

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was prepared by:

R. Shan Paden
PADEN & PADEN
Attorneys at Law
5 Riverchase Ridge, Suite 100
Birmingham, Alabama 35244

SEND TAX NOTICE TO:

FORESITE, LLC
ONE RIVERCHASE RIDGE
SUITE 350
BIRMINGHAM, AL 35244

Inst # 2000-08034

03/14/2000-08034
09:23 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
196.00
BEE LII

STATE OF ALABAMA)

COUNTY OF SHELBY)

WARRANTY DEED

Know All Men by These Presents: That in consideration of ONE HUNDRED EIGHTY FIVE THOUSAND and 00/100 (\$185,000.00) DOLLARS to the undersigned grantor, PEAK 17, LLC an Alabama Limited Liability company, in hand paid by the GRANTEES herein, the receipt of which is hereby acknowledged, the said GRANTOR, does by these presents, grant, bargain, sell and convey unto FORESITE, LLC, (herein referred to as GRANTEES, whether one or more) the following described real estate, situated in SHELBY County, Alabama, to-wit:

LOP 3A, ACCORDING TO THE RESURVEY OF SOUTHWOOD OFFICE PARK, AS RECORDED IN MAP BOOK 25, PAGE 28, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

SUBJECT TO:

1. TAXES FOR THE YEAR BEGINNING OCTOBER 1, 1999 WHICH CONSTITUTES A LIEN BUT ARE NOT YET DUE AND PAYABLE UNTIL OCTOBER 1, 2000.
2. EASEMENTS AND BEING LINE AS SHOWN ON RECORDED MAP.
3. TITLE TO ALL MINERALS WITHIN AND UNDERLYING THE PREMISES, TOGETHER WITH ALL MINING RIGHTS AND OTHER RIGHTS, PRIVILEGES, IMMUNITIES AND RELEASE OF DAMAGES RELATING THERETO, AS RECORDED IN DEED BOOK 4, PAGE 464; DEED BOOK 127, PAGE 140 AND DEED BOOK 64, PAGE 501.
4. LAND USE AGREEMENT IN MISC. BOOK 19, PAGE 690.
5. RESTRICTIONS APPEARING OF RECORD IN MISC. BOOK 13, PAGE 50 AND AMENDED IN MISC. BOOK 15, PAGE 189 AND FURTHER AMENDED IN MISC. BOOK 19, PAGE 633.
6. RESTRICTIONS, CONDITIONS AND OTHER RIGHTS SET FORTH IN DEED RECORDED IN DEED BOOK 331, PAGE 757 AND SUBPARAGRAPH 6 AS SET FORTH IN DEED RECORDED IN DEED BOOK 331, PAGE 757.
7. THE HARBERT-EQUITABLE JOINT VENTURE CHANGE OF USE AGREEMENT IN BOOK 236, PAGE 56.
8. GRADING AND DRAINAGE AGREEMENT IN INSTRUMENT #1997-38360.

TO HAVE AND TO HOLD Unto the said GRANTEES, their heirs and assigns, forever.

And said GRANTOR does for itself, its successors and assigns, covenant with the said GRANTEES, his, her, or their heirs and assigns, that it is lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that it has a good right to sell and convey the same as aforesaid, and that it will and its successors and assigns shall warrant and defend the same to the said GRANTEES, his, her, or their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the said GRANTOR, PEAK 17, LLC, by all of its MEMBERS, namely, M. SCOTT GUROSKY, DONALD WAYNE MYRICK, RICHARD T. BATSON AND DAVID M. REESE, have hereunto set their signatures and seals on behalf of said limited liability company and by execution of this instrument do aver that said execution is in conformity with the Articles of Organization and Operating Agreement which have not been modified or amended, this the 1st day of March, 2000.

PEAK 17, LLC

By: M. Scott Gurosky
M. SCOTT GUROSKY, MEMBER
By: Donald Wayne Myrick
DONALD WAYNE MYRICK, MEMBER
By: Richard T. Batson
RICHARD T. BATSON, MEMBER
By: David M. Reese
DAVID M. REESE, MEMBER

STATE OF ALABAMA)

COUNTY OF SHELBY)

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that M. SCOTT GUROSKY, DONALD WAYNE MYRICK, RICHARD T. BATSON, AND DAVID M. REESE, whose names as MEMBERS of PEAK 17, LLC, an Alabama Limited Liability Company, are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, they, as the sole members and with full authority, executed the same voluntarily for and as the act of said limited liability company.

Given under my hand this the 1st day of March, 2000.

Keith P. ...
Notary Public

My commission expires: 7/1/02

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