

This Instrument Prepared By:
James F. Burford, III
Attorney at Law
1318 Alford Avenue Suite 101
Birmingham, Alabama 35226

Send Tax Notice To:

ORIGINAL

WARRANTY DEED

STATE OF ALABAMA)
SHELBY COUNTY)

KNOW ALL MEN BY THESE PRESENTS: That in consideration of Ten and No/100 Dollars (\$10.00) and other good and valuable considerations, to the undersigned Grantor (whether one or more), in hand paid by the Grantee herein, the receipt whereof is acknowledged, Golf Course Realty Development, LLC, herein referred to as Grantor, (whether one or more), grant, bargain, sell and convey unto Timberline Development, LLC, (herein referred to as Grantee, whether one or more), the following described real estate, situated in Shelby County, Alabama, to-wit:

Lots 1 through 82, inclusive, according to the map and survey of Timberline, Phase 2, as recorded in Map Book 27, Page 44, in the Probate Office of Shelby County, Alabama. Also, that certain real property described on Exhibit 'A' attached hereto and incorporated by reference herein.

SUBJECT TO: (1) Taxes due in the year 2001 and thereafter; (2) Easements, restrictions, and rights-of-way of record; (3) Mortgage from Grantor to Regions Bank dated the 1 day of MARCH, 2001 which is recorded in Instrument # 2001-7056 in said Probate Office and which encumbers the property conveyed herein; (4) Mineral and mining rights not owned by the Grantor.

All of the consideration recited herein is evidenced by the mortgage referred to in paragraph 3 above.

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

IN WITNESS WHEREOF, the undersigned has hereunto set his hand and seal, this the 13th day of Nov, 2001.

GOLF COURSE REALTY DEVELOPMENT, LLC

By: Creed Development, LLC,
Its Member

By: W. Larry Clayton
W. Larry Clayton, its Manager

By: Shelby Golf Company, LLC
Its Member

By: Randall H. Goggans
Randall H. Goggans, its Member

STATE OF ALABAMA)
Shelby COUNTY)

I, the undersigned, a Notary Public, in and for said County in said State, hereby certify that W. Larry Clayton as manager of Creed Development, LLC, as member of Golf Course Realty Development, LLC 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 this instrument, he, in his capacity as such manager, executed the same voluntarily, for and as the act of said limited liability company.

Given under my hand and official seal this 13 day of Nov, 2001.

Notary Public Robbie B. Sumner
My Commission Expires: 4-2004

STATE OF ALABAMA)
Shelby COUNTY)

I, the undersigned, a Notary Public, in and for said County in said State, hereby certify that Randall H. Goggans as member of Shelby Golf Company, LLC, as member of Golf Course Realty Development, LLC 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 this instrument, he, in his capacity as such member, executed the same voluntarily, for and as the act of said limited liability company.

Given under my hand and official seal this 13 day of Nov, 2001.

Notary Public Robbie B. Sumner
My Commission Expires: 4-2004

12/12/2001-54480
01:45 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
009 MEL 36.00

Inst # 2001-54480

EXHIBIT A
to deed from
Golf Course Realty Development, LLC
to
Timberline Development, LLC

AND PARCEL H.

The property conveyed is described as Parcel B, Parcel D, Parcel E, Parcel F and Parcel G on the attached pages, which are hereby incorporated by reference herein.

PARCEL B

COMMENCE at the Southeast corner of Fractional Section 22, Township 22 South, Range 2 West; thence N00°15'04"E, a distance of 412.50 feet; thence S89°41'16"W, a distance of 144.75 feet; thence S15°48'01"W, a distance of 305.80 feet to the POINT OF BEGINNING; thence S86°06'35"W, a distance of 709.30 feet; thence S88°53'40"W, a distance of 464.62 feet; thence S72°01'34"W, a distance of 38.52 feet; thence S49°13'10"W, a distance of 94.60 feet; thence S68°58'47"W, a distance of 37.23 feet; thence N74°48'01"W, a distance of 37.23 feet; thence S15°11'59"W, a distance of 64.48 feet; thence N72°06'29"W, a distance of 139.52 feet; thence N17°53'31"E, a distance of 5.00 feet; thence N72°06'29"W, a distance of 21.24 feet to a point of curve to the right, having a radius of 320.00, a central angle of 17°45'52", and subtended by a chord which bears N63°13'34"W, a chord distance of 98.82 feet; thence along the arc of said curve, a distance of 99.21 feet; thence N54°20'38"W, a distance of 253.03 feet to a point of curve to the right, having a radius of 430.00, a central angle of 50°52'53", and subtended by a chord which bears N28°54'12"W, a chord distance of 369.44 feet; thence along the arc of said curve, a distance of 381.86 feet; thence N86°32'15"E, a distance of 10.00 feet to a point of curve to the right, having a radius of 3760.00, a central angle of 04°22'04", and subtended by a chord which bears N01°16'43"W, a chord distance of 286.56 feet; thence along the arc of said curve, a distance of 286.63 feet; thence N00°54'18"E, a distance of 459.12 feet to a curve to the right, having a radius of 560.00, a central angle of 20°48'58", and subtended by a chord which bears N11°18'47"E, a chord distance of 202.34 feet; thence along the arc of said curve, a distance of 203.45 feet; thence N21°43'16"E, a distance of 143.49 feet to a point of curve to the left, having a radius of 315.00', a central angle of 43°07'09", and subtended by a chord which bears N00°09'42"E, a chord distance of 231.51 feet; thence along the arc of said curve, a distance of 237.06 feet; thence N21°23'52"W, a distance of 166.01 feet to a point lying on the Southerly Right-of-Way line of Alabama Highway #25 (Variable Right-of-Way), said point also lying on a curve to the right, a radius of 1482.75', a central angle of 03°05'47", and subtended by a chord which bears S65°26'18"W, a chord distance of 80.12 feet; thence along the arc of said curve and said Right-of-Way line, a distance of 80.13 feet; thence S21°23'52"W and leaving said Right-Of-Way, a distance of 161.58 feet to a point of curve to the right, having a radius of 235.00', a central angle of 43°07'09", and subtended by a chord which bears S00°09'42"W, a chord distance of 172.71 feet; thence along the arc of said curve, a distance of 176.85 feet; thence S21°43'16"W, a distance of 143.49 feet to a point of curve to the left, having a radius of 640.00', a central angle of 20°48'58", and subtended by a chord which bears S11°18'47"W, a chord distance of 231.24 feet; thence along the arc of said curve, a distance of 232.52 feet; thence S00°54'18"W, a distance of 459.12' to a point of curve to the left, having a radius of 3840.00, a central angle of 04°22'04", and subtended by a chord which bears S01°16'43"E, a chord distance of 292.66 feet; thence along the arc of said curve, a distance of 292.73 feet; thence N86°32'15"E, a distance of 10.00 feet to a point of curve to the left, having a radius of 490.00', a central angle of 50°52'53", and subtended by a chord which bears S28°54'12"E, a chord distance of 420.98 feet; thence along the arc of said curve, a distance of 435.14 feet; thence S54°20'38"E, a distance of 253.03 feet to a point of curve to the left, having a radius of

380.00', a central angle of $17^{\circ}45'52''$, and subtended by a chord which bears $S63^{\circ}13'34''E$, a chord distance of 117.35 feet; thence along the arc of said curve, a distance of 117.82 feet; thence $S72^{\circ}06'29''E$, a distance of 20.61 feet; thence $S24^{\circ}58'05''W$, a distance of 137.95 feet; thence $S63^{\circ}38'35''E$, a distance of 117.48 feet; thence $S78^{\circ}18'22''E$, a distance of 51.10 feet; thence $S64^{\circ}02'13''E$, a distance of 63.27 feet; thence $S76^{\circ}01'05''E$, a distance of 116.50 feet; thence $S82^{\circ}04'39''E$, a distance of 131.91 feet; thence $S88^{\circ}25'29''E$, a distance of 138.36 feet; thence $S03^{\circ}58'06''E$, a distance of 25.87 feet to a point of curve to the right, having a radius of 150.00', a central angle of $50^{\circ}20'39''$, and subtended by a chord which bears $S21^{\circ}12'14''W$, a chord distance of 127.60 feet; thence along the arc of said curve, a distance of 131.80 feet; $S46^{\circ}22'35''W$, a distance of 69.82 feet; thence $N83^{\circ}11'16''W$, a distance of 602.02 feet; thence $S45^{\circ}01'00''W$, a distance of 205.43 feet; thence $S03^{\circ}06'26''W$, a distance of 182.25 feet; thence $S23^{\circ}45'04''E$, a distance of 256.21 feet; thence $N86^{\circ}30'17''E$, a distance of 275.01 feet; thence $N50^{\circ}52'55''E$, a distance of 645.91 feet; thence $N73^{\circ}11'13''E$, a distance of 95.58 feet; thence $N28^{\circ}58'08''E$, a distance of 119.03 feet; thence $S39^{\circ}59'15''E$, a distance of 41.35 feet; thence $S02^{\circ}47'08''E$, a distance of 69.54 feet; thence $S19^{\circ}36'30''E$, a distance of 179.21 feet; thence $S41^{\circ}09'37''W$, a distance of 715.86 feet; thence $S49^{\circ}09'51''E$, a distance of 391.49 feet; thence $N47^{\circ}03'16''E$, a distance of 157.05 feet; thence $S89^{\circ}47'07''E$, a distance of 171.95 feet; thence $S79^{\circ}55'28''E$, a distance of 544.25 feet; thence $N35^{\circ}26'43''E$, a distance of 229.77 feet; thence $N21^{\circ}57'38''E$, a distance of 207.20 feet; thence $N76^{\circ}32'49''W$, a distance of 130.63 feet; thence $N02^{\circ}02'51''E$, a distance of 528.83 feet; thence $N14^{\circ}10'53''E$, a distance of 461.54 feet; thence $N30^{\circ}44'14''W$, a distance of 307.47 feet to the POINT OF BEGINNING.

Containing 52.1 acres, more or less.

PARCEL D

COMMENCE at the Southeast corner of Fractional Section 22, Township 22 South, Range 2 West, said corner lying on the Freeman Line; thence S89°56'14"E along the South line of Said Section 23 and along said Freeman Line a distance of 544.23' to a point lying on the Southeasterly Right-of-Way Line of Heart of Dixie Railroad (100' Right-of-Way), thence continue along the last described course, a distance of 158.40 feet; thence N89°04'01"E, a distance of 500.00 feet to the POINT OF BEGINNING; thence N72°56'44"E, a distance of 626.12 feet; thence N55°13'05"E, a distance of 567.66 feet; thence S80°37'53"E, a distance of 105.32 feet; thence N70°28'43"E, a distance of 250.75 feet; thence S23°35'02"E, a distance of 100.25 feet; thence N70°28'43"E, a distance of 130.33 feet; thence N23°35'02"W, a distance of 100.25 feet; thence N12°04'01"E, a distance of 68.63 feet; thence N28°52'24"W, a distance of 670.63 feet to a point lying on the Southeasterly Right-of-Way line of Heart of Dixie Railroad (100' Right-of-Way); thence N56°50'31"E, a distance of 140.93 feet to a point on the Southwesterly Right-of-Way line of Shelby County Road #301 (80' Right-of-Way), said point also being a curve to the right, having a radius of 4,125.59', a central angle of 00°43'26", and subtended by a chord which bears S74°51'02"E, a chord distance of 52.13 feet; thence leaving said Railroad Right-of-Way and along the arc of said curve and said Highway Right-of-Way, a distance of 52.13 feet to a point of a compound curve to the right, having a radius of 1,862.60, a central angle of 08°34'35", and subtended by a chord which bears S70°55'28"E, a chord distance of 278.54 feet; thence along the arc of said curve and said Right-of-Way line, a distance of 278.80 feet to a point of a compound curve to the right, having a radius of 1322.11', a central angle of 13°53'31", and subtended by a chord which bears S59°41'25"E, a chord distance of 319.77 feet; thence along the arc of said curve and said Right-of-Way line, a distance of 320.56 feet to a point of a compound curve to the right, having a radius of 1000.00', a central angle of 06°02'36", and subtended by a chord which bears S49°43'22"E, a chord distance of 105.43 feet; thence along the arc of said curve and said Right-of-Way line, a distance of 105.47 feet; thence S46°42'04"E and along said Right-of-Way line, a distance of 521.84 feet; thence S70°27'49"W and leaving said Right-of-Way line, a distance of 1123.25 feet; thence S00°00'02"E, a distance of 259.78 feet; thence S89°04'01"W, a distance of 1327.85 feet to the POINT OF BEGINNING.

Containing 21.2 acres, more or less.

PARCEL E

COMMENCE at the Southeast corner of Fractional Section 22, Township 22 South, Range 2 West; thence $N00^{\circ}15'04''E$, a distance of 412.50 feet; thence $S89^{\circ}41'16''W$, a distance of 144.75 feet; thence $S89^{\circ}41'24''W$, a distance of 135.01 feet; thence $S89^{\circ}43'30''W$, a distance of 135.03 feet; thence $N89^{\circ}51'28''W$, a distance of 134.94 feet; thence $N00^{\circ}08'32''E$, a distance of 200.19 feet to a point lying on the Southerly Right-of-Way line of Dogwood Drive (60' R.O.W.), said point also lying on a curve to the right, having a radius of 406.63', a central angle of $02^{\circ}03'41''$, and subtended by a chord which bears $S89^{\circ}33'36''W$, a chord distance of 14.63 feet; thence along the arc of said curve and said Right-of-Way line, a distance of 14.63 feet; thence $N89^{\circ}51'27''W$ and along said Right-of-Way, a distance of 45.26 feet; thence $S00^{\circ}10'56''W$ and leaving said Right-of-Way line, a distance of 200.00 feet; thence $N89^{\circ}49'11''W$, a distance of 137.79 feet; thence $N89^{\circ}48'17''W$, a distance of 236.49 feet; thence $N00^{\circ}09'49''E$, a distance of 199.79 feet to a point lying on the Southerly Right-of-Way line of Dogwood Drive (50' R.O.W.); thence $N89^{\circ}50'00''W$ along said Right-of-Way line, a distance of 433.23 feet to a point lying on the Easterly Right-of-Way line of an Unnamed 40' Right-of-Way; thence continue along the last described course and said Right-of-Way line, a distance of 40.00 feet to a point lying on the Westerly Right-of-Way line of said Unnamed 40' Right-of-Way; thence $N00^{\circ}25'31''W$ along said Westerly Right-of-Way line, a distance of 1,396.21 feet; thence $N44^{\circ}13'01''W$ and along said Right-of-Way line, a distance of 225.95 feet; thence $S63^{\circ}53'00''W$ and leaving said Right-of-Way line, a distance of 246.67 feet; thence $S16^{\circ}19'05''W$, a distance of 59.99 feet; thence $N49^{\circ}59'15''W$, a distance of 122.97 feet to a point lying on the Southerly Right-of-Way line of Alabama Highway #25 (variable R.O.W.), said point also being a curve to the right, having a radius of 1,482.75', a central angle of $09^{\circ}36'47''$, and subtended by a chord which bears $S59^{\circ}05'01''W$, a chord distance of 248.48 feet; thence along the arc of said curve and said Right-of-Way line, a distance of 248.77 feet to a point of a compound curve to the right, having a radius of 1,482.75', a central angle of $03^{\circ}05'47''$, and subtended by a chord which bears $S65^{\circ}26'18''W$, a chord distance of 80.12 feet; thence along the arc of said curve and said Right-of-Way line, a distance of 80.13 feet to a point of a compound curve to the right, having a radius of 1,482.75', a central angle of $03^{\circ}49'52''$, and subtended by a chord which bears $S68^{\circ}54'08''W$, a chord distance of 99.13 feet; thence along the arc of said curve and said Right-of-Way line, a distance of 99.15 feet; thence $S18^{\circ}32'03''E$ and leaving said Right-of-Way, a distance of 24.83 feet to the POINT OF BEGINNING; said point being a curve to the right, having a radius of 1,507.25', a central angle of $11^{\circ}12'21''$, and subtended by a chord which bears $S77^{\circ}31'50''W$, a chord distance of 294.32 feet; thence along the arc of said curve, a distance of 294.79 feet; thence $S71^{\circ}35'58''W$, a distance of 7.20 feet; thence $S70^{\circ}08'47''W$, a distance of 2.84 feet; thence $S00^{\circ}59'51''E$, a distance of 168.68 feet; thence $S88^{\circ}50'22''E$, a distance of 308.39 feet; thence $N03^{\circ}24'26''W$, a distance of 242.11 feet to the POINT OF BEGINNING.

Containing 1.4 acres, more or less.

PARCEL F

COMMENCE at the Southeast corner of Fractional Section 22, Township 22 South, Range 2 West, said corner lying on the Freeman Line; thence $S89^{\circ}56'14''E$ along the South line of Said Section 23 and along said Freeman Line a distance of 544.23' to the **POINT OF BEGINNING**, said point also lying on the Southeasterly Right-of-Way Line of Heart of Dixie Railroad (100' Right-of-Way), said point also being a curve to the left, having a radius of 464.10', a central angle of $06^{\circ}12'14''$, and subtended by a chord which bears $S39^{\circ}18'42''W$, a chord distance of 50.23 feet; thence along the arc of said curve and said Right-of-Way line, a distance of 50.25 feet to a point of a compound curve to the left, having a radius of 1701.93, a central angle of $30^{\circ}37'40''$, and subtended by a chord which bears $S21^{\circ}24'52''W$, a chord distance of 898.99 feet; thence along the arc of said curve and said Right-of-Way, a distance of 909.78 feet to a point of reverse curve to the right, having a radius of 1819.83', a central angle of $14^{\circ}47'03''$, and subtended by a chord which bears $S13^{\circ}29'33''W$, a chord distance of 468.27 feet; thence along the arc of said curve and said Right-of-Way line, a distance of 469.57 feet; thence $N89^{\circ}34'57''E$ and leaving said Right-of-Way, a distance of 731.35 feet; thence $N04^{\circ}28'10''W$, a distance of 1329.67 feet; thence $N89^{\circ}56'14''W$, a distance of 158.40 feet to the **POINT OF BEGINNING**.

contains 15.2 acres, more or less.

LEGAL G

Lots 27 & 28 situated in the City of Calera, and contained in the map Final Plat, Country View Estates, Phase 1, as recorded in Map Book 10, Page 10 in the Office of the Judge of Probate of Shelby County.

PARCEL H

COMMENCE at the Southeast corner of Fractional Section 22, Township 22 South, Range 2 West; thence N00°15'04"E, a distance of 412.50 feet; thence S89°41'16"W, a distance of 144.75 feet; thence S89°41'24"W, a distance of 135.01 feet; thence S89°43'30"W, a distance of 135.03 feet; thence N89°51'28"W, a distance of 134.94 feet; thence N00°08'32"E, a distance of 200.19 feet to a point lying on the Southerly Right-of-Way line of Dogwood Drive (60' Right-of-Way), said point also lying on a curve to the right, having a radius of 406.63', a central angle of 02°03'41", and subtended by a chord which bears S89°33'36"W, a chord distance of 14.63 feet; thence along the arc of said curve and said Right-of-Way line, a distance of 14.63 feet; thence N89°51'27"W and along said Right-of-Way, a distance of 45.26 feet; thence S00°10'56"W and leaving said Right-of-Way line, a distance of 200.00 feet; thence N89°49'11"W, a distance of 137.79 feet; thence N89°48'17"W, a distance of 236.49 feet to the POINT OF BEGINNING; thence N89°50'13"W, a distance of 420.00 feet; thence N14°45'8"W, a distance of 206.79 feet to a point lying on the Westerly Right-of-Way line of an Unnamed 40' Right-of-Way; thence S89°50'0"E and along said Right-of-Way, a distance of 40.00 feet to the end of said Right-of-Way and the beginning of the Southerly Right-of-Way line of Dogwood Drive (50' Right-of-Way); thence continue along the last described course and said Right-of-Way, a distance of 433.22 feet; thence S00°09'49"W and leaving said Right-of-Way line, a distance of 199.79 feet to the POINT OF BEGINNING.

Containing 2.0 acres, more or less.

Inst. # 2001-54480

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01:45 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
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