

THIS INSTRUMENT WAS PREPARED BY:
Richard W. Theibert, Attorney
NAJJAR DENABURG, P.C.
2125 Morris Avenue
Birmingham, Alabama 35203

SEND TAX NOTICE TO:
Hearthstone Properties, L.L.C.
3529 7th Avenue South
Birmingham, AL 35222

PARTNERSHIP DEED

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

That in consideration of Five Hundred Seventy-Five Thousand Seven Hundred Fifty and No/100, (\$575,750.00) DOLLARS, in hand paid to the undersigned, Shoal Creek Association, an Alabama General Partnership, (hereinafter referred to as "GRANTOR"), by Hearthstone Properties, L.L.C., a Limited Liability Company, (hereinafter referred to as "GRANTEE"), the receipt of which is hereby acknowledged, the said GRANTOR does by these presents, grant, bargain, sell and convey unto GRANTEE the following described real estate, located and situated in Shelby County, Alabama, to wit:

A parcel of land situated in part in the East 1/2 of the SE 1/4 of Section 4, all of the NW 1/4 of the SE 1/4 of Section 3, and all of the SW 1/4 of Section 3 excepting the Right of Way of Highway No. 25, all being in Township 18 South, Range 1 East, described as follows:

Beginning at the SW corner of Section 3 go South 87 degrees 41 minutes 21 seconds East along the South boundary of said Section for 2646.64 feet to the SE corner of the SW 1/4 of said Section 3; thence North 00 degrees 45 minutes 30 seconds East for 1320.46 feet to the SW corner of the NW 1/4 of the SE 1/4 of said Section 3; thence South 87 degrees 51 minutes 31 seconds East for 1325.43 feet to the SE corner of the NW 1/4 of the SE 1/4 of said Section 3; thence North 00 degrees 51 minutes 15 seconds East for 1324.32 feet to the NE corner of the NW 1/4 of the SE 1/4 of said Section 3; thence North 87 degrees 58 minutes 15 seconds West along the North boundaries of the NW 1/4 of the SE 1/4, the NE 1/4 of the SW 1/4, the NW 1/4 of the SW 1/4 for 3984.82 feet to the NW corner of the SW 1/4 of said Section 3; thence North 87 degrees 58 minutes 12 seconds West along the North boundary of the NE 1/4 of the SE 1/4 of said Section 4 for 376.10 feet to the centerline of Shoal Creek; thence sixteen courses (16) along the centerline as follows: go South 58 degrees 04 minutes 53 seconds West for 22.24 feet; thence South 18 degrees 10 minutes 44 seconds West for 213.38 feet; thence South 55 degrees 02 minutes 55 seconds West for 72.89 feet; thence South 14 degrees 41 minutes 15 seconds West for 49.90 feet; thence South 78 degrees 10 minutes 48 seconds West for 122.29 feet; thence South 68 degrees 27 minutes 45 seconds West for 151.35 feet; thence South 55 degrees 09 minutes 53 seconds West for 56.39 feet; thence South 63 degrees 02 minutes 53 seconds West for 329.70 feet; thence South 10 degrees 13 minutes 24 seconds East for 47.95 feet; thence South 57 degrees 55 minutes 09 seconds East for 215.87 feet; thence South 29 degrees 03 minutes 47 seconds East for 136.75 feet; thence South 7 degrees 30 minutes 27 seconds West for 58.88 feet; thence South 35 degrees 56 minutes 27 seconds West for 330.93 feet; thence South 10 degrees 23 minutes 52 seconds West for 133.49 feet; thence South 3 degrees 02 minutes 04 seconds West for 277.46 feet; thence South 37 degrees 58 minutes 22 seconds West for 327.06 feet to the Northerly boundary of Highway 25; thence South 55 degrees 58 minutes 50 seconds East along said boundary for 233.57 feet; thence South 70 degrees 36 minutes 24 seconds East along said boundary for 485.94 feet; thence South 89 degrees 42 minutes 55 seconds East along said boundary for 156.83 feet; thence South 43 degrees 38 minutes 59 seconds East for 703.76 feet to the point of beginning.

\$325,000.00 of the purchase price recited above was paid from the proceeds of a purchase money mortgage executed simultaneously with delivery of this deed.

SUBJECT TO:

1. Ad valorem taxes for the year, 1996.
2. Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges, immunities relating thereto as to the SW 1/4, and the NW 1/4 of the SE 1/4 of Section 3, Township 18 South, Range 1 East.

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3. Right of Way granted to Alabama Power Company by instruments recorded in Deed Book 103, Page 426; Deed Book 82, Page 205; Deed Book 134, Page 16; Deed Book 82, Page 203; Deed Book 114, Page 12; Deed Book 103, 473; Deed Book 138, Page 326; Deed Book 138, page 327; Deed Book 86, Page 553; Deed Book 223, Page 108; Deed Book 103, Page 471; Deed Book 133, Page 363; Deed Book 138, page 459.
4. Riparian and other rights created by the fact that the subject property fronts on Shoal Creek.
5. Does not insure title to land comprising the shores or bottoms of navigable waters or to artificial accretions or fills.
6. That part of subject property which lies within a public road.


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

And said Shoal Creek Association, an Alabama General Partnership does for itself, its successors and assigns, covenant with the said GRANTEE, its successors and assigns, that it is lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above, that it has a good right to sell and convey the same as aforesaid.

IN WITNESS WHEREOF, the said Shoal Creek Association, by its Partners, Charles L. Denaburg and Francis H. Hare, Jr., who are authorized to execute this conveyance, have hereto set its signatures and seals, this 3rd day of April, 1996.

Shoal Creek Association,
an Alabama General Partnership

 (SEAL)
BY: Charles L. Denaburg
ITS: Partner

 (SEAL)
BY: Francis H. Hare, Jr.
ITS: Partner
GRANTOR

THE STATE OF ALABAMA)
COUNTY OF JEFFERSON)

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Charles L. Denaburg and Francis H. Hare, Jr. whose names as Partners, of Shoal Creek Association, an Alabama General Partnership, are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance, they, as such partners and with full authority, executed the same voluntarily for and as the act of said partnership.

Given under my hand and official seal this 3rd day of April, 1996.


NOTARY PUBLIC

My commission expires:

MY COMMISSION EXPIRES FEBRUARY 20, 1997

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