

SEND TAX NOTICES TO:
Charles Richard Byrd, Jr.
P.O. Box 360146
Birmingham, Alabama, 35236

WARRANTY DEED

(ALONG WITH GRANT AND RESERVATION OF EASEMENT)

STATE OF ALABAMA
COUNTY OF SHELBY

KNOW ALL MEN BY THESE PRESENTS, that in consideration of the sum of One Hundred Thousand and 00/100 Dollars (\$100,000.00) to the undersigned grantors, in hand paid by the grantee herein, the receipt of which is hereby acknowledged, **David Luther Allen** and wife **Pamela Jennings Allen** (herein referred to as "Grantor"), hereby grants bargains, sells, and conveys unto **Charles Richard Byrd, Jr.** (herein referred to as "Grantee"), the real estate described on Exhibit "A" attached hereto and situated in Shelby County, Alabama (hereinafter the "Byrd Parcel").

[A portion of the purchase price recited above was paid from a mortgage loan closed simultaneously herewith.]

FURTHER for the consideration hereinbefore set forth, Grantor does additionally grant, bargain, sell, and convey unto Grantee a non-exclusive easement, license, and right-of-way upon, under, over, across, and through the property described on Exhibit "B" attached hereto (hereinafter the "Common Access Area"), and Grantor does herein reserve a non-exclusive easement, license, and right-of-way upon, under, over, across, and through the Common Access Area for pedestrian and vehicular access to the Byrd Parcel and the property described on Exhibit "C" attached hereto (hereinafter the "Allen Parcel"). This easement, license, and right of way shall be for both pedestrian and vehicular traffic, and there shall be no designated vehicle parking spaces or structures erected within the Common Access Area that would impede its common usage. The title owners of the Byrd Parcel and the Allen Parcel (or either one of them, with the reasonable consent of the other) shall i) erect an electronically controlled gate at the intersection of the Common Access Area and Valleydale Terrace, for after hour ingress or egress, and ii) maintain or caused to be maintained the Common Access Area in good condition and repair, and available for the uses set forth herein. The title owner of the Allen Parcel and the Byrd Parcel shall each pay one-half of the cost of the electronically controlled gate, and the upkeep of the Common Access Area and such gate. This grant and reservation shall run with the land, and shall inure and be binding on future owners of the Allen Parcel and the Byrd Parcel.

TO HAVE AND TO HOLD the described premises to Grantee, his heirs, executors, successors and assigns forever.

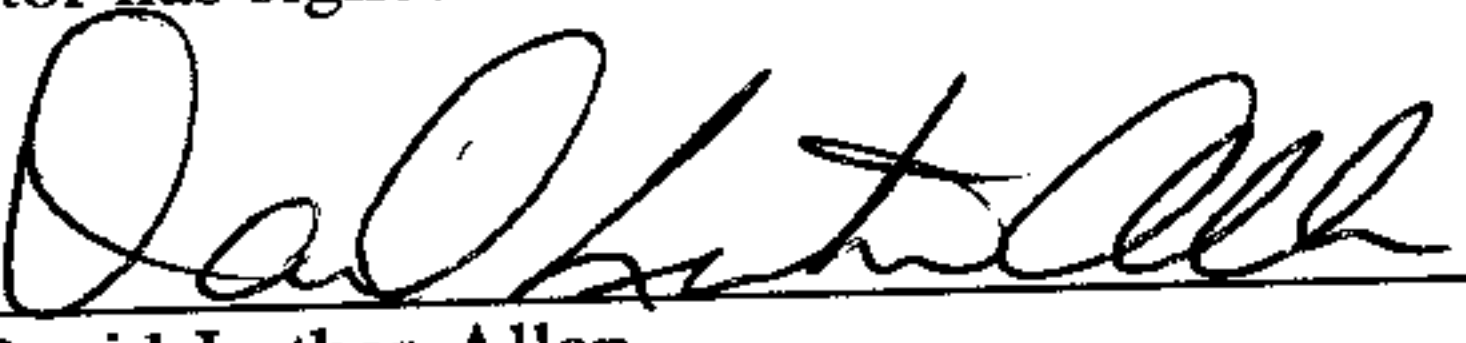
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AND THE GRANTOR does for themselves and their heirs, executors, successors and assigns, covenant with said Grantee, his heirs, executors, successors and assigns, that Grantor is lawfully seized in fee simple of the premises, that they are free from all encumbrances, unless otherwise noted on Exhibit "A", that Grantor has good right to sell and convey the same as aforesaid, and that Grantor will and their heirs, executors, successors and assigns shall warrant and defend same to said Grantee, his heirs, executors, successors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the Grantor has signed and sealed this Deed on the 2 day of September, 1998.

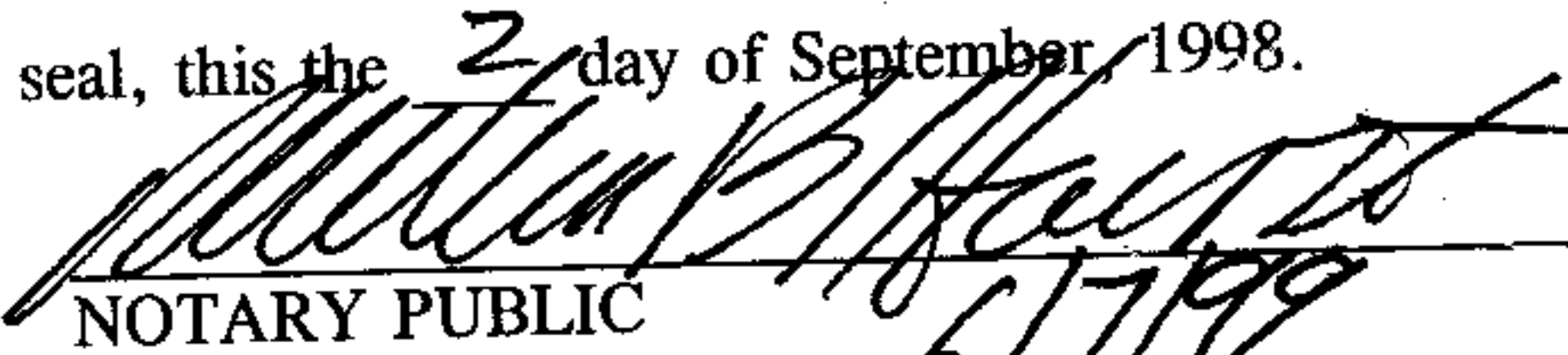

David Luther Allen L.S.


Pamela Jennings Allen L.S.

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that David Luther Allen and Pamela Jennings Allen, whose names are signed to the foregoing instrument, and who are known to me, acknowledged before me on this day that, being informed of the contents of this instrument, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this the 2 day of September, 1998.


NOTARY PUBLIC
My Commission Expires: 6/1/99

THIS INSTRUMENT PREPARED BY AND AFTER
RECORDATION SHOULD BE RETURNED TO:
William B. Hairston III
Engel, Hairston, & Johanson P.C.
P.O. Box 370027
Birmingham, AL 35237
(205) 328-4600

EXHIBIT "A"
TO
WARRANTY DEED
AFFIDAVIT AND AGREEMENT
NON-FOREIGN AFFIDAVIT

Grantor: David Luther Allen and Pamela Jennings Allen
Grantee: Charles Richard Byrd, Jr.

(TRACT 1 -- BYRD PARCEL)

A parcel of land containing 42,100.314 square feet (0.966 acres) being a part of Lot 14-B of RIVERCHASE TRADE CENTER -- FIRST ADDITION being a resurvey of Lot 14, Riverchase Trade Center and a part of the SE 1/4 of the SE 1/4 of Section 25, Township 19 South, Range 3 West, as recorded in Map Book 15 page 99 in the Probate Office of Shelby County, Alabama, being more particularly described as follows:

Commence and Begin at the Northwest Corner of Lot 14-B of RIVERCHASE TRADE CENTER - FIRST ADDITION as recorded in Map Book 15, Page 99 in the Office of the Judge of Probate of Shelby County, Alabama; thence run 207.00 feet along the Northwestern lot line of Lot 14-B to the Northernmost Corner of Lot 14-B; thence an interior angle left of 80°01'59" along the Northeasterly lot line of Lot 14-B a distance of 271.26 feet to the Northeast Corner of Lot 14-B; thence an interior angle left of 135°35'01" along the Southeasterly lot line of Lot 14-B a distance of 54.10 feet; thence right 109°47'29" Northwesternly a distance of 65.78 feet; thence an interior angle right of 164°16'36" a distance of 63.84 feet; thence an interior angle right of 166°17'45" a distance of 139.26 feet to the West lot line of Lot 14-B; thence an interior angle left Northerly of 112°20'24" a distance of 89.73 feet to the Point of Beginning.

SUBJECT TO: i) taxes and assessments for 1998, a lien but not yet payable; ii) mineral and mining rights not owned by Grantor; iii) easements as shown by recorded plat; iv) restrictions, covenants and conditions as set out in instrument recorded in Real 192, page 886; v) transmission line permits to Alabama Power Company as shown by instrument recorded in Deed Book 101, page 500 and Deed Book 101, page 569; vi) restrictions, limitations and conditions as set out in Map Book 12, page 24, and vii) easement as noticed in Lis Pendens Book 6, page 276.

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EXHIBIT "B"
TO
WARRANTY DEED
(COMMON ACCESS AREA)

A parcel of land being a part of Lot 14-B of RIVERCHASE TRADE CENTER -- FIRST ADDITION being a resurvey of Lot 14, Riverchase Trade Center and a part of the SE 1/4 of the SE 1/4 of Section 25, Township 19 South, Range 3 West, as recorded in Map Book 15 page 99 in the Probate Office of Shelby County, Alabama, being more particularly described as follows:

Commence at the Northwest Corner of Lot 14-B of RIVERCHASE TRADE CENTER -- FIRST ADDITION as recorded in Map Book 15, page 99 in the Office of the Judge of Probate of Shelby County, Alabama; thence run South 89.73 feet along the West lot line of Lot 14-B; thence an interior angle right of 112 degrees 20 minutes 24 seconds Southeasterly 73.20 feet to the Point of Beginning; thence continue along that last described course for a distance of 66.06 feet; thence 74 degrees 44 minutes 53 seconds left Northeasterly a distance of 32.21 feet thence right 90 degrees 00 minutes 00 seconds Southeasterly a distance of 75.00 feet; thence right 37 degrees 22 minutes 46 seconds Southeasterly a distance of 65.32 feet to the Southeasterly lot line of Lot 14-B; thence right 46 degrees 27 minutes 40 seconds Southwesterly a distance of 20.00 feet along the Southeasterly lot line of Lot 14-B; thence right 95 degrees 20 minutes 02 seconds Northwesterly a distance of 192.78 feet; thence right 90 degrees 00 minutes 00 seconds Northeasterly a distance of 10.00 feet to the Point of Beginning.

EXHIBIT "C"

TO

WARRANTY DEED

(TRACT 2 -- ALLEN PARCEL)

A parcel of land containing 55,448.441 square feet (1.273 acres) being a part of Lot 14-B of RIVERCHASE TRADE CENTER -- FIRST ADDITION being a resurvey of Lot 14, Riverchase Trade Center and a part of the SE 1/4 of the SE 1/4 of Section 25, Township 19 South, Range 3 West, as recorded in Map Book 15 page 99 in the Probate Office of Shelby County, Alabama, being more particularly described as follows:

Commence at the Northwest Corner of Lot 14-B of RIVERCHASE TRADE CENTER - FIRST ADDITION as recorded in Map Book 15, Page 99 in the Office of the Judge of Probate of Shelby County, Alabama; thence run South 89.73 feet along the West lot line of Lot 14-B to the Point of Beginning; thence an interior angle right of 112°20'24" Southeasterly 139.26 feet; thence an interior angle right of 193°42'15" a distance of 63.84 feet; thence an interior angle right of 195°43'24" a distance of 65.78 feet to the Southeasterly lot line of Lot 14-B; thence running along the exterior boundary of Lot 14-B, the following six courses, turn an interior angle left of 109°47'29" Southwesterly a distance of 35.00 feet; thence an interior angle left of 269°25'40" Southeasterly a distance of 17.01 feet; thence an interior angle left of 90°03'10" Southwesterly a distance of 173.63 feet; thence an interior angle left of 82°32'26" Northwesterly a distance of 36.99 feet; thence an interior angle left of 269°24'15" Southwesterly a distance of 146.61 feet; thence an interior angle left of 40°33'04" Northerly a distance of 414.08 feet to the Point of Beginning.

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