

SEND TAX NOTICE TO:

Cahaba Peak Properties, LLC
165 Cahaba Valley Parkway
Pelham, Alabama 35124

STATE OF ALABAMA)

SHELBY COUNTY)

Inst # 1996-12339

STATUTORY WARRANTY DEED

THIS IS A WARRANTY DEED executed and delivered this 15th day of April, 1996 by **119 PROPERTIES, LTD.**, an Alabama limited partnership (hereinafter referred to as the "Grantor"), to **CAHABA PEAK PROPERTIES, L.L.C.**, an Alabama limited liability company (hereinafter referred to as the "Grantee").

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of **Two Hundred Thirty-Five Thousand Ten and 30/100ths DOLLARS (\$235,010.30)** in hand paid by Grantee to Grantor, the receipt and sufficiency of which is hereby acknowledged by Grantor, the Grantor does by these presents, grant, bargain, sell and convey unto the Grantee the following described real estate located in Shelby County, Alabama, to-wit:

Part of Block 1, Cahaba Valley Park North, as recorded in Map Book 13, page 140, in the Office of the Judge of Probate of Shelby County, Alabama, being more particularly described as follows: Commence at the SW corner of Said Block 1, said point being on the Northerly right of way line of Alabama Highway 119; thence run Northwesterly along the Westerly line of said Block 1 for 350.11 feet to the point of beginning; thence continue along same course for 315.00 feet to a point; thence turn an angle to the right of 90 degrees 00 minutes 00 seconds and run Northeasterly for 213.31 feet to the Westerly right of way line of Cahaba Valley Parkway; thence turn an angle to the right of 90 degrees 01 minutes 24 seconds and run Southeasterly along the Westerly right of way line of said Cahaba Valley Parkway for 100.97 feet to a point; thence turn a angle to the left of 01 degrees 57 minutes 25 seconds and run Southeasterly along the Westerly right of way line of said Cahaba Valley Parkway for 206.70 feet to a point; thence turn an angle to the right of 90 degrees 00 minutes and 00 seconds and run Southwesterly for 220.41 feet to the point of beginning; being situated in Shelby County Alabama;

TOGETHER WITH all appurtenances thereto belonging or in anyway appertaining and all right, title and interest of Grantor in and to any and all roads, alleys and ways bounding said premises.

This conveyance is subject to the following:

- 1. Ad valorem taxes for tax year 1996;
- 2. Public easements as shown by recorded plat, including a 3 foot easement along the Northeasterly side for underground power line(s) and a 15 foot easement along the Westerly side as shown on the survey by Joseph A. Miller dated December 14, 1995;
- 3. Restrictions, covenants and conditions as set out in instruments recorded in Real 268 page 140; Real 290 page 386; Real 325 page 929; as Instrument #1992-15856 and Instrument #1993-25691 in said Probate Office;
- 4. Transmission Line Permit(s) to Alabama Power Company as shown by instruments recorded in Deed 101 pages 520, Deed 113 page 281 and Deed 145 page 378 in said Probate Office; and
- 5. Easement(s) to Alabama Power Company as shown by instrument recorded in Real 292 page 618 in Probate Office.

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

The Grantor hereby covenants and agrees with Grantee, its successors, executors and assigns, that the Grantor, its successors and assigns, will warrant and defend the above described real estate against the lawful claims (unless otherwise noted above) of all persons claiming by, through, or under the Grantor, but not further or otherwise.

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01:14 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 MCB 13.00

Cahaba Peak Properties, LLC

IN WITNESS WHEREOF, the Grantor has caused this Warranty Deed to be executed by its General Partner which is duly authorized hereunto, on this 15th day of April, 1996.

119 PROPERTIES, LTD. an
Alabama limited partnership

By: CAHABA VALLEY PROPERTIES, INC.
Its General Partner

By: Charles H. Stephens
Charles H. Stephens
President

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that CHARLES H. STEPHENS, whose name as President of CAHABA VALLEY PROPERTIES, INC., the General Partner of 119 PROPERTIES, LTD., an Alabama limited partnership, is signed to the foregoing Warranty Deed and who is known to me, acknowledged before me on this day that, being informed of the contents of the Warranty Deed, he, in his capacity as such President and with full authority, executed the same voluntarily for and as the act of said corporation acting in its capacity as general partner of said limited partnership.

Given under my hand this the 15th day of April, 1996.

Ronnie J. McSherry
Notary Public
My Commission Expires: 10-21-97

THIS INSTRUMENT PREPARED BY

Cheris Isom
Berkowitz, Lefkowitz, Isom & Kushner
1600 SouthTrust Tower
Birmingham, Alabama 35203

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