

CORPORATION WARRANTY DEED

STATE OF ALABAMA)
)
SHELBY COUNTY)

KNOW ALL MEN BY THESE PRESENTS, that in consideration of FIVE HUNDRED DOLLARS (\$500.00) and other valuable considerations to the undersigned GRANTOR, AMSOUTH BANK, AS ANCILLARY TRUSTEE FOR FIRST UNION NATIONAL BANK OF NORTH CAROLINA, as Trustee for the Public Employees Retirement System of Ohio, a national banking association (herein referred to as "GRANTOR"), in hand paid by GRANTEE herein, the receipt of which is hereby acknowledged, GRANTOR does by these presents, GRANT, BARGAIN, SELL and CONVEY unto BROOK HIGHLAND HIGHWAY, L.L.C., a Delaware limited liability company (herein referred to as "GRANTEE"), its successors and assigns, the real estate situated in the County of Shelby, State of Alabama and more particularly described in Exhibit A, attached hereto and made a part hereof.

TO HAVE AND TO HOLD, the aforegranted premises to GRANTEE, its successors and assigns FOREVER

And GRANTOR does covenant with GRANTEE, its successors and assigns, that it is lawfully seized in fee simple of the aforementioned premises; that they are free from all encumbrances except for the following: (i) zoning ordinances, if any; (ii) liens of taxes and assessments, both general and special, not yet due and payable; and (iii) any reservations, restrictions, limitations, easements and conditions of record; that it has a good right to sell and convey the same to GRANTEE, its successors and assigns, and GRANTOR will warrant and defend the premises to GRANTEE, its successors and assigns forever, against the lawful claims and demands of all persons, except as hereinabove provided.

IN WITNESS WHEREOF, AMSOUTH BANK, AS ANCILLARY TRUSTEE FOR FIRST UNION NATIONAL BANK OF NORTH CAROLINA, Trustee, a national banking association, has caused this instrument to be executed by J. REESE MURRAY III, its duly authorized Vice President and its corporate seal of said corporation to be hereunto affixed and attested by Ashley Taliaferro Rogers, its duly authorized _____ this 29 day of may, 1998.

ATTEST:

AMSOUTH BANK, AS ANCILLARY
TRUSTEE FOR FIRST UNION NATIONAL
BANK OF NORTH CAROLINA, AS
TRUSTEE FOR THE PUBLIC EMPLOYEES
RETIREMENT SYSTEM OF OHIO

By: _____

Its: Vice President

Ashley Taliaferro Rogers
Trust Officer

STATE OF Alabama)
)
Jefferson COUNTY)

I, Norma Zales, a Notary Public, in and for said county and state, hereby certify that J. Reese Murray, III, whose name as Vice President of AMSOUTH BANK, AS ANCILLARY TRUSTEE FOR FIRST UNION NATIONAL BANK, a national banking association, 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 conveyance, he/she, as such officer and with full authority, executed the same voluntarily for and as the act of said national banking association.

Given under my hand this the 27th day of May, 1998.

Norma Zales
Notary Public

Prepared By and Return To:

Sean C. Beckstrom, Esq.
Calfee, Halter & Griswold LLP
1400 McDonald Investment Center
800 Superior Avenue
Cleveland, OH 44114

FOR RECORDING ONLY

EXHIBIT

DANTRACT, INC.

That part of the South $1/2$ of Section 31, Township 18 South, Range 1 West lying North of U. S. Highway 280 and West of Shelby County Highway No. 495, EXCEPT THE FOLLOWING PARCELS:

The North 165 feet of the NW $1/4$ of NW $1/4$ of SW $1/4$, Section 31, Township 18 South, Range 1 West; also except

Lots 1 and 2 according to the Survey of The Meadows-Business Center, First Sector, as recorded in Map Book 8 Pages 115 A & B in the Probate Office of Shelby County, Alabama; also except

From the Northwest corner of the NE $1/4$ of the SW $1/4$ of said Section 31, Township 18 South, Range 1 West, run thence in an easterly direction along the North line of said quarter-quarter section for a distance of 389.72 feet to the point of beginning of the parcel herein excepted; thence continue in an easterly direction along the North line of said quarter-quarter section for a distance of 347.77 feet; thence turn an angle to the right of 153 deg. 41 min. 26 sec. and run in a southwesterly direction for a distance of 286.75 feet to the beginning of a curve to the right, said curve to the right having a radius of 25 feet, a central angle of 90 deg. and being concave northward; thence run in a westerly to northwesterly direction along the arc of said curve for a distance of 39.27 feet to the end of said curve; thence run in a northwesterly direction tangent to said curve for a distance of 129.14 feet to the point of beginning; also except

Commence at a concrete monument found at the center of Section 31, Township 18 South, Range 1 West, as per plat of survey of K. B. Weygand Alabama Registration Number 11768, dated 25 February 1982; run thence South 89 deg. 12 min. 24 sec. East for 848.96 feet to the point of beginning; continue South 89 deg. 12 min. 24 sec. East for 436.00 feet to the West right of way of Shelby County Highway Number 495; run thence South 0 deg. 22 min. 05 sec. East along said west right of way for 200.0 feet; run thence North 89 deg. 12 min. 24 sec. West for 436.0 feet; run thence North 0 deg. 22 min. 05 sec. West for 200 feet to the point of beginning. Said land being in Section 31, Township 18 South, Range 1 West; also except

That part of the North 165 feet of the NE $1/4$ of NW $1/4$ of SW $1/4$ of Section 31, Township 18 South, Range 1 West not included in Lot 2 according to a survey of The Meadows-Business Center, First Sector recorded in Map Book 8 Pages 115 A & B in the Probate Office of Shelby County, Alabama.

All being situated in Shelby County, Alabama.

EXHIBIT
LEGAL DESCRIPTION
SHELBY DEVELOPMENT CORPORATION

	<u>SECTION</u>	<u>TOWNSHIP</u>	<u>RANGE</u>
SE 1/4 of SW 1/4 of NW 1/4; and E 1/2 of NW 1/4	31	18-S	1-W

Tracts 6, 8, 10, 12, 18, 20 and 22 through 32, both inclusive, according to Jessica Ingram's Survey of NE 1/4, Sec. 31, T 18-S, R 1W, as shown by Map Book 3, Page 54 in the Probate Office of Shelby County, Alabama.

31	18-S	1-W
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Tract 16-8, according to the Resurvey of Lots 14 and 16, Jessica Ingram Property, as shown by Map Book 6, Page 54, in the Probate Office of Shelby County, Alabama.

31	18-S	1-W
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Part of Lot 12, Jessica Ingram Property, as recorded in Map Book 3, Page 54 in the Office of the Judge of Probate of Shelby County, Alabama, and being more particularly described as follows: Beginning at the NW corner of said Lot 12, run thence in a Southerly direction along the west lot line of said Lot 12 for a distance of 30.26 feet; thence turn an angle to the left of 89 deg. 23 min. 50 sec. and run in an Easterly direction for a distance of 1236.08 feet to a point on the West right of way line of Shelby County Road No. 495; thence turn an angle to the left of 94 deg. 03 min. 43 sec. and run in a Northerly direction along said West right of way line for a distance of 36.62 feet to a 2 inch capped pipe; thence turn an angle to the left of 86 deg. 13 min. 44 sec. and run in a Westerly direction along the North line of said Lot 12 for a distance of 1233.82 feet to the point of beginning.

Part of Lot 6, Jessica Ingram Property, as recorded in Map Book 3, Page 54 in the Office of the Judge of Probate of Shelby County, Alabama, being more particularly described as follows: Beginning at the SW corner of said Lot 6, run thence in an Easterly direction along the South line of said Lot 6 for a distance of 1274.54 feet to the West right of way line of Shelby County Road No. 495; thence turn an angle to the left of 94 deg. 15 min. 23 sec. and run in a Northerly direction along said right of way line for a distance of 10.02 feet; thence turn an angle to the left of 85 deg. 44 min. 37 sec. and run in a Westerly direction for a distance of 1273.94 feet to the West line of said Lot 6; thence turn an angle to the left of 90 deg. 47 min. 50 sec. and run in a Southerly direction along the West line of said Lot 6 for a distance of 10.00 feet to the point of beginning.

LESS AND EXCEPT the property sold to Daniel Realty Corporation by deed recorded in Book 085, Page 740, in the said Probate Office described as follows:

Part of the SE 1/4 of the NW 1/4 and the SW 1/4 of NE 1/4 of Section 31, Township 18 South Range 1 West, Shelby County, Alabama, and being more particularly described as follows; Lots 6, 8, 10 and 12, Jessica Ingram Property, as recorded in Map Book 3, Page 54 in the Office of the Judge of Probate, Shelby County, Alabama, also, an acreage parcel situated in the SE 1/4 of the NW 1/4 of Section 31, Township 18 South,

Range 1 West, Shelby County, Alabama, and being more particularly described as follows: From the NW corner of Lot 12, Jessica Ingram Property, as recorded in Map Book 3, Page 54, in the Office of the Judge of Probate of Shelby County, Alabama, run in a Southerly direction along the West lot line of said Lot 12 for a distance of 30.26 feet to the point of beginning of the parcel herein described; from the point of beginning thus obtained, continue in a southerly direction along the West lot lines of said Lots 12, 10, 8 and 6, for a distance of 620.60 feet; thence turn an angle to the right of 90 deg. 47 min. 50 sec. and run in a Westerly direction for a distance of 116.86 feet to a point on the East right of way line of Brook Highland Drive as shown on the map of "The Meadows Residential Sector One", as recorded in Map Book 9, Page 142, in the Office of the Judge of Probate, Shelby County, Alabama, said point being on a curve to the left which has a radius of 605.12 feet, a central angle of 18 deg. 21 min. 26 sec. and a chord of 193.05 feet which forms an interior angle to the left of 80 deg. 08 min. 18 sec. with the last described call; run thence along said right of way line in a Northerly direction along the arc of said curve for a distance of 193.88 feet to the end of said curve; run thence in a Northerly direction tangent to said curve for a distance of 324.02 feet to the beginning of a curve to the left, said curve having a radius of 1153.80 feet, a central angle of 2 deg. 37 min. 02 sec. and a chord of 52.70 feet; run thence in a Northerly direction along the arc of said curve for a distance of 52.70 feet; thence turn an interior angle to the left of 126 deg. 06 min. 26 sec. from the chord to the last described curve and run in a Northeasterly direction for a distance of 89.69 feet to the point of beginning.

LESS AND EXCEPT the property sold to Daniel Meadows, Ltd. by deed recorded in Book 022, Page 959, in the Probate Office of Shelby County, Alabama described as follows:

Description of a parcel of land situated in the southeast quarter of the northwest quarter of Section 31, Township 18 South, Range 1 West, Shelby County, Alabama, and being more particularly described as follows:

From the southwest corner of said quarter-quarter section, run thence in a northerly direction along the west line of said quarter-quarter section for a distance of 882.30 feet; thence turn an angle to the right of $91^{\circ} - 17' - 06''$ and run in an easterly direction for a distance of 198.02 feet to the point of beginning of the parcel herein described; thence continue in an easterly direction along the same course as before for a distance of 1001.66 feet; thence turn an angle to the right of 90° and run in a southerly direction for a distance of 307.97 feet to the beginning of a curve to the right, said curve to the right having a radius of 545.12 feet and a central angle to $62^{\circ} - 38' - 49''$ and being concave to the northwest; thence run along the arc of said curve in a southerly to southwesterly direction for a distance of 596.03 feet to the end of said curve; thence run in a southwesterly direction tangent to said curve for a distance of 166.48 feet; thence turn an angle to the right of $26^{\circ} - 18' - 34''$ and run in a westerly direction for a distance of 347.77 feet; thence turn an angle to the right of $63^{\circ} - 41' - 26''$ and run in a northwesterly direction for a distance of 136.63 feet to the beginning of a curve to the right, said curve to the right having a radius of 1682.21 feet and a central angle of $17^{\circ} - 35' - 45''$ and being concave to the northeast; thence run in a northwesterly direction along the arc of said curve for a distance of 516.62 feet to the end of said curve and the beginning of a second curve to the right, said second curve to the right having a radius of 537.13 feet and a central angle of 20° and being concave to the east; thence run in a northwesterly to northerly direction along the arc of said curve for a distance of 187.49 feet to the end of said curve; thence run in a northerly direction tangent to said curve for a distance of 80.52 feet to the point of beginning. Said parcel contains 17.4515 acres, more or less.

ALSO, LESS AND EXCEPT the property sold to Eagle Ridge, Ltd. by deed recorded in Book 067, Page 965 in said Probate Office described as follows:

A parcel of land situated in the East 1/2 of the NW 1/4 of Section 31, Township 18 South, Range 1 West, Shelby County, Alabama, and being more particularly described as follows: Commence at the Southwest corner of the NW 1/4 of the SE 1/4 of the NW 1/4 of said Section, and run thence in a Northerly direction along the West line of said quarter-quarter section for a distance of 194.27 feet to the point of beginning of the parcel herein described; from the point of beginning thus obtained, run thence in a northerly direction along the same course as before for a distance of 1809.15 feet to the Northwest corner of the NE 1/4 of the NW 1/4 of said Section; thence turn an angle to the right of 90 deg. 51 min. 41 sec. and run in an easterly direction along the north line of said section for a distance of 750.0 feet; thence turn an angle to the right of 105 deg. 57 min. 12 sec. and run in a southerly direction for a distance of 1629.52 feet to a point on the Northwest right of way line of a proposed public dedicated road known as Meadow Ridge Road; said point being in a curve to the left having a radius of 326.23 feet and a central angle of 44 deg. 43 min. 59 sec. and said curve being concave to the southeast; thence from the last call turn an interior counter-clockwise angle of 162 deg. 55 min. 13 sec. to the chord of said curve and run in a southwesterly direction along the arc of said curve for a distance of 254.70 feet to the end of said curve; thence run in a southwesterly direction tangent to last said curve for a distance of 35.64 feet along Northwest right of way of said Meadow Ridge Road; thence turn an angle to the right of 79 deg. 45 min. 26 sec. and run in a westerly direction for a distance of 132.99 feet to the point of beginning of the parcel herein described; being situated in Shelby County, Alabama.

A portion of Meadow Ridge Road referred to above in the legal description was dedicated to the public on February 26, 1986, by recording of a map in Map Book 9, Page 142 in the Probate Office of Shelby County, Alabama.

Exhibit

SHELBYCO, Ltd.

	Section	Township	Range
SE 1/4 of SE 1/4	19	18-S	1-W

A parcel of land situated in the NW 1/4 of SE 1/4 of Section 29, Township 18 South, Range 1 West, more particularly described as follows:

29	18-S	1-W
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Begin at a point 130 feet North of the NW corner of SW 1/4 of SE 1/4 of Section 29, Township 18, Range 1 West, and run due North 312 feet; thence South 59 deg. 45 min. East along dividing line of land belonging to Hugh P. Bibler and lands herein described, a distance of 657 feet to the right of way of Cahaba Valley Road (Montevallo and Ashville road); thence South 24 deg. 15 min. West along said right of way 264 feet; thence North 59 deg. 30 min. West along dividing line of land belonging to Misses Alta and Della Lee and the lands herein described a distance of 515 feet to point of beginning; being in the Northwest corner of SW 1/4 of SE 1/4 and the Southwest corner of NW 1/4 of SE 1/4 of said Section 29.

East 1/2 of NW 1/4	29	18-S	1-W
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West 1/2 of SW 1/4; NE 1/4 of SW 1/4 and West 1/2 of NW 1/4	29	18-S	1-W
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That portion of the NW 1/4 of SE 1/4 lying North and West of Cahaba Valley Road, known as the "Old Ingall's Farm" and being more particularly described as follows:	29	18-S	1-W
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Begin at the Northwest corner of NW 1/4 of SE 1/4 of said Section 29, and run thence South along the West line of said 1/4 1/4 Section a distance of 894.72 feet to an iron pipe situated on a fence and hedge row; thence run South 59 deg. 30 min. East along said fence and hedge row 625.17 feet to the West line of the Leeds-Pelham Road (also known as the Cahaba Valley Road); thence run in a Northeasterly direction along the West right of way line of said Cahaba Valley Road to its intersection with the North line of said 1/4 1/4 Section; thence run West along the North line of said 1/4 1/4 Section a distance of 1153.93 feet to the point of beginning.

A part of the South 1/2 of NE 1/4 of
Section 29, Township 18 South, Range 1
West, being described as follows:

29

18-S

1-W

Begin at the Southwest corner of the SW 1/4 of NE 1/4 of said Section 29 and run North along the West line of said SW 1/4 of NE 1/4 a distance of 350.26 feet; thence East, parallel with the South line of said forty 1331.12 feet to the West right of way line of Montevallo of Cahaba Valley Road; thence Southwesterly along said road right of way to the South line of said SW 1/4 of NE 1/4 of said Section 29; thence West along said South line 1152.26 feet to the point of beginning.

NE 1/4 of NE 1/4; and SE 1/4 of the
Section; and SE 1/4 of NE 1/4; and
NW 1/4 of the Section; and W 1/2 of
NE 1/4; and NW 1/4 of SW 1/4; and All
that part of NE 1/4 of SW 1/4 of Section
30 Township 18 South, Range 1 West,
lying North and West of Columbiana Road;
Less and except the following described
parcel:

30

18-S

1-W

LESS AND EXCEPT, the following parcel:

Commence for the point of beginning at the Northwest corner of Section 30, Township 18 South, Range 1 West; run thence South along the West line of said Section for 3960.0 feet, more or less, to the Southwest corner of the NW 1/4 of the SW 1/4 of said Section; run thence East along the South line of the North 1/2 of the SW 1/4 of said Section for 1750.0 feet, more or less, to the West right of way of a dirt road; run thence Northeasterly along said West right of way for 1260.0 feet; run thence North 32 deg. 30 min. West for 650.0 feet; run thence North 21 deg. 00 min. East for 2600.0 feet, more or less, to the North line of said Section; run thence West along the North line of said Section for 3030.0 feet, more or less, to the point of beginning of said exception. Said Exception being in Section 30, Township 18 South, Range 1 West, of the Huntsville Principle Meridian, Shelby County, Alabama.

SE 1/4 of SW 1/4 of Section 30,
Township 18 South, Range 1 West,
except 2 acres lying North and West of
Columbiana Road.

30

18-S

1-W

Part of the North 1/2 of Section 30, Township 18 South, Range 1 West, Shelby County, Alabama, being more particularly described as follows: From the Northeast corner of NW 1/4 of NE 1/4 of said Section 30, run in a Westerly direction along the North line of said 1/4 1/4 Section for a distance of 886.35 feet to the point of beginning; thence continue along last mentioned course for a distance of 543.60 feet; thence turn an angle to the left of 69 deg. 23 min. 25 sec. and run in a Southwesterly direction for a distance of 2027.66 feet; thence turn an angle to the left of 53 deg. 30 min. and run in a Southeasterly direction for a distance of 632.96 feet; thence turn an angle to the left of 126 deg. 30 min. and run in a Northeasterly direction for a distance of 2,595.50 feet, more or less, to the point of beginning; being situated in Shelby County, Alabama.

All that portion of the NW 1/4 of Section 32, Township 18 South, Range 1 West, lying West of the Cahaba Valley Road. Less and except tract sold to W. H. Hulsey, as described in Deed Book 81 page 271, and particularly described as follows:

32

18-S

1-W

Beginning at the NW 1/4 of said Section 32, and go North 86 deg. 30 min East 2210.5 feet to point of beginning of said exception; thence at an angle of 118 deg. 30 min. right bearing South 25 deg. 0 min. West 315 feet; thence at an angle of 118 deg. 30 min. left bearing North 86 deg. 30 min. East 315 feet to the NW side of public road; thence at an angle of 61 deg. 30 min. left bearing North 25 deg. East along public road 315 feet; thence at an angle of 118 deg. 30 min. left bearing South 86 deg. 30 min. West 315 feet to point of beginning. Also, Less and Except tract sold to Birmingham University School, described as follows Beginning at the Northwest corner of Section 32, Township 18 South, Range 1 West of the Huntsville Principle Meridian, run North 86 deg. 30 min. East 2203.2 feet along the North line of said Section; thence South 24 deg. 30 min. West 315.0 feet; thence North 86 deg. 30 min. East 286.4 feet to the Westerly line of State Highway 119; thence South 26 deg. 03 min. West along said Westerly line 1096.3 feet; thence North 53 deg. 56 min. West 650.1 feet; thence North 78 deg. 33 min. West 1352.7 feet to the West line of said Section 32; thence North 2 deg. 58 min. West 470.0 feet along said West line to the point of beginning. Also, Less and Except the following:

Commence for the point of beginning where the South line of the NW 1/4 of Section 32, Township 18 South, Range 1 West, intersects the West right of way of State Highway No. 119; thence Northeasterly along said State right of way for 250.0 feet; thence an interior angle of 86 deg. 30 min. and run Northwesterly for 765.0 feet; thence an interior angle right of 99 deg. 20 min. 18 sec. and run Southwesterly for 563.0 feet, more or less, to the South line of said NW 1/4; run thence East along the South line of said NW 1/4 for 895.0 feet to the point of beginning. All being situated in Shelby County, Alabama.

Mineral and mining rights excepted.

PARCEL ID'S

DANTRACT, INC.

58-03-09-31-0-002-018
58-03-09-31-0-002-048

SHELBY DEVELOPMENT CORPORATION

58-03-9-31-0-001-018.02
58-03-9-31-0-001-018.01
58-03-9-31-0-001-001
58-03-9-31-0-001-017
58-03-9-31-0-001-015
58-03-9-31-0-001-014

SHELBYCO, LTD.

58-03-04-19-0-000-002
58-03-9-32-0-001-004
58-03-9-32-0-001-005
58-03-9-30-0-000-001
58-03-9-30-0-000-002
58-03-9-29-0-000-002

Inst # 1998-24132

Inst # 1998-24132

06/29/1998-24132
12:27 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
012 MCD 36.50