

STATE OF ALABAMA

SHELBY COUNTY

)  
: SEND TAX NOTICE TO:  
) Daniel Realty Company

3595 Grandview Parkway, Suite 400  
Birmingham, Alabama 35243

**STATUTORY WARRANTY DEED**

THIS STATUTORY WARRANTY DEED is executed and delivered on this 20<sup>th</sup> day of August, 2001 by **DANIEL OAK MOUNTAIN LIMITED PARTNERSHIP**, an Alabama limited partnership ("Grantor"), in favor of **DANIEL REALTY COMPANY**, an Alabama general partnership ("Grantee").

KNOW ALL MEN BY THESE PRESENTS, that for and in consideration of the sum of Ten and No/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, Grantor does by these presents, GRANT, BARGAIN, SELL and CONVEY unto Grantee that certain real property (the "Property") situated in Shelby County, Alabama which is more particularly described in Exhibit A attached hereto and incorporated herein by reference.

The Property is conveyed subject to the following (collectively, the "Permitted Exceptions"):

1. Real estate ad valorem taxes and library district dues and assessments for the current year and all subsequent years thereafter.
2. Greystone Office Park Declaration of Covenants, Conditions and Restrictions dated as of September 18, 1992, and recorded as Instrument No. 1992-22117 in the Office of the Judge of Probate of Shelby County, Alabama (the "Probate Office"), as amended by (i) First Amendment thereto dated as of July 28, 1993, and recorded as Instrument No. 1993-22437 in the Probate Office, (ii) Second Amendment thereto dated as of April 14, 1994, and recorded as Instrument No. 1994-12528 in the Probate Office, (iii) Third Amendment thereto dated as of May 17, 1996, and recorded as Instrument No. 1996-17949 in the Probate Office, and (iv) Fourth Amendment thereto dated as of March 18, 1998, and recorded as Instrument No. 1998-09522 in the Probate Office (only as to Parcel I described in Exhibit A hereto).

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*The entire purchase price for the Property has been paid by Grantee to Grantor from the proceeds of a \$4,000,000.00 loan obtained by Grantee from SouthTrust Bank, which loan is secured by a Mortgage and Security Agreement of even date herewith from Grantee to SouthTrust encumbering the Property and which is being recorded contemporaneously herewith.*

3. Greystone Commercial Declaration of Covenants, Conditions and Restrictions dated October 16, 1990, and recorded in Book 314, Page 506 in the Probate Office, as amended by (i) First Amendment thereto dated as of July 14, 1995, and recorded as Instrument No. 1996-00531 in the Probate Office, (ii) Second Amendment thereto dated as of July 14, 1995, and recorded as Instrument No. 1996-00532 in the Probate Office, and (iii) Third Amendment thereto dated as of November 30th, 2000, and recorded as Instrument No. 2000-38942 in the Probate Office (only as to Parcel II described in Exhibit A hereto).
4. All easements, restrictions, rights-of-way, reservations and other matters of record.
5. Mining and mineral rights not owned by Grantor.
6. All applicable zoning ordinances.

TO HAVE AND TO HOLD unto the said Grantee, its successors and assigns, forever, subject, however, to the Permitted Exceptions.

IN WITNESS WHEREOF, Grantor has caused this Statutory Warranty Deed to be executed as of the day and year first above written.

**DANIEL OAK MOUNTAIN LIMITED  
PARTNERSHIP**, an Alabama limited partnership

By: Daniel Realty Investment Corporation-Oak Mountain,  
an Alabama corporation, Its General Partner

By:   
Christopher A. Brown, Its Senior Vice President

STATE OF ALABAMA

COUNTY OF JEFFERSON

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I, the undersigned, a notary public in and for said county in said state, hereby certify that Christopher A. Brown, whose name as Senior Vice President of Daniel Realty Investment Corporation-Oak Mountain, an Alabama corporation, as General Partner of Daniel Oak Mountain 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, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation in its capacity as General Partner as aforesaid.

Given under my hand and official seal this 20th day of August, 2001.



Notary Public

[NOTARIAL SEAL]

My commission expires: 9/8/2001

This instrument prepared by and  
upon recording should be returned to:

Stephen R. Monk, Esq.  
Bradley Arant Rose & White LLP  
2001 Park Place, Suite 1400  
Birmingham, Alabama 35203  
(205) 521-8429



## EXHIBIT A

### LEGAL DESCRIPTION OF PROPERTY

#### PARCEL I:

Lot 2, according to a Resurvey of Lot 5A of a Resurvey of Lots 3, 4, and 5, Greystone Commercial, 2nd Phase and a part of Lot 1, Greystone Commercial as recorded in Map Book 23, Page 127 in the Office of the Judge of Probate of Shelby County, Alabama; being situated in Shelby County, Alabama.

#### PARCEL II:

To locate the point of beginning, commence at the Southwest corner of the NE 1/4 of Section 32, Township 18 South, Range 1 West, Shelby County, Alabama; thence South 88 deg. 43 min. 44 sec. East on the South boundary line of said NE 1/4 a distance of 250.00 feet to a point; thence North 26 deg. 40 min. 48 sec. East a distance of 1300.16 feet to the point of beginning, said point of beginning being on the West boundary line of Lot 2A of the Resurvey of Lot 2, Greystone Second Sector, a subdivision which was recorded in Map Book 17, page 27, in the Office of the Judge of Probate, Shelby County, Alabama, and the north right of way of a private road known as Greystone Way; thence South 50 deg. 29 min. 50 sec. West on the North right of way of said road a distance of 265.10 feet to a curve to the left having a central angle of 14 deg. 32 min. 51 sec. and a radius of 840.00 feet; thence along said curve a distance of 213.28 feet to a point; thence tangent to said curve South 35 deg. 56 min. 59 sec. West a distance of 11.79 feet to a curve to the right having a central angle of 40 deg. 29 min. 35 sec. and a radius of 410.00 feet; thence along said curve a distance of 289.76 feet to a point on the East boundary line of Lot 1, Greystone, Third Sector, a subdivision which was recorded in Map Book 14, Page 79, in the Office of the Judge of Probate, Shelby County, Alabama; thence North 20 deg. 09 min. 47 sec. East on the East boundary line of said Lot 1 a distance of 569.30 feet to a point; thence North 16 deg. 15 min. 22 sec. East on the East boundary line of said Lot 1 a distance of 384.30 feet to a point; thence South 73 deg. 44 min. 39 sec. East on the East boundary line of said Lot 1 a distance of 150.02 feet to a point; thence North 16 deg. 15 min. 33 sec. East on the East boundary line of said Lot 1 a distance of 285.20 feet to a point; thence South 59 deg. 11 min. 45 sec. East a distance of 348.34 feet to a point on the West boundary line of Lot 2A of the resurvey of Lot 2, Greystone, Second Sector; thence South 26 deg. 40 min. 17 sec. West on the West boundary line of said Lot 2A a distance of 521.17 feet to the point of beginning.

The above land all lying and being in the NE 1/4 of Section 32, Township 18 South, Range 1 West, Shelby County, Alabama, and as shown on the boundary survey dated May 31, 1993, prepared by Charley Foster & Associates, Inc., and being more particularly described as follows:

To locate the point of beginning, commence at the SW corner of the NE 1/4 of Section 32, Township 18 South, Range 1 West, Shelby County, Alabama; thence South 88 deg. 43 min. 44 sec. East on the south boundary of said NE 1/4 a distance of 250.00 feet to a point; thence North 26 deg. 40 min. 48 sec. East a distance of 1300.16 feet to the point of beginning, said point of beginning being on the west boundary of Lot 2A of the resurvey of Lot 2, Greystone, Second Sector, a subdivision which was recorded in Map Book 17, page 27, in the Office of the Judge of Probate, Shelby County, Alabama, and the north right of way of a public road; thence South 55 deg. 30 min. 21 sec. West on the North right of way of said road a distance of 265.10 feet to a curve to the left having a central

angle of 14 deg. 32 min. 51 sec. and a radius of 840.00 feet; thence along said curve a distance of 213.28 feet to a point; thence tangent to said curve South 35 deg. 57 min. 29 sec. West a distance of 11.79 feet to a curve to the right having a central angle of 40 deg. 29 min. 35 sec. and a radius of 410.00 feet; thence along said curve a distance of 289.76 feet to a point on the east boundary of Lot 1, Greystone, Third Sector, a subdivision recorded in Map Book 14, Page 79, in the Office of the Judge of Probate, Shelby County, Alabama; thence North 20 deg. 10 min. 42 sec. East on the east boundary of said Lot 1 a distance of 569.13 feet to a point; thence North 16 deg. 17 min. 42 sec. East on the east boundary of Lot 1 a distance of 384.29 feet to a point; thence South 73 deg. 42 min. 18 sec. East on the east boundary of Lot 1 a distance of 150.00 feet to a point; thence North 16 deg. 17 min. 42 sec. East on the east boundary of said Lot 1 a distance of 285.30 feet to a point; thence South 59 deg. 11 min. 45 sec. East a distance of 347.93 feet to a point on the west boundary of Lot 2A of the resurvey of Lot 2, Greystone, Second Sector; thence South 26 deg. 40 min. 48 sec. West on the west boundary of said Lot 2A a distance of 521.17 feet to the point of beginning.

Inst # 2001-35830