

\$ 835,000⁰⁰

This instrument was prepared by
and is to be returned to:
General Counsel
Mesquite Creek Development, Inc.
300 Technology Court
Smyrna, GA 30082

Inst # 2000-40163
11/20/2000-40163
01:38 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 HNB 852.00

GENERAL WARRANTY DEED

THIS INDENTURE, made as of the 17th day of November, 2000, by and between **JACK S. BARRY**, an individual married man residing in the State of Alabama (hereinafter "**GRANTOR**"), whose address is 3333 - 35th Avenue North, Birmingham, Alabama 35207 and **MESQUITE CREEK DEVELOPMENT, INC.**, a corporation existing under the laws of the State of Georgia, whose address is 300 Technology Court, Smyrna, GA 30082 (hereinafter referred to as "**GRANTEE**") (the words "GRANTOR" and "GRANTEE" to include their respective heirs, legal representatives, successors and assigns where the context requires or permits).

W I T N E S S E T H:

GRANTOR, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and for other good and valuable consideration in hand paid by GRANTEE to GRANTOR at and before the sealing and delivery hereof, the receipt and sufficiency of which are hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and does hereby grant, bargain, sell, alien, convey and confirm unto the said GRANTEE all that tract or parcel of land lying and being in Shelby County, Alabama, as more particularly described on **Exhibit "A"** attached hereto and incorporated herein by this reference (the "Land"), TOGETHER WITH all buildings and other improvements situated thereon or attached thereto and all tenements, hereditaments, improvements, appurtenances, rights, easements, licenses, benefits and rights-of-way appurtenant to the Land, and all of Grantor's right, title and interest in and to any existing or proposed streets, roadways, alleys and/or rights-of-way adjacent to the Land (hereinafter collectively called the "**Property**").

NOTE: GRANTOR CERTIFIES THAT NEITHER GRANTOR NOR ANY MEMBER OF GRANTOR'S FAMILY RESIDES ON THE ABOVE DESCRIBED PROPERTY AND THAT THE ABOVE DESCRIBED PROPERTY IS COMMERCIAL PROPERTY AND DOES NOT CONSTITUTE THE HOMESTEAD NOR IS IT CONTIGUOUS TO THE HOMESTEAD OF GRANTOR.

TO HAVE AND TO HOLD the Property, together with all and singular the rights, easements, members and appurtenances thereof to the same being, belonging or in anywise appertaining, to the only proper use, benefit and behoof of GRANTEE forever in FEE SIMPLE.

AND GRANTOR covenants and warrants unto GRANTEE that GRANTOR is lawfully seized and possessed of the entire fee simple estate in and to the Property; that GRANTOR has the lawful and good right to convey same to GRANTEE; that GRANTOR will execute and deliver such further conveyances and do such further acts as may become necessary to fully vest in GRANTEE the entire fee simple estate in and to the Property; and that GRANTOR will warrant and forever defend the right and title to the Property unto GRANTEE against the claims of all persons whomsoever.

IN WITNESS WHEREOF, GRANTOR has caused this deed to be signed, sealed and delivered as of the day and year first above written.

GRANTOR:

JACK S. BARRY, an individual married man residing in the State of Alabama

Jack S. Barry (SEAL)

STATE OF ALABAMA

COUNTY OF SHELBY

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Jack S. Barry, an individual married man residing in the State of Alabama, whose name 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 foregoing conveyance he executed the same voluntarily on the day the same bears date.

Given under my hand and seal this 17th day of November, 2000.

Mary K. Lang
Notary Public

My Commission Expires: _____

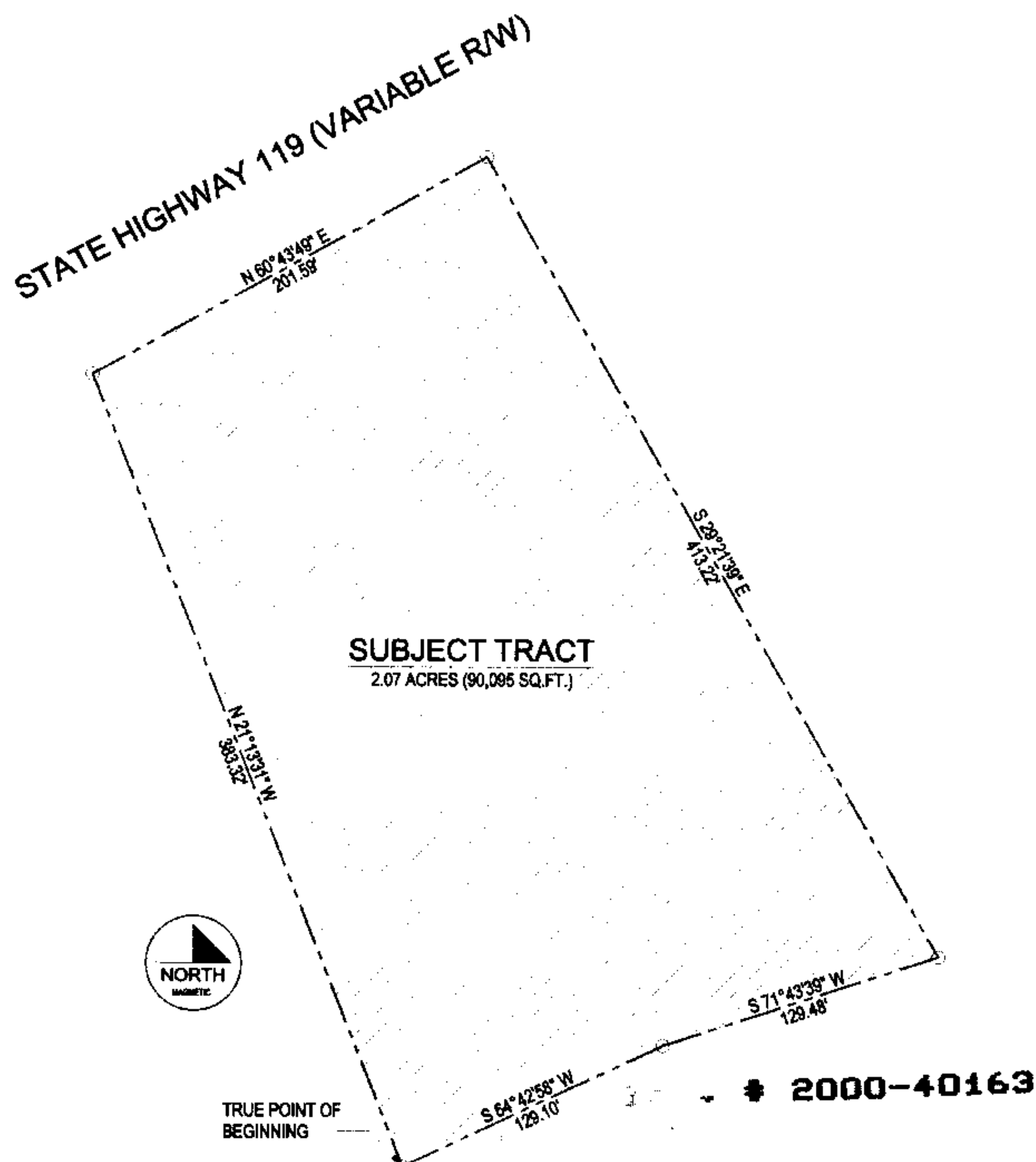
NOTARY PUBLIC STATE OF ALABAMA AT LARGE.
MY COMMISSION EXPIRES: May 30, 2001.
BONDED THRU NOTARY PUBLIC UNDERWRITERS.

Exhibit 'A'

All that tract or parcel of land lying and being in the Southwest corner of the Southeast $\frac{1}{4}$ of the southeast $\frac{1}{4}$ of section 31 Township 19 South, Range 2 West, City of Pelham, Alabama, and being more particularly as follows:

Commencing at a point found at the Southwest Corner of the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 31 Township 19 South, Range 2 West; thence North 00 degrees 04 minutes 59 seconds West, a distance of 363.80 feet to a point; thence North 88 degrees 18 minutes 02 seconds East, a distance of 65.26 feet to a point; thence North 53 degrees 16 minutes 29 seconds East, a distance of 237.79 feet to a point; thence North 64 degrees 52 minutes 29 seconds East, a distance of 49.41 feet to a point; said point being the **POINT OF BEGINNING**; thence North 21 degrees 13 minutes 31 seconds West, a distance of 383.32 feet to a $\frac{5}{8}$ " rebar found on the Southerly right of way of Alabama State Highway 119; thence along said right of way North 60 degrees 43 minutes 49 seconds East, a distance of 201.59 feet to a $\frac{5}{8}$ " rebar w/cap found; thence leaving said right of way South 29 degrees 21 minutes 39 seconds East, a distance of 413.22 feet to a point; thence South 71 degrees 43 minutes 39 seconds West, a distance of 129.48 feet to a point; thence South 64 degrees 42 minutes 58 seconds West, a distance of 129.10 feet to a point; said point being the **POINT OF BEGINNING**.

Said tract contains 90,095 sf. (2.07 acres)



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