

C9912-3877

This instrument prepared by:

Heyward C. Hosch  
WALSTON, WELLS, ANDERSON & BAINS, LLP  
P. O. Box 830642  
Birmingham, Alabama 35283-0642  
Telephone: (205) 251-9600

Consideration is total of \$300,000.00, of which  
\$200,000.00 is simultaneous mortgage loan.

STATE OF ALABAMA     )  
SHELBY COUNTY         )

**DEED**

**KNOW ALL MEN BY THESE PRESENTS**, that in consideration of Ten Dollars (\$10.00) and other good and valuable consideration paid to the undersigned John E. Van Valkenburgh, a married man ("Van Valkenburgh"), Carl D. Panattoni, a married man ("Panattoni"), Yolanda Panattoni, Carl D. Panattoni, Leonard Panattoni, Christine Kowalski, and Elaine Schaefer, as co-trustees of the P-GST Trust dated December 26, 1989 (collectively the "Trust Grantor"), and Pebble Partners, LLP, an Alabama limited liability partnership (the "Partnership Grantor"; Van Valkenburgh, Panattoni, the Trust Grantor and the Partnership Grantor being collectively referred to as the "Grantors"), by Muk T. Yam and Chi Lun Ho (collectively the "Grantees"), the receipt and sufficiency of which is hereby acknowledged, the Grantors do hereby grant, bargain, sell and convey to the Grantees, as joint tenants, with right of survivorship, the real estate situated in Shelby County, Alabama described on Exhibit A hereto (the "Property");

TOGETHER WITH all the rights, tenements, hereditaments and appurtenances thereto belonging or in any way appertaining;

**SUBJECT AND SUBORDINATE TO:**

1. All easements, restrictions and encumbrances of record.
2. Ad valorem taxes due and payable on October 1, 2000 and for all subsequent years.
3. The covenants and restrictions as set forth hereinafter.

No part of the Property is the homestead of any of the Grantors.

This instrument is executed by the Trust Grantor solely in the representative capacity stated herein and neither this instrument nor anything herein contained shall operate or be construed to create any liability or obligation of the Trust Grantor in any individual capacity and the Trust Grantor hereby expressly limits the liability and obligation thereof hereunder to the property now or hereafter held by the Trust Grantor in the representative capacity herein stated.

Inst # 2000-03875

02/07/2000-03875  
11:34 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
018 MMS 151.00

By acceptance hereof, the Grantees covenant and agree (a) that none of the Grantees, nor any person acting under contract with any of the Grantees or acting with the permission or knowledge of any of the Grantees, shall construct, install, locate or permit any building, structure, fence, paving, landscaping or other improvement on the Property without the prior written consent of the Grantors, as hereinafter provided, and (b) that violation of the foregoing covenant will cause irreparable damage to the Grantors for which money damages would be an inadequate remedy and therefore the foregoing covenant may be enforced by the Grantors by all remedies available at law or in equity, including without limitation specific performance and injunctive relief, and (c) that the foregoing covenants shall run with the Property and be binding upon and enforceable against the Grantees and the respective heirs, executors, administrators and assigns thereof.

The Grantors hereby appoint the Partnership Grantor (acting by any partner or member thereof) to act for all of the Grantors with respect to the certification to any interested person of whether compliance may have been had with the above covenants and restrictions and if not the reason or reasons thereof.

**TO HAVE AND TO HOLD** unto the Grantees as joint tenants, with right of survivorship, their heirs and assigns, forever; it being the intention of the parties to this conveyance, that (unless the joint tenancy hereby created is severed or terminated during the joint lives of the Grantees) in the event one of the Grantees herein survives the other, the entire interest in fee simple shall pass to the surviving grantee, and if one does not survive the other, then the heirs and assigns of the Grantees herein shall take as tenants in common.

IN WITNESS WHEREOF the Grantors and the Grantee have executed this instrument  
on this 28<sup>th</sup> day of January, 2000.

**GRANTORS:**

**P-GST TRUST**

By Yolanda Panattoni  
as co-trustee of the P-GST Trust  
dated December 26, 1989

By Yolanda Panattoni  
Yolanda Panattoni as such co-trustee

By Carl D. Panattoni  
as co-trustee of the P-GST Trust  
dated December 26, 1989

By [Signature]  
Carl D. Panattoni as such co-trustee

By Leonard Panattoni  
as co-trustee of the P-GST Trust  
dated December 26, 1989

By [Signature]  
Leonard Panattoni as such co-trustee

By Christine Kowalski  
as co-trustee of the P-GST Trust  
dated December 26, 1989

By \_\_\_\_\_  
Christine Kowalski as such co-trustee

By Elaine Schaedler  
as co-trustee of the P-GST Trust  
dated December 26, 1989

By Elaine M. Schaedler  
Elaine Schaedler as such co-trustee

IN WITNESS WHEREOF the Grantors and the Grantee have executed this instrument,  
on this 28<sup>th</sup> day of January, 2000.

**GRANTORS:**

**P-GST TRUST**

By Yolanda Panattoni  
as co-trustee of the P-GST Trust  
dated December 26, 1989

By \_\_\_\_\_  
Yolanda Panattoni as such co-trustee

By Carl D. Panattoni  
as co-trustee of the P-GST Trust  
dated December 26, 1989

By \_\_\_\_\_  
Carl D. Panattoni as such co-trustee

By Leonard Panattoni  
as co-trustee of the P-GST Trust  
dated December 26, 1989

By \_\_\_\_\_  
Leonard Panattoni as such co-trustee

By Christine Kowalski  
as co-trustee of the P-GST Trust  
dated December 26, 1989

By Christine Kowalski  
Christine Kowalski as such co-trustee

By Elaine Schaedler  
as co-trustee of the P-GST Trust  
dated December 26, 1989

By \_\_\_\_\_  
Elaine Schaedler as such co-trustee

PEBBLE PARTNERS, LLP

By Michael Graham  
Partner

By John E. Van Valkenburgh  
Partner

JOHN VAN VALKENBURGH

By \_\_\_\_\_ (L.S.)  
John E. Van Valkenburgh

CARL D. PANATTONI

By \_\_\_\_\_ (L.S.)  
Carl D. Panattoni

Accepted and Agreed:

GRANTEES:

MUK T. YAM

By Muk T. Yam (L.S.)  
Muk T. Yam

CHI LUN HO

By Chi Lun Ho (L.S.)  
Chi Lun Ho

~~SHAN PONG HO~~

~~By \_\_\_\_\_ (L.S.)~~  
~~Shan Pong Ho~~

PEBBLE PARTNERS, LLP

By \_\_\_\_\_  
Partner

By \_\_\_\_\_  
Partner

JOHN VAN VALKENBURGH

By John E. Van Valkenburgh (L.S.)  
John E. Van Valkenburgh

CARL D. PANATTONI

By [Signature] (L.S.)  
Carl D. Panattoni

Accepted and Agreed:

GRANTEE:

~~MUK T. YAM~~

By [Signature] (L.S.)  
~~Muk T. Yam~~



STATE OF California)  
Sacramento COUNTY )

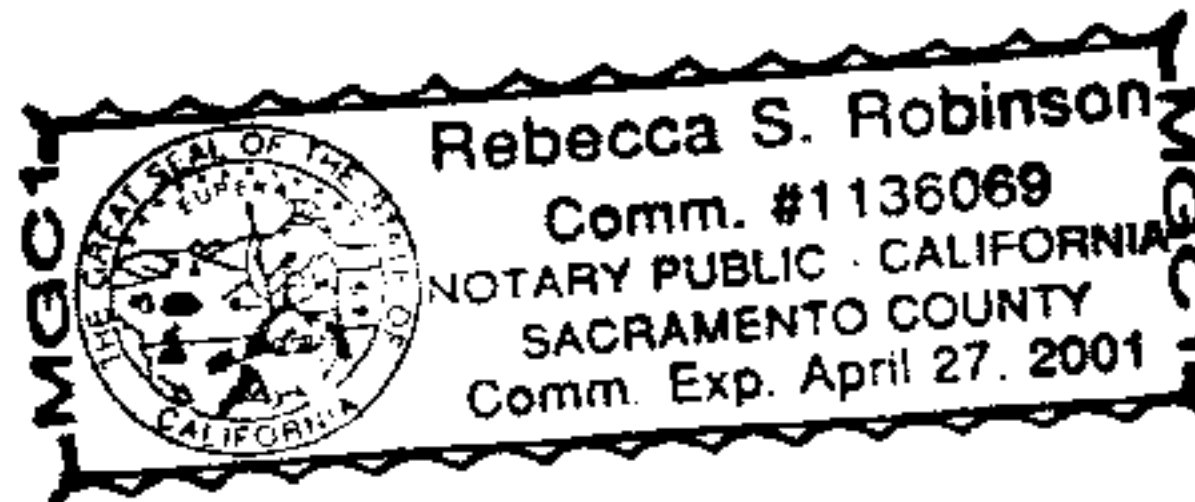
I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Epland Parrott, whose name as co-trustee of the P-GST Trust dated December 26, 1989, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of said instrument, (s)he executed the same voluntarily on the day the same bears date.

Given under my hand and seal this the 27<sup>th</sup> day of January, 2000.

Rebecca S. Robinson  
Notary Public

NOTARIAL SEAL

My commission expires: April 27, 2001



STATE OF California )  
Monterey COUNTY )

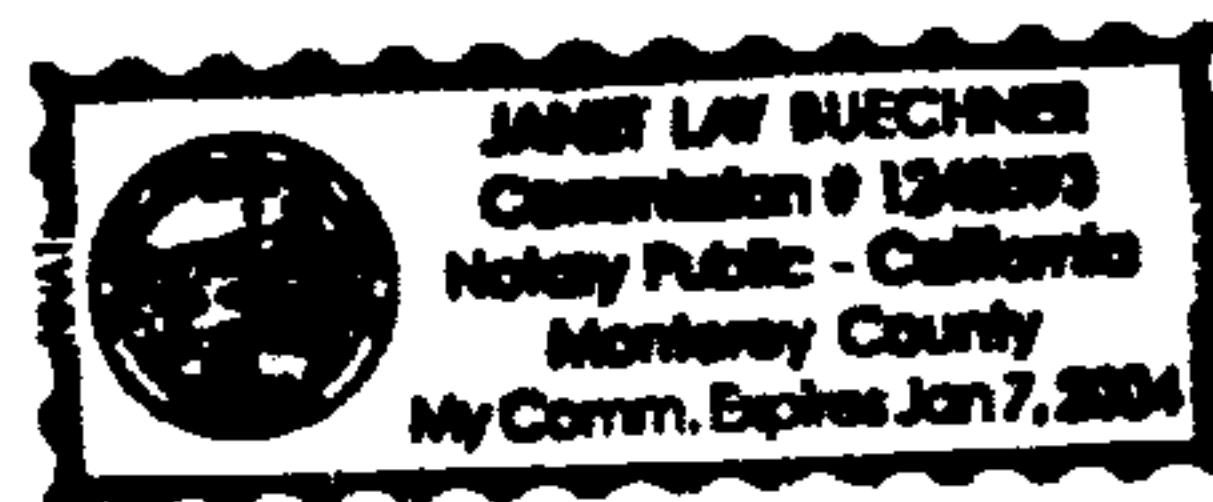
I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Carl U. Panattoni, whose name as co-trustee of the P-GST Trust dated December 26, 1989, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of said instrument, (s)he executed the same voluntarily on the day the same bears date.

Given under my hand and seal this the 24th day of January, 2000.

Janet Jay Buechner  
Notary Public

NOTARIAL SEAL

My commission expires: Jan. 7, 2004





STATE OF California )  
Sacramento COUNTY )

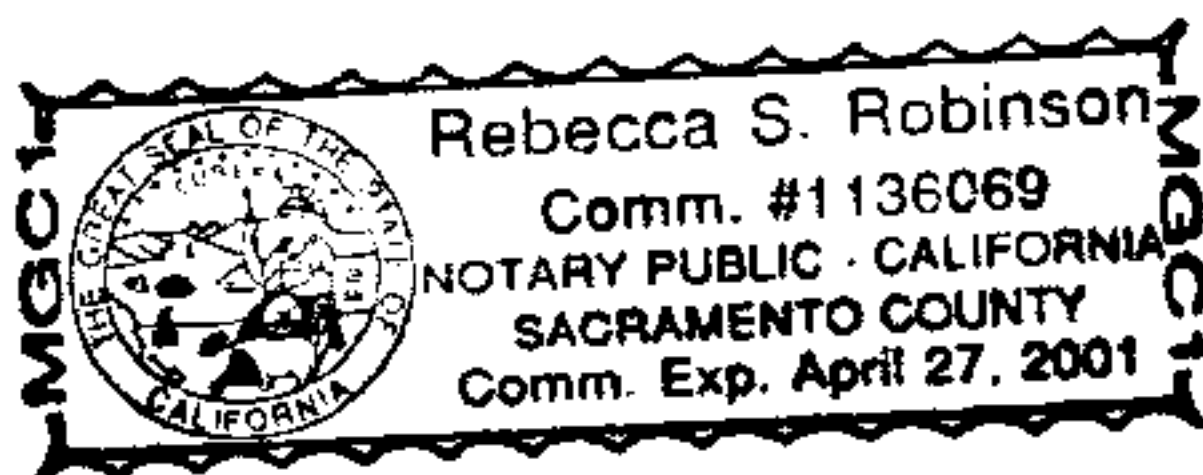
I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Donald C. Panathier, whose name as co-trustee of the P-GST Trust dated December 26, 1989, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of said instrument, (s)he executed the same voluntarily on the day the same bears date.

Given under my hand and seal this the 26<sup>th</sup> day of January, 2000.

Rebecca S. Robinson  
Notary Public

NOTARIAL SEAL

My commission expires: April 27, 2001



STATE OF California )  
Sacramento COUNTY )

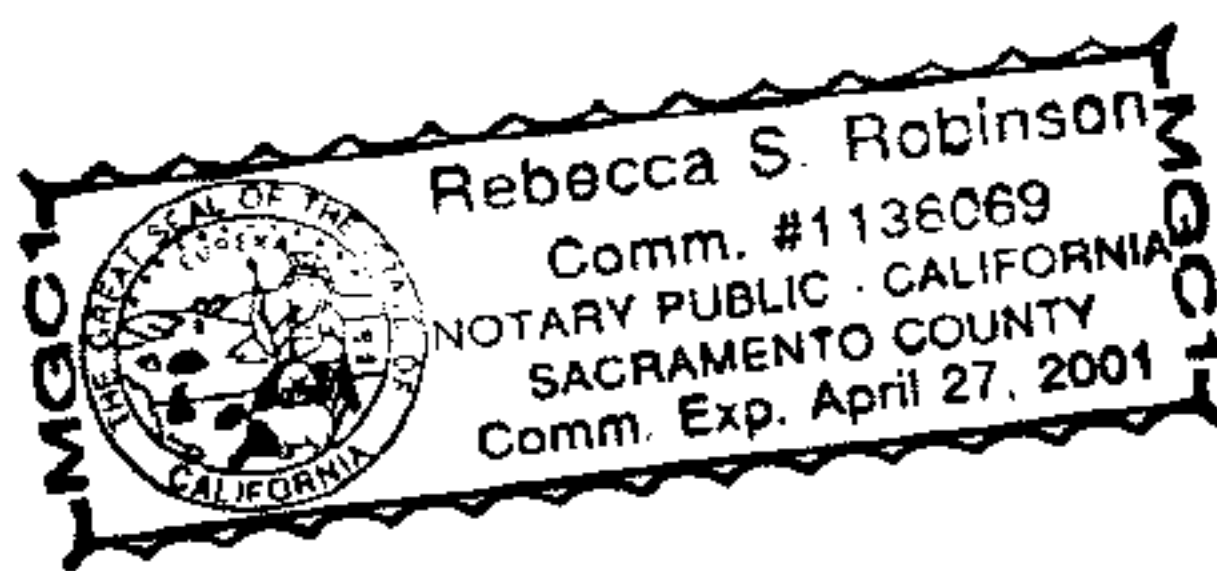
I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Christine Kowalski, whose name as co-trustee of the P-GST Trust dated December 26, 1989, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of said instrument, (s)he executed the same voluntarily on the day the same bears date.

Given under my hand and seal this the 26<sup>th</sup> day of January, 2000.

Rebecca S. Robinson  
Notary Public

NOTARIAL SEAL

My commission expires: April 27, 2001



STATE OF California )  
Sacramento COUNTY )

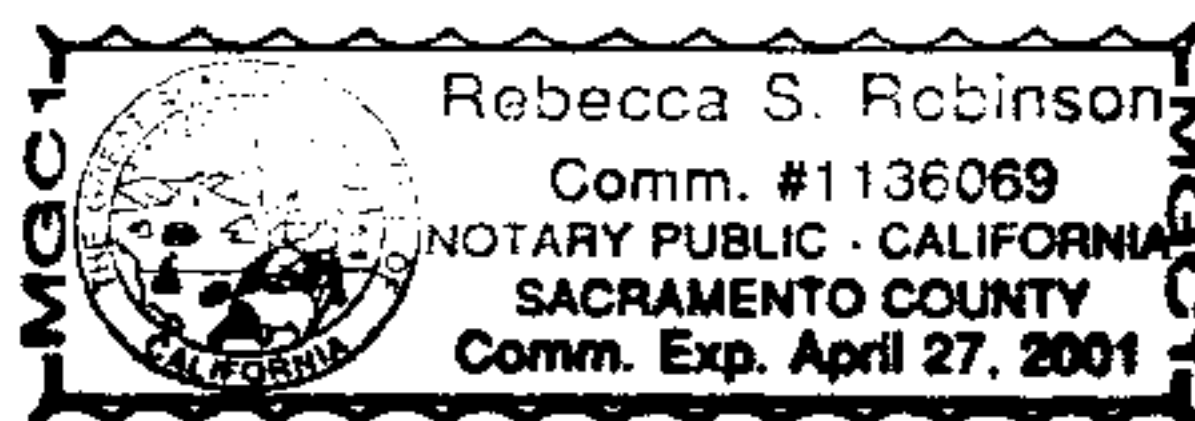
I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Elaine Schaedler, whose name as co-trustee of the P-GST Trust dated December 26, 1989, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of said instrument, (s)he executed the same voluntarily on the day the same bears date.

Given under my hand and seal this the 26<sup>th</sup> day of January, 2000.

Rebecca S. Robinson  
Notary Public

NOTARIAL SEAL

My commission expires: April 27 2001



STATE OF ALABAMA     )  
                                  )  
JEFFERSON COUNTY    )

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that H. Michael Graham whose name as partner of Pebble Partners, LLP, an Alabama limited liability partnership, is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of said instrument, he, as such partner and with full authority, executed the same voluntarily for and as the act of said limited liability partnership.

Given under my hand and seal this the 21<sup>st</sup> day of January, 2001.

Billy G. McInally  
Notary Public

My commission expires: 3/27/01

STATE OF ALABAMA     )  
                                  )  
JEFFERSON COUNTY    )

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Steven V. Graham whose name as partner of Pebble Partners, LLP, an Alabama limited liability partnership, is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of said instrument, he, as such partner and with full authority, executed the same voluntarily for and as the act of said limited liability partnership.

Given under my hand and seal this the 27<sup>th</sup> day of January, 2002.

Brian A. M. Annaly  
Notary Public

My commission expires: 3/27/01

STATE OF CALIFORNIA )

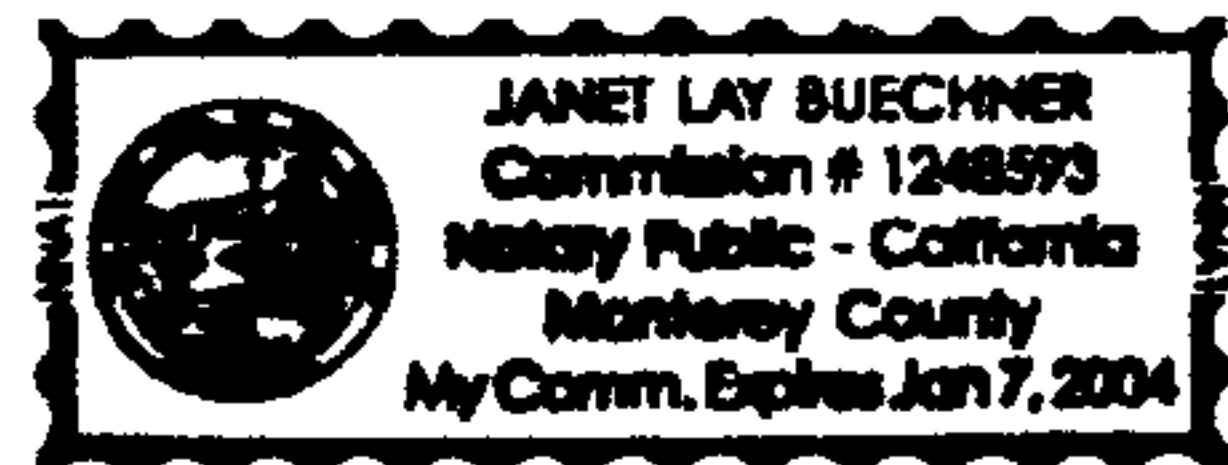
Monterey COUNTY )

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that John E. Van Valkenburgh, whose name is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of said instrument, he executed the same voluntarily.

Given under my hand and seal this the 24<sup>th</sup> day of January, 2000.

Janet Lay Buechner  
Notary Public

My commission expires: Jan. 7, 2004





STATE OF CALIFORNIA )

Sacramento COUNTY )

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Carl D. Panattoni, whose name is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of said instrument, he executed the same voluntarily.

Given under my hand and seal this the 27<sup>th</sup> day of January, 2000.

Kat K Woodbury  
Notary Public

My commission expires: May 21, 2003



STATE OF ALABAMA )

Jefferson COUNTY )

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Muk T. Yam, whose name is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of said instrument, he executed the same voluntarily.

Given under my hand and seal this the 28<sup>th</sup> day of January, 2000.

Severance Johnston  
Notary Public

My commission expires: June 19, 2000

STATE OF ALABAMA )

Jefferson COUNTY )

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Chi Lun Ho, whose name is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of said instrument, he executed the same voluntarily.

Given under my hand and seal this the 28<sup>th</sup> day of January 2000.

Stephanie C. Strickland  
Notary Public

My commission expires: June 19, 2000

Commence at the Northwest corner of the Southeast quarter of Section 31, Township 19 South, Range 2 West, Shelby County, Alabama, and run in an Easterly direction along the North line of said section a distance of 329.55 feet to a point, said point lying on the Southwesterly boundary line of Cahaba Valley Park North, as recorded in Map Book 13, pages 140a and 140b, in the Office of the Judge of Probate of Shelby County, Alabama; thence turn a deflection angle of  $60^{\circ} 17' 38''$  to the right and run in a Southeasterly direction along said boundary line of Cahaba Valley Park North a distance of 536.13 feet to a point, being the POINT OF BEGINNING of the herein described parcel; thence continue along last described course in a Southeasterly direction a distance of 125.07 feet to a point, said point being an iron pin found; thence turn an interior angle of  $91^{\circ} 53' 48''$  and run to the right in a Southwesterly direction a distance of 517.09 feet to a point, said point being on the Easterly right of way line of Southgate Drive, as recorded in Map Book 22, page 91, in the Probate Office of Shelby County; thence turn an interior angle of  $88^{\circ} 06' 12''$  and run to the right in a Northwesterly direction along the Easterly right of way line of said Southgate Drive a distance of 125.07 feet to a point; thence turn an interior angle of  $91^{\circ} 53' 48''$  and leaving said right of way, run to the right in a Northeasterly direction a distance of 517.09 feet to the POINT OF BEGINNING.

Inst. # 2000-03875

02/07/2000-03875  
11:34 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
018 \*\*\* 151.00