

Send Tax Notice To:
Oak Mountain Business Park, LLC
c/o Larry Clayton
1010 Bridle Lane
Helena, AL 35080

STATE OF ALABAMA)

SHELBY COUNTY)

STATUTORY WARRANTY DEED

THIS IS A STATUTORY WARRANTY DEED executed and delivered as of this 15th day of April, 1999, by **RANDALL H. GOGGANS**, a married man, (hereinafter referred to as the "Grantor"), to **OAK MOUNTAIN BUSINESS PARK, LLC**, an Alabama limited liability company (hereinafter referred to as the "Grantee").

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of the sum of One Million Four Hundred Sixty Thousand and No/100 Dollars (\$1,460,000.00) in hand paid by Grantee to Grantor and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by Grantor, the Grantor does by these presents, grant, bargain, sell and convey unto the Grantee the real estate described on Exhibit "A" attached hereto and made a part hereof, situated in Shelby County, Alabama.

TOGETHER WITH all appurtenances thereto belonging or in anywise appertaining, including that certain Sewer Easement by and between Grantor and Pelham Church of God recorded as Instrument # 1999/16173 in the Probate Office of Shelby County, Alabama, 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 ad valorem taxes for 1999 and subsequent years and to the various matters listed on Exhibit "B" attached hereto and made a part hereof.

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

The property herein conveyed does not constitute the homestead of the Grantor or the Grantor's spouse.

The Grantor hereby covenants and agrees with Grantee, its successors and assigns, that the Grantor, his heirs, executors 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.

IN WITNESS WHEREOF, the Grantor has caused this Statutory Warranty Deed to be executed on the date first written above.


RANDALL H. GOGGANS

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that **RANDALL H. GOGGANS**, whose name is signed to the foregoing STATUTORY WARRANTY DEED, and who is known to me, acknowledged before me on this day that, being informed of the contents of the STATUTORY WARRANTY DEED, he executed the same voluntarily on the day the same bears date.

Given under my hand this 15th day of April, 1999.


Notary Public

My Commission Expires: 3/26/2002

THIS INSTRUMENT PREPARED BY:

Chervis Isom
Berkowitz, Lefkowitz, Isom & Kushner, P.C.
420 North 20th Street
SouthTrust Tower, Suite 1600
Birmingham, Alabama 35203

Inst # 1999-16173

04/16/1999-16173
09:27 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
085 WVB 1478.30

EXHIBIT A

(1 of 3)

A parcel of land situated in the SE 1/4 of the SW 1/4 of the SE 1/4 of Section 19, and in the NW 1/4 of the NE 1/4 of Section 30, Township 20 South, Range 2 West and being more particularly described as follows:

Begin at the NE corner of the SE 1/4 of the SW 1/4 of Section 19, Township 20 South, Range 2 West, said point being the point of beginning; thence South 89 degrees 36 minutes 47 seconds East a distance of 48.84 feet to a point on the Southeasterly right of way line of Shelby County Highway No. 52 (right of way varies), said point lying on a curve to the right having a radius of 1472.05 feet and a central angle of 19 degrees 26 minutes 07 seconds; thence along said right of way line and the arc of said curve a distance of 499.33 feet, said arc subtended by a chord which bears South 83 degrees 42 minutes 25 seconds West a distance of 496.94 feet, to the end of said arc; thence South 17 degrees 32 minutes 44 seconds West and leaving said right of way line a distance of 221.28 feet; thence North 64 degrees 17 minutes 28 seconds West a distance of 149.95 feet to a point on a curve to the right having a radius of 154.80 feet and a central angle of 69 degrees 09 minutes 13 seconds; thence along the arc of said curve a distance of 186.84 feet, said arc subtended by a chord which bears North 29 degrees 42 minutes 51 seconds West a distance of 175.70 feet, to a point on a compound curve to the right having a radius of 30.40 feet and a central angle of 80 degrees 18 minutes 35 seconds; thence along the arc of said curve a distance of 42.61 feet, said arc subtended by a chord which bears North 45 degrees 01 minutes 03 seconds East a distance of 39.21 feet; to the end of said curve and a point on the Southwesterly right of way line of said highway; thence North 80 degrees 19 minutes 19 seconds West along said right of way line a distance of 108.49 feet to a point on a curve to the right having a radius of 30.00 feet and a central angle of 73 degrees 51 minutes 27 seconds; thence along the arc of said curve a distance of 38.67 feet, said arc subtended by a chord which bears South 30 degrees 14 minutes 19 seconds East a distance of 36.05 feet, to a point on a reverse curve to the left having a radius of 217.52 feet and a central angle of 71 degrees 05 minutes 50 seconds; thence along the arc of said curve a distance of 269.92 feet, said arc subtended by a chord which bears South 28 degrees 51 minutes 31 seconds East a distance of 252.93 feet, to the end of said curve; thence South 55 degrees 04 minutes 43 seconds West a distance of 310.75 feet; thence North 80 degrees 40 minutes 50 seconds West a distance of 223.78 feet; thence South 1 degree 11 minutes 00 seconds West a distance of 922.80 feet to a point on the southerly boundary of said 1/4 1/4 Section; thence South 89 degrees 34 minutes 06 seconds East along said Southerly boundary a distance of 1264.73 feet to the SE corner of said 1/4 1/4 Section; thence South 89 degrees 29 minutes 10 seconds East a distance of 65.48 feet; thence South 1 degree 34 minutes 33 seconds West a distance of 281.15 feet; thence South 53 degrees 05 minutes 17 seconds East a distance of 310.74 feet to a point on the Northwesterly right of way line of Shelby

EXHIBIT A

(2 of 3)

County Highway No. 11 (80 degree right of way); thence North 36 degrees 54 minutes 40 seconds East along said right of way line a distance of 160.87 feet; thence North 37 degrees 33 minutes 02 seconds East along said right of way line a distance of 203.07 feet; thence North 37 degrees 36 minutes 25 seconds East along said right of way line a distance of 106.87 feet to a point on a curve to the right having a radius of 25.00 feet and a central angle of 89 degrees 38 minutes 48 seconds; thence leaving said right of way line and along the arc of said curve a distance of 39.12 feet, said arc subtended by a chord which bears North 89 degrees 11 minutes 26 seconds West a distance of 35.25 feet, to a point on a compound curve to the right having a radius of 230.51 feet and a central angle of 34 degrees 30 minutes 26 seconds; thence along the arc of said curve a distance of 138.83 feet, said arc subtended by a chord which bears North 27 degrees 42 minutes 30 seconds West a distance of 136.74 feet, to the end of said curve; thence North 10 degrees 30 minutes 02 seconds West a distance of 265.26 feet; thence North 37 degrees 38 minutes 42 seconds East a distance of 1296.67 feet to the Northerly boundary of the SW 1/4 of the SE 1/4 of Section 19; thence North 89 degrees 27 minutes 39 seconds West along the Northerly boundary of said 1/4 1/4 Section a distance of 1236.41 feet to the point of beginning; being situated in Shelby County, Alabama.

LESS AND EXCEPT the following described parcels:

Oak Mountain Business Park Right of Way dedication as recorded in Map Book 24, Page 148 in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

Oak Mountain Business Park Sector 1, Right of Way dedication as recorded in Map Book 23, Page 84 in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

Lot 13, according to the survey of Oak Mountain Business Park, Lots 12 and 13, as recorded in Map Book 24 Page 150 in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

Lots 18, 19 and 20, according to the survey of Oak Mountain Business Park, Lots 18, 19 and 20, as recorded in Map Book 24 Page 149 in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

Lots 1, 2, 2-A, 3 and 3-A, according to the survey of Oak Mountain Business Park, Sector 1, as recorded in Map Book 23 Page 84 in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

Lot 9, according to the survey of Oak Mountain Business Park, Lot 9 as recorded in Map Book 25 Page 74 in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

Lot 14, according to the survey of Oak Mountain Business Park, Lots 14 & 15, as recorded in Map Book 25 Page 57 in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

Lot 16 according to the Survey of Oak Mountain Business Park, Lots 16, 16A, and 17, as recorded in Map Book 25 Page 73 in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

EXHIBIT A

(3 of 3)

ALSO, LESS AND EXCEPT the following described parcel known as Lot 11 Oak Mountain Business Park as recorded in instrument #1998-26047:

A parcel of land located in the NW 1/4 of the NE 1/4 of Section 30 Township 20 South, Range 2 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the NW corner of the NW 1/4 of the NE 1/4 of Section 30, Township 20 South, Range 2 West; thence run South 89 deg. 29 min. 10 sec. East a distance of 65.48 feet; thence South 01 deg. 34 min. 33 sec. West a distance of 268.93 feet to the point of beginning; thence South 53 deg. 05 min. 17 sec. East a distance of 310.74 feet to the West right of way line of Shelby County Highway 11; thence North 36 deg. 54 min. 40 sec. East along the right of way a distance of 154.39 feet to the point of curve to the left having a length of 62.39 feet, a radius of 40.00 feet and a central angle of 89 deg. 21 min. 38 sec.; thence North 52 deg. 26 min. 58 sec. West a distance of 22.41 feet to the point of a curve to the right, having a length of 133.48 feet, a radius of 280.00 feet and a central angle of 27 deg. 18 min. 48 sec.; thence South 64 deg. 51 min. 50 sec. West a distance of 257.31 feet in the point of beginning; being situated in Shelby County, Alabama.

ALSO, LESS AND EXCEPT the following triangular shaped parcel of land located in the SE 1/4-SW 1/4 of Section 19, Township 20 South, Range 2 West, Shelby County, Alabama, being more particularly described as follows:

BEGIN at the most southerly corner of Lot 3A, Oak Mountain Business Park, Sector 1, as recorded in Map Book 23, Page 84 in the Office of the Judge of Probate, Shelby County, Alabama; thence N 38 deg 17' 27" E along the easterly line of said Lot 3A, a distance of 422.35'; thence S 51 deg 42' 33" E a distance of 15.00'; thence S 40 deg 19' 30" W a distance of 422.61' to the Point of Beginning.

EXHIBIT "B"
Permitted Encumbrances

Regarding the Subject Property:

1. Restrictions, covenants and conditions as set out in instrument recorded as Instrument #1998-51856 in the Probate Office of Shelby County, Alabama;
2. Transmission Line Permit to Alabama Power Company as shown by instrument recorded in Deed Book 242, Page 911 and Deed Book 230, Page 117 in said Probate Office;
3. Restrictions, limitations and conditions as set out in Map Book 23, Page 84 (as to Sector 1) and Map Book 24, Page 149 (as to Lots 18, 19 and 20) and Map Book 24 Page 150 (as to Lots 12 and 13) in said Probate Office;
4. Non-exclusive easement for the installation and maintenance of septic tank field lines on and under the South 1/2 of Lot 22 as depicted on the survey of Lots 18, 19 and 20, Oak Mountain Business Park, Map Book 24, Page 149, for the benefit of Lot 23 as shown on the Survey of Lot 23, Oak Mountain Business Park, Map Book 25, Page 9 in said Probate Office;
5. Reservation of Easement recorded as Instrument #1999-03384 in said Probate Office (as to Lot 23);
6. Easement to Bell South Telecommunications as shown by instrument recorded in Instrument #1998-26451 in said Probate Office;
7. Title to all minerals within and underlying the Property, together with all mining rights and other rights, privileges and immunities relating thereto, including rights set out in Deed Book 33, Page 300 and Deed Book 244, Page 587 in said Probate Office;
8. Covenant to run with land as set out in Instrument #1999-3385 in said Probate Office (as to Lot 23);
9. Encroachment of fence along the southerly side of property as shown on the survey by Robert C. Farmer dated August 1, 1996.

Regarding the Sewer Easement:

1. Title to all minerals within and underlying the Property as set forth in Deed Book 327, Page 553; and
2. Rights of other to use the Sewer Easement.

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