

THIS INSTRUMENT PREPARED BY:

SEND TAX BILL TO:

Bradley G. Siegal
Leitman, Siegal, Payne & Campbell, P.C.
600 North 20th Street, Suite 400
Birmingham, Alabama 35203

Odyssey Child Development, Inc.
1880 DeoDore Drive
Birmingham, Alabama 35226

SPECIAL LIMITED WARRANTY DEED

STATE OF ALABAMA)

SHELBY COUNTY)

KNOW ALL MEN BY THESE PRESENTS, That for and in consideration of the sum of Ten and No/100 Dollars (\$10.00), in hand paid and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, COLONIAL REALTY LIMITED PARTNERSHIP a Delaware limited partnership ("Grantor"), has bargained and sold and by these presents does transfer and convey unto ODYSSEY CHILD DEVELOPMENT, INC., an Alabama corporation ("Grantee"), Grantee's successors and assigns, that certain tract or parcel of land in Shelby County, State of Alabama described as:

Lot 2-B, according to a Resurvey of Lot 2, Heatherbrooke Office Park, recorded in Map Book 12, Page 36, in the Probate Office of Shelby County, Alabama.

The above referenced property is referred to herein as the "Property".

This conveyance of the Property and the covenants and warranties contained herein are made expressly subject to the matters set forth on Exhibit "A" which is attached hereto and incorporated herein by reference as well as to all taxes for the year 1995 and subsequent years not yet due and payable.

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

This is a special limited warranty deed. Grantor's only warranties hereunder are that this deed is executed and delivered with full authority of Grantor; that Grantor warrants that it has done nothing to adversely affect title since title was placed in its name, and that the Property is free from all encumbrances made or suffered by Grantor except to the extent otherwise set forth herein. No other warranties, express, implied or created by statute are included in this deed.

IN WITNESS WHEREOF, the said Grantor, by its general partner who is duly authorized to execute this conveyance, hereto sets its signature and seal this the 30th day of November, 1994.

COLONIAL REALTY LIMITED PARTNERSHIP

By: Colonial Properties Holding Company, Inc.
Its: General Partner

By:

Its:

Carl A. McHale
Vice President

bgs\cpl\heatherb\lot2B\warranty\ded 11/29/94

12/09/1994-36216
11:38 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 MCD 14.50

Inst # 1994-36216

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that Charles A. McGhee, whose name as Senior Vice President of Colonial Properties Holding Company, Inc., an Alabama corporation, as general partner of Colonial Realty 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 thereof, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation, in its capacity as general partner as aforesaid.

Given under my hand and official seal this 5th day of ^{December}~~November~~, 1994.

Mary Beth O'Heere
Notary Public
My Commission Expires: 1/22/96

EXHIBIT "A"

1. Taxes and assessments for the year 1994, and subsequent years, which are not yet due and payable. Tax information has been based on the present assessment roles, but is subject to any future adjustments that may be made by either the Tax Assessor or the Board of Equalization of Shelby County, Alabama.
2. 10 foot Sanitary Sewer and Drainage Easement on East as shown by recorded Map.
3. Restrictions as shown by recorded Map.
4. Right of Way granted to Alabama Power Company by instrument recorded in Real 302, Page 379, in the Probate Office of Shelby County, Alabama.
5. Declaration of Protective Covenants as recorded in Real 352, Page 170, in the Probate Office of Shelby County, Alabama.
6. Right of Way granted to Alabama Power Company by instrument recorded in Volume 97, Page 566; Volume 285, Page 93; Volume 109, Page 289 and Volume 182, Page 51, in the Probate Office of Shelby County, Alabama.
7. Right of Way granted to Alabama Power Company by instrument recorded in Real 323, Page 694, in the Probate Office of Shelby County, Alabama.
8. All other easements, covenants and restrictions of record.

Inst # 1994-36216

12/09/1994-36216
11:38 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 MCD 14.50