

Send Tax Notice To:

MB600, L.L.C.

3595 Grandview Parkway  
Suite 400

Birmingham, Alabama  
35243

Inst # 2001-18292

STATE OF ALABAMA     )  
                                  )  
SHELBY COUNTY         )

**STATUTORY WARRANTY DEED**

**THIS IS A STATUTORY WARRANTY DEED** executed and delivered on this 4th day of May, 2001, by **QUAIL 600 LIMITED PARTNERSHIP**, an Alabama limited partnership (hereinafter referred to as the "Grantor"), to **MB600, 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 Ten and 00/100 Dollars (\$10.00) 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, its successors and assigns, the real estate described on Exhibit "A" attached hereto and made a part hereof and situated in Shelby County, Alabama;

**TOGETHER WITH** all appurtenances thereto belonging or in anywise appertaining 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 the items set forth on Exhibit "B" attached hereto and made a part hereof by reference and incorporation.

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

05/08/2001-18292  
02:12 PM CERTIFIED

SHELBY COUNTY JUDGE OF PROBATE  
006 MEL 973.00

*Carla Little*

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

GRANTOR:

**QUAIL 600 LIMITED PARTNERSHIP,**  
an Alabama limited partnership

By: Daniel Realty Investment Corporation-MB 600,  
an Alabama corporation, its general partner

By: *John C. Gorecki*  
Its: *Sen. V. P.*

STATE OF ALABAMA  
JEFFERSON COUNTY

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that John C. Gorecki, whose name as Senior Vice President of Daniel Realty Investment Corporation-MB600, an Alabama corporation, the general partner of Quail 600 Limited Partnership, an Alabama limited 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, in his capacity as such officer and with full authority, executed the same voluntarily for and as the act of said corporation, as the general partner of said limited partnership, on the day the same bears date.

Given under my hand and seal on this the 14<sup>th</sup> day of May, 2001.

*Myra D. Polak*  
NOTARY PUBLIC

[ NOTARY SEAL ]

My Commission Expires 11/4/2002

THIS INSTRUMENT PREPARED BY:  
Lynn Reynolds  
Berkowitz, Lefkovits, Isom & Kushner  
Suite 1600 SouthTrust Tower  
420 North 20<sup>th</sup> Street  
Birmingham, Alabama 35203

## **EXHIBIT "A"**

**(Shelby County, Alabama Property)**

**ALL THAT TRACT OR PARCEL OF LAND lying and being in Shelby County, Alabama, and known as Lot 11B-1, Meadow Brook Corporate Park South, Phase II, Resurvey of Lot 11A & Lot 11B, as per plat recorded in Map Book 13, Page 84, in the Probate Office of Shelby County, Alabama, and being more particularly described as follows:**

**Commence at the point formed by the intersection of the southeastern margin of the right-of-way of Meadow Brook Road with the southwestern margin of the right-of-way of Corporate Parkway (right-of-way width varies) and thence run South 51 degrees 47 minutes 47 seconds East along the southwestern margin of the aforesaid right-of-way of Corporate Parkway a distance of 97.80 feet to a point; thence running in a southeasterly direction along the southwestern margin of the aforesaid right-of-way of Corporate Parkway and along the arc of a curve an arc distance of 323.95 feet to a point, said point being the POINT OF BEGINNING (said arc being subtended by a chord having a bearing of South 79 degrees 09 minutes 10 seconds East and a radius of 339.25 feet); FROM THE POINT OF BEGINNING AS THUS ESTABLISHED, run South 73 degrees 29 minutes 28 seconds East along the southwestern margin of the aforesaid right-of-way of Corporate Parkway a distance of 109.47 feet to a point; thence running in a southeasterly direction along the southwestern margin of the right-of-way of Corporate Parkway and along the arc of a curve an arc distance of 403.50 feet to a point (said arc being subtended by a chord having a bearing of South 80 degrees 14 minutes 14 seconds East and a radius of 440.00 feet); thence running South 53 degrees 58 minutes 00 seconds East along the southwestern margin of the aforesaid right-of-way of Corporate Parkway a distance of 359.44 feet to a point; thence leaving the southwestern margin of the aforesaid right-of-way of Corporate Parkway and running South 36 degrees 39 minutes 53 seconds West a distance of 99.01 feet to a point; thence running South 73 degrees 24 minutes 59 seconds West a distance of 489.96 feet to a point; thence running North 89 degrees 15 minutes 39 seconds West a distance of 50.92 feet to a point; thence running North 23 degrees 15 minutes 35 seconds West a distance of 506.13 feet to the POINT OF BEGINNING, being situated in Shelby County, Alabama.**

## **EXHIBIT "B"**

1. General and special taxes or assessments for the year 2001 and subsequent years not yet due and payable.
2. Agreement with Alabama Power Company as to underground cables recorded in Real Book 75, Page 634 in the Office of the Judge of Probate of Shelby County, Alabama.
3. Agreement with Alabama Power Company recorded in Misc. Book 48, Page 880 in the Office of the Judge of Probate of Shelby County, Alabama.
4. Transmission line permit to Alabama Power Company recorded in Deed Book 146, Page 391, in the Office of the Judge of Probate of Shelby County, Alabama.
5. Building setback line, buffer zone, sanitary sewer, storm sewer and other public utility easements as shown in Map Book 13, Page 84, in the Office of the Judge of Probate of Shelby County, Alabama.
6. Declaration of Covenants, Conditions, Restrictions for Meadow Brook Corporate Park South as set out in Real Book 64, Page 91, 1<sup>st</sup> Amendment recorded in Real 95 Page 826; 2<sup>nd</sup> Amendment recorded in Real 141 Page 784; 3<sup>rd</sup> Amendment recorded in Real 177 Page 244; 4<sup>th</sup> Amendment recorded in Real 243 Page 453; 5<sup>th</sup> Amendment recorded in Real 245 Page 89; 6<sup>th</sup> Amendment recorded in Instrument #1992-23529; 7<sup>th</sup> Amendment recorded in Instrument #1995-03028; 8<sup>th</sup> Amendment recorded in Instrument #1995-04188; 9<sup>th</sup> Amendment recorded in Instrument #1996-5491; 10<sup>th</sup> Amendment recorded in Instrument #1996-32318; 11<sup>th</sup> Amendment recorded in Instrument #1997-30077; 12<sup>th</sup> Amendment recorded in Instrument #1997-37856; 13<sup>th</sup> Amendment recorded in Instrument #1998-5588; 14<sup>th</sup> Amendment recorded in Instrument #1998-41655; 15<sup>th</sup> Amendment recorded in Instrument #1998-46243; and, 16<sup>th</sup> Amendment recorded in Instrument #1999-2935, all in the Office of the Judge of Probate of Shelby County, Alabama.
7. Less and except any part of the subject property lying within a road right of way.
8. Mortgage dated September 30, 1996, executed by Quail 600 Limited Partnership to Metropolitan Life Insurance Company, filed for record October 2, 1996, recorded in Instrument #1996-32641 in the Office of the Judge of Probate of Shelby County, Alabama.
9. Assignment of Lessor's Interest in Leases dated September 30, 1996, between Quail 600 Limited Partnership and Metropolitan Life Insurance Company, filed for record October 2, 1996, recorded in Instrument #1996-32642 in the Office of the Judge of Probate of Shelby County, Alabama.



10. UCC recorded in Instrument #1996-32643 executed by Quail 600 Limited Partnership to Metropolitan Life Insurance Company, filed for record on October 2, 1996, in the Office of the Judge of Probate of Shelby County, Alabama.
11. Unrecorded Lease between General Motors Acceptance Corporation (Tenant) and Daniel Meadow Brook 600 Limited Partnership (Landlord), dated August 30, 1996, which has been subordinated by Non-disturbance, Attornment and Subordination Agreement dated September 26, 1996.
12. Unrecorded Lease between Aerotek, Inc. (Tenant) and Daniel Meadow Brook 600 Limited Partnership (Landlord), dated August 30, 1996.
13. Unrecorded Lease between Russell B. Thomas dba Southeastern Risk Management, Inc. (Tenant) and Daniel Meadow Brook 600 Limited Partnership (Landlord), dated August 30, 1996, which has been subordinated by Non-disturbance, Attornment and Subordination Agreement dated September 17, 1996.
14. Unrecorded Lease between Gresham, Smith and Partners (Tenant) and Daniel Meadow Brook 600 Limited Partnership (Landlord), dated August 30, 1996, which has been subordinated by Non-disturbance, Attornment and Subordination Agreement dated September 19, 1996.
15. Subordination Agreement between Metropolitan Life Insurance Company, Southern Indiana Properties, Inc. and Quail 600 Limited Partnership, dated September 30, 1996, recorded in Instrument #1996-33594, amended and restated by Instrument #1998-49412, in the Probate Office of Shelby County, Alabama.
16. Mortgage, Security Agreement and Assignment of Leases and Rents dated October 1, 1996, from Quail 600 Limited Partnership to Southern Indiana Properties, Inc., filed for record October 2, 1996, recorded in Instrument #1996-32644, and transferred and assigned to SIP Diversified Holdings, Inc. by instrument recorded in Instrument #1998-24237, said mortgage being modified by Instrument #1999-2751, in the Probate Office of Shelby County, Alabama.
17. UCC recorded in Instrument #1996-32645 executed by Quail Limited Partnership to Southern Indiana Properties, Inc. filed for record on October 2, 1996, in the Probate Office of Shelby County, Alabama.
18. UCC recorded in Instrument #1996-32646 executed by Quail Limited Partnership to Southern Indiana Properties, Inc. filed for record on October 2, 1996, in the Probate Office of Shelby County, Alabama.
19. UCC recorded in Instrument #1996-32647 executed by Quail Limited Partnership to Southern Indiana Properties, Inc. filed for record on October 2, 1996, in the Probate Office of Shelby County, Alabama.

20. First Amended and Restated Certificate and Agreement of Limited Partnership to Quail 600 Limited Partnership, dated September 20, 1996, recorded in Instrument #1996-32648 and First Amendment dated October 1, 1996, recorded in Instrument #1996-32649, in the Probate Office of Shelby County, Alabama.
21. Cross-Collateralization/Cross Default Agreement and Modification dated December 9, 1998, between Quail 600 Limited Partnership, Metropolitan Life Insurance Company and The Fidelity Company, filed for record December 11, 1998, recorded in Instrument #1998-49413, in the Probate Office of Shelby County, Alabama.

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