

This Instrument was prepared by:  
Thomas J. Thornton  
1119 Willow Run Road  
Birmingham, Alabama 35209

Send Tax Notice to:  
Weatherly Investment Group  
1119 Willow Run Road  
Birmingham, Alabama 35209

WARRANTY DEED

STATE OF ALABAMA  
SHELBY COUNTY

11/23/1994-34903  
03:45 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
16.50

KNOW ALL MEN BY THESE PRESENTS, that in consideration of Ten and 00/100 Dollars (\$10.00) and other good and valuable consideration, in hand paid by Weatherly Investment Group, L.L.C., (GRANTEE) receipt of which is hereby acknowledged, Weatherly Joint Venture, L.L.C., (GRANTOR) does grant, bargain, sell and convey unto the GRANTEE, the following described real estate situated, lying and being in the County of Shelby, State of Alabama, and being more particularly described as follows:

Parcel 1

Lots 1 through 41 and Lots 87 through 92, less and except Lots 4, 16, 29, 39 and 91, according to the Survey of Weatherly, Glen Abbey, Sector 12, as recorded in Map Book 18, Page 128, in the Probate Office of Shelby County, Alabama.

Parcel 2

Part of the W 1/2 of the NW 1/4 of Section 31, and part of the SW 1/4 of the SW 1/4 of Section 30, all in Township 20 South, Range 2 West, Shelby County, Alabama, being more particularly described as follows:

From the SW corner of the NW 1/4 of said Section 31, run in an easterly direction along the south line of said 1/4 section for a distance of 325.11 feet to the point of beginning; thence turn an angle to the left of 91 degrees 27 minutes 04 seconds and run in a northerly direction for a distance of 2335.93 feet to an existing iron pin; thence turn an angle to the right of 0 degrees 20 minutes 29 seconds and run in a northerly direction for a distance of 67.46 feet to a point of curve, said curve being concave in a southeasterly direction and having a central angle of 87 degrees 35 minutes 02 seconds and a radius of 15.0 feet; thence turn an angle to the right and run along the arc of said curve for a distance of 22.93 feet to a point of reverse curve, said new curve being concave in a northerly direction and having a central angle of 23 degrees 23 minutes 45 seconds and a radius of 340.81 feet; thence turn an angle to the left and run along the arc of said curve for a distance of 139.17 feet to the point of ending of said curve; thence continue in a northeasterly direction along a line tangent to the end of said curve and being the south right-of-way line of Glen Abbey Lane for a distance of 24.92 feet to a point of curve, said newest curve being concave in a southwesterly direction and having a central angle of 105 degrees 15 minutes 35 seconds and a radius of 25.0 feet; thence turn an angle to the right and run along the arc of said curve for a distance of 45.93 feet to the point of ending of said curve and being at the south end of Weatherly Club Drive; thence turn an angle to the left and run in a northeasterly direction along the end of said Weatherly Club Drive as shown on the recorded plat of Weatherly Glen Abbey Sector 12 for a distance of 100.0 feet; thence turn an angle to the left of 90 degrees and run in a northwesterly direction along the easterly right-of-way line of said Weatherly Club Drive for a distance of 163.22 feet; thence turn an angle to the right of 100 degrees 12 minutes 50 seconds and run in an easterly direction for a distance of 33.41 feet; thence turn an angle to the right of 89 degrees 58 minutes 36 seconds and run in a southerly direction for a distance of 2630.0 feet; thence turn an angle to the right of 91 degrees 28 minutes 17 seconds and run in a westerly direction for a distance of

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310.86 feet, more or less, to the point of beginning.

Parcel 3

Part of the NE 1/4 of the NE 1/4 of Section 36, Township 20 South, Range 3 West, Shelby County, Alabama, and also part of the west 1/2 of the NW 1/4 of Section 31, Township 20 South, Range 2 West, Shelby County, Alabama, all being more particularly described as follows:

Beginning at the SE corner of the NE 1/4 of the NE 1/4 of said Section 36, run in a westerly direction along the south line of said 1/4-1/4 section for a distance of 443.30 feet to an existing iron pin being on the east right-of-way line of I-65 Highway; thence turn an angle to the right of 113 degrees 33 minutes 08 seconds and run in a northeasterly direction along said east right-of-way line of I-65 Highway for a distance of 23.98 feet; thence turn an angle to the left of 26 degrees 32 minutes 18 seconds and run in a northerly direction along the east right-of-way line of said I-65 Highway for a distance of 294.91 feet to an existing iron pin; thence turn an angle to the right of 90 degrees 36 minutes 13 seconds and run in an easterly direction for a distance of 580.54 feet to a point on the west right-of-way line of Glen Abbey Way; thence turn an angle to the right of 90 degrees and run in a southerly direction along said west right-of-way line of Glen Abbey Way for a distance of 58.45 feet; thence turn an angle to the left of 90 degrees and run in an easterly direction for a distance of 180.0 feet to an existing iron pin being the southeast corner of Lot 87, Weatherly Glen Abbey-Sector 12; thence turn an angle to the right of 90 degrees and run in a southerly direction for a distance of 1628.73 feet, more or less, to an existing iron pin, thence turn an angle to the right of 91 degrees 27 minutes 04 seconds and run in a westerly direction for a distance of 325.11 feet to an existing iron pin; thence turn an angle to the right of 88 degrees 32 minutes 56 seconds and run in a northerly direction for a distance of 1344.06 feet, more or less, to the point of beginning.

Parcel 4

Part of the SE 1/4 of the SE 1/4 of Section 25, Township 20 South, Range 3 West and part of the NE 1/4 of the NE 1/4 of Section 36, Township 20 South, Range 3 West, and part of the SW 1/4 of the SW 1/4 of Section 30, Township 20 South, Range 2 West, and part of the NW 1/4 of the NW 1/4 of Section 31, Township 20 South, Range 2 West, all in Shelby County, Alabama, being more particularly described as follows:

From a point of intersection of the southeast right-of-way line of Shelby County Highway #11 with the east right-of-way line of I-65 Highway run in a northeasterly direction along said southeast right-of-way line of Shelby County Highway #11 for a distance of 60.0 feet to an existing iron pin being the point of beginning; thence continue in a northeasterly direction along said southeast right-of-way line of Shelby County Highway #11 for a distance of 40.0 feet to an existing iron pin; thence turn an angle to the right of 39 degrees 50 minutes 43 seconds and run in an easterly direction for a distance of 80.34 feet to an existing iron pin; thence turn an angle to the left of 45 degrees 22 minutes 16 seconds and run in a northeasterly direction along said southeast right-of-way of Shelby County Highway #11 for a distance of 364.72 feet; thence turn an angle to the left of 18 degrees 34 minutes 03 seconds and run in a northeasterly direction for a distance of 109.61 feet; thence turn an angle to the right of 24 degrees 02 minutes 49 seconds and run in a northeasterly direction along said southeast right-of-way line of Shelby County Highway #11 for a distance of 246.18 feet; thence turn an angle to the right of 89 degrees 04 minutes 33 seconds and run in a southeasterly direction for a distance of 662.14 feet; thence turn an angle to the right of 39 degrees 36 minutes 53 seconds and run in a southerly direction for a distance of

435.0 feet; thence turn an angle to the right of 90 degrees 01 minute 24 seconds and run in a westerly direction for a distance of 1080.22 feet to an existing iron pin being on the east right-of-way line of I-65 Highway; thence turn an angle to the right of 89 degrees 23 minutes 37 seconds and run in a northerly direction along said east right-of-way line of I-65 Highway for a distance of 302.67 feet to an existing iron pin; thence turn an angle to the right of 51 degrees 56 minutes 31 seconds and run in a northeasterly direction for a distance of 60.0 feet; thence turn an angle to the left of 51 degrees 56 minutes 31 seconds and run in a northerly direction for a distance of 76.21 feet, more or less, to the point of beginning.

Less and except any portion lying in a road right-of-way.

Minerals and mining rights excepted, together with privileges and immunities relating thereto, together with any release of liability for injury or damage to persons or property as a result of the exercise of such rights as recorded in Instrument #1994-24487 in the Probate Office of Shelby County, Alabama.

Subject to:

1. Taxes for the year 1995 and subsequent years.
2. Setback lines, easements and restrictions as shown on the record map.
3. Restrictive Covenants as recorded in Instrument #1994-25694 in the Probate Office of Shelby County, Alabama.
4. Right of Way granted to Alabama Power Company by instrument(s) recorded in Book 127, Page 410; and Book 194, Page 30 in the Probate Office of Shelby County, Alabama.
5. Agreement for ingress and egress, as set forth in Book 289, Page 858 in the Probate Office of Shelby County, Alabama.
6. That certain mortgage given by Weatherly Investment Group, L.L.C. to First Alabama Bank, recorded as Instrument #1994-09576, in the Probate Office of Shelby County, Alabama.

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

And the said GRANTOR does for itself and for its successors and assigns, covenant with the said GRANTEE, its successors and assigns, that it is lawfully seized in fee simple of said Premises, and that it has a good right to grant and convey the aforesaid property.

IN WITNESS WHEREOF, the Managing Members of the Grantor, in their capacity as such Managing Members, and with full authority to do so, have hereunto set their hands and seals, this 22<sup>ND</sup> day of NOVEMBER, 1994.

WEATHERLY JOINT VENTURE, L.L.C.

By: Thomas J. Thornton (SEAL)  
Thomas J. Thornton, Managing Member

By: Jack H. Harrison (SEAL)  
Jack H. Harrison, Managing Member

STATE OF ALABAMA  
COUNTY OF JEFFERSON

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Thomas J. Thornton, Managing Member of Weatherly Joint Venture L.L.C., whose name 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 foregoing conveyance, he, in his capacity as such Managing Member and with full authority to do so, executed the same voluntarily on the day the same bears date.

Given under my hand and seal this 22<sup>nd</sup> day of November, 1994.

Marie E. Gidson  
Notary Public

My Commission expires

NOTARY PUBLIC STATE OF ALABAMA AT LARGE  
MY COMMISSION EXPIRES: July 8, 1997.  
BONDED THRU NOTARY PUBLIC UNDERWRITERS.

STATE OF ALABAMA  
COUNTY OF JEFFERSON

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Jack H. Harrison, Managing Member of Weatherly Joint Venture L.L.C., whose name 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 foregoing conveyance, he, in his capacity as such Managing Member and with full authority to do so, executed the same voluntarily on the day the same bears date.

Given under my hand and seal this 22<sup>nd</sup> day of November, 1994.

Marie E. Gidson  
Notary Public

My Commission expires

NOTARY PUBLIC STATE OF ALABAMA AT LARGE  
MY COMMISSION EXPIRES: July 8, 1997.  
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