

This instrument was prepared by:
LINDA J. PEACOCK
Gordon, Silberman, Wiggins & Childs, P.C.
1400 SouthTrust Tower
Birmingham, Alabama 35203

Send Tax Notice to:
Helena Properties, LLC
c/o Harcon Inc.
905 Union Hill Road
Alpharetta, Ga 30004

Inst # 2001-37753

SPECIAL WARRANTY DEED

STATE OF ALABAMA)
) KNOW ALL PERSONS BY THESE PRESENTS:
COUNTY OF SHELBY)

That in consideration of Seven Hundred Thirty-Eight Thousand Seven Hundred Fifty and 00/100 Dollars (\$738,750.00) to the undersigned Grantor, The Metrock Helena Properties, L.L.P., an Alabama limited liability partnership (hereinafter referred to as GRANTOR), in hand paid by the GRANTEE herein, the receipt of which is hereby acknowledged, the said GRANTOR does by these presents, grant, bargain, sell and convey unto Helena Properties, LLC (herein referred to as GRANTEE), the following described real estate, situated in Shelby County, Alabama, to-wit:

See attached Exhibit A

The consideration set out above is represented by a purchase money mortgage to Southtrust Bank recorded simultaneously herewith.

And subject to the foregoing, GRANTOR will warrant and forever defend the right and title to the said bargained premises unto GRANTEE against the claims of all persons owning, holding, or claiming by, through, or under GRANTOR, which claims are based upon matters occurring subsequent to GRANTOR's acquisition of the bargained premises, and prior to the date of delivery of this deed.

IN WITNESS WHEREOF, the said GRANTOR, who is authorized to execute this conveyance, has hereto set her signature this the 28th day of August, 2001.

THE METROCK HELENA PROPERTIES, L.L.P.
BY: Metrock Properties, L.L.C., its general partner

BY: Connie K. Metrock
Connie K. Metrock, Managing Member

(Acknowledgment on the next page)

08/31/2001-37753
03:15 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
1 004 CH 21.00

STATE OF ALABAMA
COUNTY OF Jefferson

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Connie K. Metrock, whose name is signed to the foregoing conveyance, as Managing Member of Metrock Properties, L.L.C., an Alabama limited liability company, as general partner of The Metrock Helena Properties, L.L.P., an Alabama limited liability partnership, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, she executed the same voluntarily on behalf of the limited liability company as general partner of The Metrock Helena Properties, L.L.P.

Given under my hand and official seal, this the 28th day of August, 2001.

(SEAL)

Bosman A. Gilmore
Notary Public
My Commission Expires: _____

F:\CORP\METROCK\HELENA\DOC\deed

NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: Oct. 10, 2002
BONDED THRU NOTARY PUBLIC UNDERWRITERS

Exhibit A

Legal Description

Beginning at the Northwest corner of Lot 1, Block 1, Mullins East Side Addition to Helena, as recorded in Map Book 4, page 25, in the Office of the Judge of Probate of Shelby County and run thence North 82° 28' 39" East along the North line of said Lot 1 a distance of 163.05 feet to the Northwest corner of Lot 15, Block 1, of same said Subdivision; thence run North 82° 17' 12" East along the North line of said Lot 15 a distance of 173.99 feet to the Northeast corner of same said Lot 15; thence continue North 83° 10' 04" East, crossing the Northerly end of the Vacated Mimosa Street a distance of 51.15 feet to the Northwest corner of Lot 9, Block 2 of same said Subdivision; thence continue North 80° 02' 41" East a distance of 180.57 feet to a corner; thence run North 35° 54' 28" East a distance of 38.14 feet to a corner; thence run North 80° 05' 13" East a distance of 231.10 feet to a found capped corner; thence run South 06° 46' 41" East a distance of 87.40 feet to a cross in concrete corner; thence run South 10° 57' 15" East a distance of 91.97 feet to a found rebar corner; thence run South 74° 26' 16" West a distance of 191.12 feet to a found rebar corner; thence run South 60° 15' 51" West a distance of 42.65 feet to a found rebar corner; thence run South 07° 54' 53" East a distance of 185.78 feet to a set rebar corner on a cul de sac property line having a central angle of 77° 29' 14" and a radius of 50.0 feet; thence run Southwesterly along the arc of said cul de sac distance of 67.62 feet to a set rebar corner; thence run North 85° 24' 07" West a distance of 366.10 feet to a set rebar corner; thence run North 13° 13' 14" West a distance of 127.78 feet to a found rebar corner; thence run South 82° 14' 09" West a distance of 199.32 feet to a found rebar corner on the East margin of Rolling Mill Street; thence run North 02° 58' 06" West along said margin of said street a distance of 199.91 feet to the point of beginning.

SUBJECT TO:

1. Ad valorem taxes for the current tax year.
2. All easements, restrictions, covenants and rights-of-way of record.
3. Municipal assessments, if any, due Helena.
4. Right of way to Alabama Telephone and Telegraph Company, recorded in Real 254, Page 507 in the Probate Office of Shelby County, Alabama.
5. Easement to Water Works Board of the Town of Montevallo, recorded in Volume 145, Page 465 and Volume 176, Page 390, in the Probate Office of Shelby County, Alabama.
6. Right of Way granted to Alabama Power Company by instrument recorded in Volume 266, Page 739; Volume 199, Page 446; Volume 57, Page 88 and Volume 146, Page 309 in the Probate Office of Shelby County, Alabama.
7. Coal, oil, gas and other mineral interest in, to or under the land.
8. Unrecorded 6" cast iron water main crossing the Property from East to West.

9. Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto as recorded Deed Book 352, page 670 and under Instrument Number 1995-11385.
10. Right of Way and easement granted to AT&T as recorded in Deed Book 173, page 954.
11. Rights of tenants in possession under unrecorded leases.
12. Riparian and other rights created by the fact that subject property lies adjacent to or is bounded by creek.
13. Rights outstanding by reason of utility lines and underground fiber optic line crossing insured premises, as shown by survey of Joseph E. Conner, Jr. dated June 12, 2001.
14. Encroachment by fence along northerly and easterly sides of insured premises and variance of fence line along the property lines, as shown by survey of Joseph E. Conn, Jr. dated June 12, 2001.
15. Encroachment by structure along northerly side of insured premises and over underground water line, as shown by Survey of Joseph E. Conn, Jr. dated June 12, 2001.
16. Encroachment of concrete slab over easterly lot line and into Oak Street and Mimosa Street as shown by Survey of Joseph E. Conn, Jr., dated June 12, 2001.
17. Rights, if any, of property owners adjoining on the north in and to that portion of insured premises lying between the north line and the fence inside said line, as shown on survey of Joseph E. Conn, Jr. dated June 12, 2001.

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