

This instrument prepared by:

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STATE OF ALABAMA)
SHELBY COUNTY)

DEED

Inst # 2001-38805

09/10/2001-38805
09:11 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
158.00
015 MSB

KNOW ALL MEN BY THESE PRESENTS, that in consideration of Ten Dollars (\$10.00) and other good and valuable consideration paid to the undersigned John E. Van Valkenburgh, a married man ("Van Valkenburgh"), Carl D. Panattoni, a married man ("Panattoni"), Yolanda Panattoni, Carl D. Panattoni, Leonard Panattoni, Christine Kowalski, and Elaine Schaefer, as co-trustees of the P-GST Trust dated December 26, 1989 (collectively the "Trust Grantor"), and Pebble Partners, LLP, an Alabama limited liability partnership (the "Partnership Grantor"; Van Valkenburgh, Panattoni, the Trust Grantor and the Partnership Grantor being collectively referred to as the "Grantors"), by Dotry Enterprises, LLC (the "Grantee"), the receipt and sufficiency of which is hereby acknowledged, the Grantors do hereby grant, bargain, sell and convey to the Grantee the real estate situated in Shelby County, Alabama described on Exhibit A hereto (the "Property");

TOGETHER WITH all the rights, tenements, hereditaments and appurtenances thereto belonging or in any way appertaining;

SUBJECT AND SUBORDINATE TO:

- i. All easements, restrictions and encumbrances of record.
- ii. Ad valorem taxes due and payable on October 1, 2001 and for all subsequent years.
3. The covenants and restrictions as set forth hereinafter.

No part of the Property is the homestead of any of the Grantors.

This instrument is executed by the Trust Grantor solely in the representative capacity stated herein and neither this instrument nor anything herein contained shall operate or be construed to create any liability or obligation of the Trust Grantor in any individual capacity and the Trust Grantor hereby expressly limits the liability and obligation thereof hereunder to the property now or hereafter held by the Trust Grantor in the representative capacity herein stated.

By acceptance hereof, the Grantee covenants and agrees (a) that the Grantee, and any person acting under contract with the Grantee or acting with the permission or knowledge of the Grantee, shall not construct, install, locate or permit any building, structure, fence, paving, landscaping or other improvement on the Property without the prior written consent of the Grantors, as hereinafter provided, and (b) that violation of the foregoing covenant will cause irreparable damage to the Grantors for which money damages would be an inadequate remedy and therefore the foregoing covenant may be enforced by the Grantors by all remedies available at law or in equity, including without limitation specific performance and injunctive relief, and (c) that the foregoing covenants shall run with the Property and be binding upon and enforceable against the Grantee and the respective heirs, executors, administrators and assigns thereof.

The Grantors hereby appoint the Partnership Grantor (acting by any partner or member thereof) to act for all of the Grantors with respect to the certification to any interested person of whether compliance may have been had with the above covenants and restrictions and if not the reason or reasons thereof.

TO HAVE AND TO HOLD unto the Grantee, its successors and assigns, forever.

IN WITNESS WHEREOF the Grantors and the Grantee have executed this instrument on this
5th day of September, 2001.

GRANTORS:

P-GST TRUST

By Yolanda Panattoni
as co-trustee of the P-GST Trust
dated December 26, 1989

By Yolanda Panattoni
Yolanda Panattoni as such co-trustee

By Carl D. Panattoni
as co-trustee of the P-GST Trust
dated December 26, 1989

By [Signature]
Carl D. Panattoni as such co-trustee

By Leonard Panattoni
as co-trustee of the P-GST Trust
dated December 26, 1989

By [Signature]
Leonard Panattoni as such co-trustee

By Christine Kowalski
as co-trustee of the P-GST Trust
dated December 26, 1989

By Christine Kowalski
Christine Kowalski as such co-trustee

By Elaine Schaedler
as co-trustee of the P-GST Trust
dated December 26, 1989

By Elaine M. Schaedler
Elaine Schaedler as such co-trustee

PEBBLE PARTNERS, LLP

By H. Michael Graham
Partner

By St. Kachem
Partner

JOHN VAN VALKENBURGH

By John E. Van Valkenburgh (L.S.)
John E. Van Valkenburgh

CARL D. PANATTONI

By [Signature] (L.S.)
Carl D. Panattoni

Accepted and Agreed:

GRANTEE:

DOTRY ENTERPRISES, LLC

By Tay Smith
Its member

STATE OF California)
Sacramento COUNTY)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Leonard C. Panattai, whose name as co-trustee of the P-GST Trust dated December 26, 1989, 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, (s)he executed the same voluntarily on the day the same bears date.

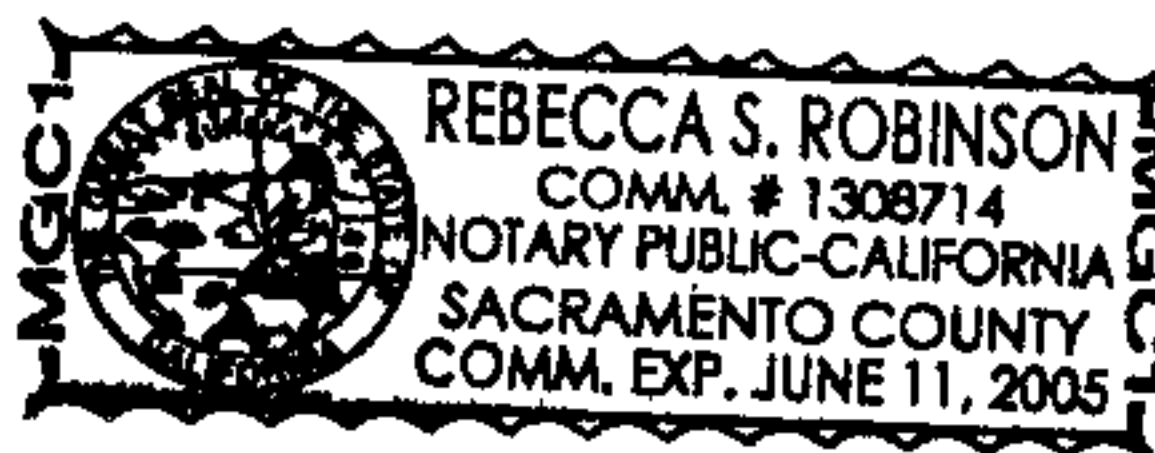
Given under my hand and seal this the 24th day of August, 2001.

Rebecca S. Robinson

Notary Public

NOTARIAL SEAL

My commission expires: June 11, 2005



STATE OF California)
Sacramento COUNTY)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Christine Kowalski, whose name as co-trustee of the P-GST Trust dated December 26, 1989, 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, (s)he executed the same voluntarily on the day the same bears date.

Given under my hand and seal this the 24th day of August, 2001.

Rebecca S. Robinson

Notary Public

NOTARIAL SEAL

My commission expires: June 11, 2005



STATE OF California)
Sacramento COUNTY)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Carl D. Panattari, whose name as co-trustee of the P-GST Trust dated December 26, 1989, 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, (s)he executed the same voluntarily on the day the same bears date.

Given under my hand and seal this the 24th day of August, 2001.

Kat K Woodbury

Notary Public

NOTARIAL SEAL

My commission expires: May 21, 2003



STATE OF California)
Sacramento COUNTY)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Volanda Panttoni, whose name as co-trustee of the P-GST Trust dated December 26, 1989, 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, (s)he executed the same voluntarily on the day the same bears date.

Given under my hand and seal this the 27th day of August 2001.

Rebecca S. Robinson

Notary Public

NOTARIAL SEAL

My commission expires: June 11, 2005



STATE OF California)
Sacramento COUNTY)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Elaine Schuedler, whose name as co-trustee of the P-GST Trust dated December 26, 1989, 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, (s)he executed the same voluntarily on the day the same bears date.

Given under my hand and seal this the 27th day of August, 2001.

Rebecca S. Robinson

Notary Public

NOTARIAL SEAL

My commission expires: June 11, 2005

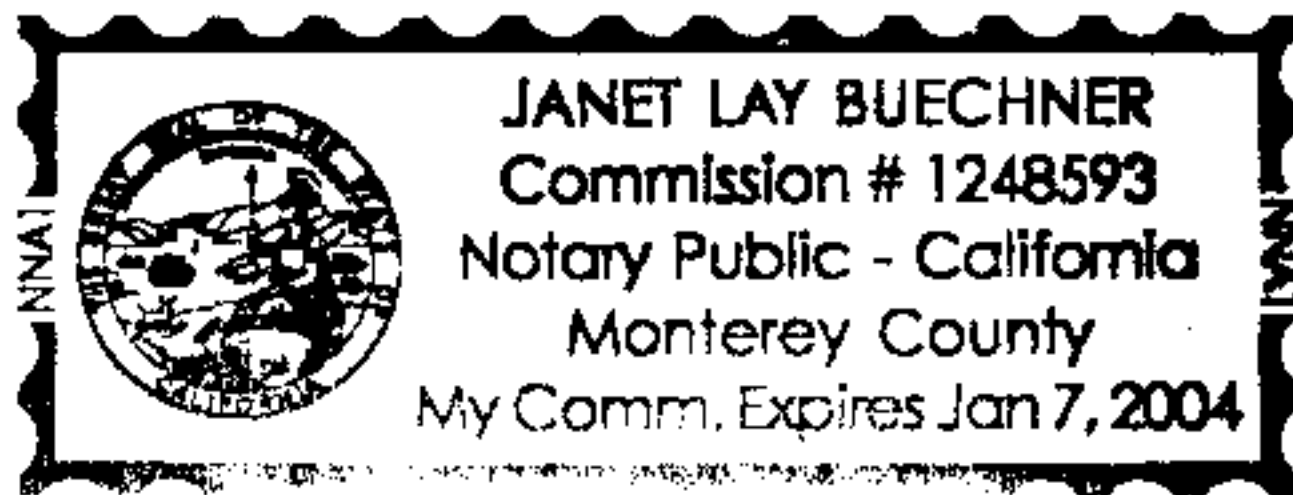


STATE OF CALIFORNIA)

Monterey COUNTY)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that John E. Van Valkenburgh, whose name 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 executed the same voluntarily.

Given under my hand and seal this the 22 day of August 2001.



Janet Lay Buechner

Notary Public

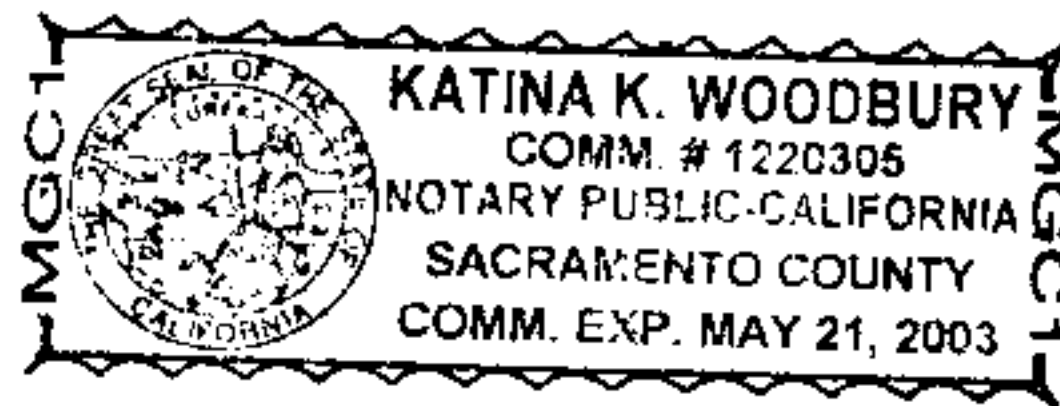
My commission expires: Jan 7, 2004

STATE OF CALIFORNIA)

Sacramento COUNTY)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Carl D. Panattoni, whose name 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 executed the same voluntarily.

Given under my hand and seal this the 24th day of August, 2001.



Kat K Woodbury

Notary Public

My commission expires: May 21, 2003

STATE OF ALABAMA)
)
JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that H. Michael Graham whose name as partner of Pebble Partners, LLP, an Alabama limited liability 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 partner and with full authority, executed the same voluntarily for and as the act of said limited liability partnership.

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

Cheryl H. Spina
Notary Public

My commission expires: 1-3-05

STATE OF ALABAMA)
)
JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Steven V. Graham, whose name as partner of Pebble Partners, LLP, an Alabama limited liability 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 partner and with full authority, executed the same voluntarily for and as the act of said limited liability partnership.

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

Cheryl A. Spencer
Notary Public

My commission expires: 1-3-05

STATE OF ALABAMA)
)
JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Terry Smith, whose name as Member of Dotry Enterprises, LLC, an Alabama limited liability company, 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 Member and with full authority executed the same voluntarily for and as the act of said limited liability company.

Given under my hand and seal this the 5th day of September, 2001.


Notary Public

My commission expires: June 19, 2004

A parcel of land located in Section 31, Township 19 South, Range 2 West, Shelby County, Alabama, and being more particularly described as follows:

Commence at the Northwest corner of the Southeast quarter of Section 31, Township 19 South, Range 2 West, Shelby County, Alabama, and run in an Easterly direction along the North line of said quarter section a distance of 329.55 feet to a point, said point lying on the Southwesterly boundary line of Cahaba Valley Park North, as recorded in Map Book 13, pages 140a and 140b, in the Office of the Judge of Probate of Shelby County, Alabama; thence turn a deflection angle of $60^{\circ} 17' 38''$ to the right and run in a Southeasterly direction along said boundary line of Cahaba Valley Park North a distance of 841.35 feet to a point; thence turn a deflection angle of $88^{\circ} 06' 12''$ and run to the right in a Southwesterly direction a distance of 577.12 feet to a point, said point being on the Westerly right of way line of Southgate Drive, as recorded in Map Book 22, page 91, in the Probate Office of Shelby County; thence turn an deflection angle of $91^{\circ} 53' 48''$ and run to the right in a Northwesterly direction along the Westerly right of way line of said Southgate Drive a distance of 385.48 feet to the POINT OF BEGINNING of the parcel herein described; thence continue in the same direction as the last described course, in a Northwesterly direction, along said right of way a distance of 47.60 feet to a point and the beginning of a curve to the left; thence continue along said right of way in a Northwesterly direction, and along the arc of said curve, having a radius of 220.00 feet and a central angle of $79^{\circ} 07' 16''$, a arc distance of 303.80 feet to a point; thence continue along said right of way, tangent to last described curve, in a Westerly direction a distance of 181.50 feet to a point and the beginning of a curve to the left; thence, leaving said right of way, run in a Southwesterly to Southeasterly direction, along the arc of said curve, having a radius of 35.00 feet and a central angle of $105^{\circ} 34' 59''$ an arc distance of 64.50 feet to a point; thence continue in a Southeasterly direction, tangent to last described curve, a distance of 42.63 feet to a point; thence turn an interior angle of $183^{\circ} 06' 00''$ and run to the right in a Southeasterly direction a distance of 201.40 feet to a point; thence turn an interior angle of $183^{\circ} 14' 59''$ and run to the right in a Southeasterly direction a distance of 29.77 feet to a point; thence turn an interior angle of $86^{\circ} 27' 28''$ and run to the left in a Northeasterly direction a distance of 390.14 feet to the point of beginning.

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