

STATE OF ALABAMA)
SHELBY COUNTY)

STATUTORY WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That for and in consideration of SIX HUNDRED THOUSAND DOLLARS AND NO/100 (\$600,000.00) to the undersigned GRANTOR in hand paid by the GRANTEEES herein, the receipt whereof is acknowledged, EES JOINT VENTURE, an Alabama General Partnership (GRANTOR) does grant, bargain, sell and convey unto Mountainprize, Inc., a Georgia Corporation (GRANTEE), the following described real estate situated in SHELBY COUNTY, ALABAMA to-wit:

Lot 3-A, according to the Survey of Southpark, being a resurvey of Lot 1 of Sunlink Subdivision, as recorded in Map Book 20 page 100 in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

Mineral and mining rights excepted.


Subject to:

1. Taxes for the year 1996 which constitute a lien, but are not due and payable until October 1, 1996, which Grantor will pay.
2. Building setback line and public easements as shown by recorded plat.
3. Transmission Line Permit(s) to Alabama Power Company as Shown by instrument(s) recorded in Deed 101 page 523; Deed 139 page 157; Deed 219 page 586; Deed 251 page 886; Deed 292 page 356 and Deed 319 page 40 in Probate Office.
4. Right(s)-of-Way(s) granted to Alabama Power Company by instrument(s) recorded in Real 358 page 836 in Probate Office.
5. 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 127 page 140 in Probate Office.
6. Easement(s) to Harbert Equitable Joint Venture as shown by instrument recorded in Real 267 page 420 in Probate Office.
7. Agreement between Harbert Equitable Joint Venture and EES Joint Venture, dated February 15, 1990 and recorded as Inst. #1996-00744, with stipulations, conditions and covenants contained therein.

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

IN WITNESS WHEREOF, the said GRANTOR has caused this conveyance to be executed this the 19th day of February, 1996.

EES JOINT VENTURE, an
Alabama General Partnership
By: EES DEVELOPMENT CORPORATION,
An Alabama Corporation
Its Managing General Partner

By: 
Marc A. Eason,
ITS PRESIDENT

Inst # 1996-05588

02/21/1996-05588
12:10 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 MCD 611.00

Inst # 1996-05588

Carabaz e Title

EES JOINT VENTURE, an
Alabama General Partnership
By: PARTNERS IN PROGRESS VI,
an Alabama Partnership
Its Managing General Partner

By: 
J. BROOKE JOHNSTON, JR.
ITS GENERAL PARTNER

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned, a Notary Public, in and for said County in said State, hereby certify that MARC A. EASON, whose name as President of EES DEVELOPMENT CORPORATION, acting in its capacity as Managing General Partner of EES JOINT VENTURE, an Alabama General 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 said conveyance, he, as such officer, and with full authority, executed the same voluntarily for and as the act of said Corporation in its capacity as Managing General Partner of said Alabama General Partnership.

Given under my hand and official seal of office this 20 day of February, 1996.


Notary Public
Print Name: THOMAS S. LOONEY
My Commission Expires: 6-10-98

STATE OF ALABAMA
JEFFERSON COUNTY

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that J. BROOKE JOHNSTON, JR. whose name as MANAGING GENERAL PARTNER of PARTNERS IN PROGRESS VI, an Alabama Partnership acting in its capacity as Managing General Partner of EES JOINT VENTURE, an Alabama General 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 this conveyance, he as such officer with full authority, executed the same voluntarily on the day the same bears date for and as the act of said Partnership in its capacity as Managing General Partner of said Alabama General Partnership..

Given under my hand and official seal of office this the 19th day of February, 1996.


Notary Public
Print Name: GENE W. GRAY, JR.
My Commission Expires: 11/09/98

PREPARED BY:
GENE W. GRAY, JR.
2100 SOUTHERIDGE PARKWAY,
SUITE 650
BIRMINGHAM, AL 35209

SEND TAX NOTICE TO:
Mountainprize, Inc.
P.O. Box 105806
Atlanta, Georgia 30348-0806
Inst # 1996-05588

02/21/1996-05588
12:10 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 MCD 611.00