the point of tangent; thence South $17^{\circ}04'05''$ West on the Northwest right-of-way of Dunavant Valley Road a distance of 1189.04 feet to a point on the South boundary of the Northeast $\frac{1}{4}$ of said Section 34; thence North $89^{\circ}36'14''$ West on the South boundary of said Northeast $\frac{1}{4}$ a distance of 1124.27 feet to the point of beginning.

All lying and being in the East $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ and the Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ and the Northeast $\frac{1}{4}$ of Section 34, Township 18 South, Range 1 West, Shelby County, Alabama.

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