

SEND TAX NOTICE TO:  
 DEL Development Corporation  
 1049 Powers Ferry Road  
 Marietta, GA 30067  
 Attention: Donald Lippman

Inst # 2001-52082

STATE OF ALABAMA     )  
                                   )  
 COUNTY OF SHELBY    )

### STATUTORY WARRANTY DEED

**THIS IS A STATUTORY WARRANTY DEED** executed and delivered this 21<sup>st</sup> day of November, 2001, to be effective November 30, 2001, by **WOOD SPRINGS CORPORATION**, an Alabama corporation (hereinafter referred to as the "Grantor"), to **SIGNATURE WOOD SPRINGS, LLC**, a Delaware limited liability company (hereinafter referred to as the "Grantee").

#### **KNOW ALL MEN BY THESE PRESENTS:**

That in consideration 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 the following real estate described in **Exhibit A** attached hereto and located in Shelby County, Alabama, (the "Property"),

**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 the Property.

This conveyance is subject to those items listed on **Exhibit B** attached hereto.

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

The said Grantor does for itself, its successors and assigns, covenant with said Grantee, its successors and assigns, that it, and its successors and assigns, shall warrant and defend the same to the said Grantee, its successors and assigns, forever, against the lawful claims (unless otherwise noted above) of all persons claiming by, through, or under the Grantor, but not further or otherwise.

**[Remainder of page intentionally left blank]**

11/30/2001-52082  
 03:41 PM CERTIFIED

SHELBY COUNTY JUDGE OF PROBATE  
 005 MEL. 2482.00

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

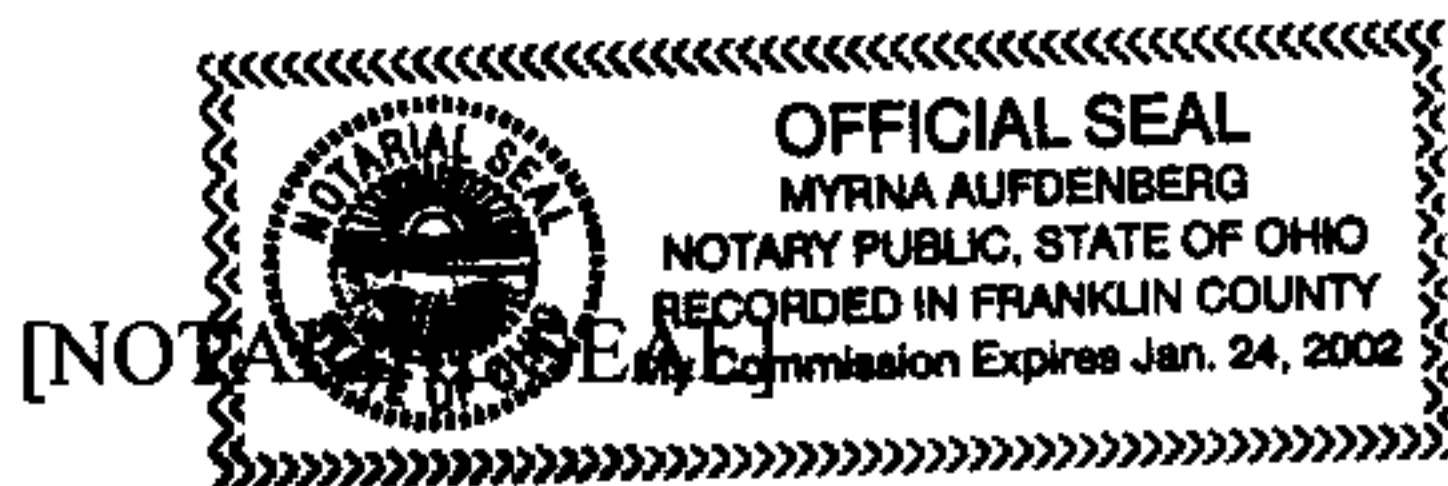
WOOD SPRING CORPORATION, an  
Alabama corporation

By: Herbert L. Dyer  
Name: Herbert L. Dyer  
Its: Director

STATE OF OHIO )  
COUNTY OF FRANKLIN )

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that Herbert L. Dyer whose name as Director of **WOOD SPRING CORPORATION**, an Alabama corporation, is signed to the foregoing Statutory Warranty Deed and who is known to me, acknowledged before me on this day that, being informed of the contents of the Statutory Warranty Deed, he/she, in his/her capacity as such Director and with full authority, executed the same voluntarily for and as the act of said corporation on the day the same bears date.

Given under my hand this the 21st day of November, 2001.



Myrna Aufdenberg  
Notary Public  
My Commission Expires: 1-24-2002

**THIS INSTRUMENT PREPARED BY:**

Al Watkins  
Attorney At Law  
Berkowitz, Lefkovits, Isom & Kushner  
A Professional Corporation  
420 N. 20th Street, Suite 1600  
SouthTrust Tower  
Birmingham, Alabama 35203

## EXHIBIT A

### (Legal Description)

A part of Lot 1-A Cahaba River Park First Addition as recorded in Map Book 8, Page 62 in the office of the Judge of Probate of Shelby County, Alabama, being more particularly described as follows:

Begin at a found 3" capped pipe at the Northwest corner of the NW 1/4 of the NE 1/4 of Section 35, Township 18 South, Range 2 West and run South 0°00'00" East (assumed) along the West line of said 1/4 – 1/4 section a distance of 285.00 feet to a set W.S. capped iron; thence North 90°00'00" East a distance of 240.00 feet to a set W.S. capped iron; thence South 39°30'23" East a distance of 508.99 feet to a found rebar, being the P.C. (Point of Curve) of a curve to the left having a radius of 377.38 feet, a central angle of 39°05'50" and an arc length of 257.51 feet; thence South 59°03'18" East a chord distance of 252.55 feet to a found rebar on a curve to the left having a radius of 75.00 feet, a central angle of 151°28'09" and an arc length of 198.27 feet; thence South 89°47'47" East a chord distance of 145.38 feet to a found rebar; thence North 81°27'42" East a distance of 185.70 feet to a found rebar, being the P.C. (Point of Curve) of a curve to the right having a radius of 197.54 feet, a central angle of 37°15' and an arc length of 128.43 feet; thence South 79°54'48" East a chord distance of 126.18 feet to a found rebar, being the P.T. (Point of Tangent) of said curve; thence South 61°17'08" East a distance of 14.61 feet to a found rebar on the Northwesterly Right-of-Way line of Riverview Road (Right-of-Way Varies), said point being on a curve to the left having a radius of 3779.83 feet, a central angle of 4°10'10" and an arc length of 275.06 feet; thence North 26°58'33" East a chord distance of 275.00 feet to a set W.S. capped iron, being the P.T. (Point of Tangent) of said curve; thence North 24°53'28" East along said right-of-way line a distance of 13.75 feet to a set W.S. capped iron, being the P.C. (Point of Curve) of a curve to the right having a radius of 613.69 feet, a central angle of 17°26'30" and an arc length of 186.82 feet; thence North 33°36'43" East a chord distance of 186.10 feet to a set W.S. capped iron, being the P.T. (Point of Tangent) of said curve; thence North 42°19'58" East along said right-of-way line a distance of 157.71 feet to a set W.S. capped iron, being the P.C. (Point of Curve) of a curve to the right having a radius of 613.69 feet, a central angle of 18°32'30" and an arc length of 198.60 feet; thence North 51°36'13" East a chord distance of 197.73 feet to a set W.S. capped iron, being the P.T. (Point of Tangent) of said curve; thence North 60°52'28" East along said right-of-way line a distance of 45.36 feet to a set spike, being the point of intersection of said right-of-way line with the Southwesterly Right-of-Way line of Old U.S. Highway No. 280; thence North 45°47'04" West along the Southwesterly Right-of-Way line of Old U.S. Highway No. 280 for a distance of 126.72 feet to a set spike on the North line of the NE 1/4 of the NE 1/4 of said Section 35; thence North 88°23'53" West along said 1/4 – 1/4 section line and along the North line of the NW 1/4 of the NE 1/4 of said Section 35 for a distance of 1690.60 feet to the Point of Beginning. Less and except any portion of said parcel which lies within the present right-of-way of Old U.S. Highway 280 (Cahaba River Road).

Containing 929,823.63 square feet or 21.346 acres.



## **EXHIBIT B**

### **(Exceptions)**

1. Taxes due and payable October 1, 2002 and subsequent years not yet due and payable;
2. Rights of parties in possession;
3. Encroachments, overlaps, boundary line disputes, or other matters which would be disclosed by an accurate survey and inspection of the premises;
4. Any lien, or right to a lien, for services, labor, or materials heretofore or hereafter furnished, imposed by law and not shown by the public records;
5. Taxes or special assessments which are not shown as existing liens by the public records;
6. Easements, or claims of easements, not shown by the public records;
7. Title to all minerals in and under the insured premises, together with mining rights, reserved in Warranty Deed from the United States Steel Corporation to M. & R. Partnership, dated September 18, 1981, recorded in Volume 335, page 58, in the Probate Office of Shelby County, Alabama;
8. Easement 10-feet wide for underground sewer contained in Underground Utility Easement among Crow Wood Springs Associates, Ltd. Crow Wood Springs Phase II Limited Partnership and Cahaba Water Renovation Systems, Inc., dated December 12, 1986, recorded in Volume 108, page 209, aforesaid records; as modified by Waiver of Right in Portion of Easement between The Water Works and Sewer Board of the City of Birmingham and Crow Wood Springs Associates, Ltd., dated June 29, 1988, recorded in Volume 192, page 981, aforesaid records and as shown on survey by Joseph P. Breighner, Jr., dated November 7, 2001 and last revised November 19, 2001;
9. Easements for aboveground and underground electric and Telecommunications services contained in Easement between Crow-Wood Springs Assoc., Ltd. and Alabama Power Company, dated July 31, 1987, recorded in Volume 157, page 554, aforesaid records;
10. Easement 15-feet wide for aboveground and underground water and sanitary sewer pipelines and appurtenances granted in Easement between Crow Wood Springs Associates, Ltd. and The Water Works and Sewer Board of the City of Birmingham dated June 9, 1988, recorded in Volume 192, page 985, aforesaid records and as shown on survey by Joseph P. Breighner, Jr., dated November 7, 2001 and last revised November 19, 2001;

11. Easements 5-feet wide for aboveground and underground telecommunications and electric services together with a 6-feet by 8-feet easement area granted in Right of Way Easement between Crow-Wood Springs Associates Ltd., and South Central Bell Telephone Company, dated August 27, 1987, recorded in Volume 191, page 940, aforesaid records;
12. Covenants and restrictions set forth in and access easement granted pursuant to Easement Agreement and Declaration of Restrictive Covenants between WTC No. 280 Corporation and Crown Wood Springs Phase II Limited Partnership, dated March 28, 1991, recorded under Instrument Number 1992-08619, aforesaid records;
13. Easement 15-feet wide (20 feet wide described) for aboveground and underground water and sanitary sewer pipelines and appurtenances granted in Easement between Crow Wood Springs Associates, Ltd. and The Water Works and Sewer Board of the City of Birmingham, dated September 4, 1990, recorded in Volume 309, page 697, aforesaid records and shown on survey by Joseph P. Breighner, Jr., dated November 7, 2001 and last revised November 19, 2001;
14. Building set-back requirements as shown on survey by Joseph P. Breighner, Jr., dated November 7, 2001 and last revised November 19, 2001.

Said restriction lines have not been violated.

15. Right of Way granted to The Water Works and Sewer Board of the City of Birmingham as recorded in Real Volume 295, page 478, and as shown on survey by Joseph F. Breighner, Jr., dated November 7, 2001 and last revised November 19, 2001.

(All recording information above shall refer to the Shelby County Probate Office.)

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