

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

Send Tax Notice To:

**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 Golf Club, LLC, (herein referred to as Grantee, whether one or more), the following described real estate, situated in Shelby County, Alabama, to-wit:

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 13<sup>th</sup> 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<sup>th</sup> day of Nov, 2001.

Notary Public Rebecca 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<sup>th</sup> day of Nov, 2001.

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

12/12/2001-54481  
01:45 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
007 MEL 30.00

Inst # 2001-54481

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

**The property conveyed is described as Parcel A and Parcel C on the attached pages, which are hereby incorporated by reference herein.**

PARCEL A

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 to the POINT OF BEGINNING; thence continue northerly along said line, a distance of 88.16 feet; thence S 86°58'38" E a distance of 96.52 feet; thence N 46°3'25" E a distance of 90.56 feet; thence N 25°40'1"W a distance of 139.54 feet to a point, said point lying on the southerly Right-of-Way Line of Dogwood Drive (60' Right-of-Way), said point also being the beginning of a curve to the left, having a radius of 338.56 feet, a central angle of 10°16'37", and subtended by a chord which bears N 63°47'13"E, a chord distance of 60.64 feet; thence northeasterly along the arc of said curve, and along said Right-of-Way Line a distance of 60.73 feet; thence, leaving said Right-of-Way Line S25°05'35"E, a distance of 139.54 feet; thence N60°54'25"E, a distance of 171.14 feet; thence N43°05'53"E, a distance of 115.97 feet; thence N43°05'51"E, a distance of 124.90 feet; thence N42°49'30"E, a distance of 138.92 feet; thence N44°19'41"E, a distance of 88.00 feet; thence continue northeasterly along said line, a distance of 181.95 feet; thence N50°12'28"E, a distance of 115.94 feet; thence N50°15'00"E, a distance of 111.05 feet; thence N50°16'31"E, a distance of 43.98 feet; thence N40°25'13"E, a distance of 105.03 feet; thence N30°22'01"E, a distance of 147.99 feet; thence N30°22'47"E, a distance of 121.83 feet to a point, said point lying on the southerly Right-of-Way Line of Shelby County Road #306 (80' Right-of-Way); thence S50°40'21"E, along said Right-of-Way Line a distance of 130.02 feet; thence continue southeasterly along said bearing and along said Right-of-Way Line, a distance of 48.47 feet to the beginning of a curve to the left, having a radius of 781.90 feet, a central angle of 73°12'17", and subtended by a chord which bears S85°10'57"E, a chord distance of 932.42 feet; thence easterly along the arc of said curve and along said Right-of-Way Line a distance of 999.00 feet to the intersection of said Right-of-Way Line and the Southwesterly Right-of-Way Line of Shelby County Road #301 (80' Right-of-Way), thence, leaving said Southerly Right-of-Way Line and along said Southwesterly Right-of-Way Line S71°28'26"E a distance of 119.83' to the intersection of said Right-of-Way Line and the Northwesternly Right-of-Way Line of a Heart of Dixie Railroad Right-of-Way (100' Right-of-Way); thence, leaving said Southwesterly Right-of-Way Line and along said Northwesternly Right-of-Way Line S56°15'17"W a distance of 367.98 feet; thence S56°50'31"W, along said Right-of-Way Line a distance of 1,516.20 feet the beginning of a curve to the left having a radius of 2,500.00 feet, a central angle of 08°20'19", and subtended by a chord which bears S52°40'21"W, a chord distance of 363.52 feet; thence southwesterly along the arc of said curve and along said Right-of-Way Line a distance of 363.84 feet to the beginning of a compound curve to the left having a radius of 800.00 feet, a central angle of 11°46'30", and subtended by a chord which bears S42°36'57"W, a chord distance of 164.12 feet; thence southwesterly along the arc of said curve and along said Right-of-Way Line a distance of 164.41 feet to the beginning of a compound curve to the left having a radius of 1,801.93 feet, a central angle of 00°49'15", and subtended by a chord which bears S36°19'05"W, a chord distance of 25.82 feet; thence along the arc of said curve and along said Right-of-Way Line a distance of 25.82 feet; thence continue along the arc of last described curve through a central angle of 29°48'25", being subtended by a chord which

bears S21°00'14"W, a chord distance of 926.88 feet, along said Right-of-Way Line for a distance of 937.42 feet to the beginning of a reverse curve to the right having a radius of 1719.83 feet, a central angle of 16°05'21", and subtended by a chord which bears S14°8'42"W, a chord distance of 481.36'; thence along the arc of said curve and along said Right-of-Way Line a distance of 482.94 feet; thence S22°11'26"W, along said Right-of-Way Line a distance of 8.91 feet to the beginning of a curve to the right having a radius of 400.00 feet, a central angle of 12°04'10", and subtended by a chord which bears N28°13'27"E, a chord distance of 84.10 feet; thence along the arc of said curve and along said Right-of-Way Line a distance of 84.26 feet; thence S34°15'31"W, along said Right-of-Way Line a distance of 52.11 feet to the beginning of a curve to the right having a radius of 900.00 feet, a central angle of 70°07'34", and subtended by a chord which bears S69°19'18"W, a chord distance of 1034.06 feet; thence westerly along the arc of said curve and along said Right-of-Way Line a distance of 1,101.54 feet; thence N75°36'54"W, along said Right-of-Way Line a distance of 1,302.18 feet to the beginning of a curve to the left having a radius of 1,600.00 feet, a central angle of 17°48'41" and subtended by a chord which bears N84°31'15"W, a chord distance of 495.38 feet; thence westerly along the arc of said curve and along said Right-of-Way Line a distance of 497.38 feet; thence S86°34'25"W, along said Right-of-Way Line a distance of 112.86 feet to a point lying on the Easterly Right-of-Way Line of Interstate 65 (Variable Right-of-Way); thence leaving said Northerly Railroad Right-of-Way Line and along said Easterly Interstate 65 Right-of-Way Line N06°59'49"W, a distance of 107.65 feet; thence continue along last described course and along said Right-of-Way Line a distance of 907.45 feet; thence N22°21'46"E, along said Right-of-Way Line a distance of 51.54 feet; thence N06°47'09"W, along said Right-of-Way Line a distance of 371.44 feet; thence continue along last described course, and along said Right-of-Way Line a distance of 128.51 feet; thence N02°09'33"E, along said Right-of-Way Line a distance of 103.19 feet; thence N01°36'08"E, along said Right-of-Way Line a distance of 762.00 feet; thence, leaving said Right-of-Way Line S87°52'08"E, a distance of 703.51 feet; thence N00°34'53"E, a distance of 468.13 feet to the beginning of a curve to the right having a radius of 258.33', a central angle of 76°34'42", and subtended by a chord which bears N80°6'51"W, a chord distance of 320.13 feet; thence westerly along the arc of said curve a distance of 345.26 feet; thence N00°46'53"W, a distance of 132.57 feet to the beginning of a curve to the left having a radius of 198.33 feet, a central angle of 132°27'24" and subtended by a chord which bears S77°46'46"E, a chord distance of 363.00 feet; thence along the arc of said curve a distance of 458.49 feet; thence S89°43'56"E, a distance of 20.24 feet; thence N00°20'20"E, a distance of 112.45 feet; thence N03°24'26"W, a distance of 242.11 feet; thence N18°32'03"W, a distance of 24.83 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 left having a radius of 1482.75 feet, a central angle of 03°49'52", and subtended by a chord which bears N68°54'08"E, a chord distance of 99.13 feet; thence along the arc of said curve and along said Right-of-Way Line a distance of 99.15 feet; thence S21°23'52"E 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  $20^{\circ}48'58''$ , and subtended by a chord which bears  $S11^{\circ}18'47''W$ , a chord distance of 231.24 feet; thence along the arc of said curve, a distance of 232.52 feet; thence  $S00^{\circ}54'18''W$ , a distance of 459.12' to a point of curve to the left, having a radius of 3840.00, a central angle of  $04^{\circ}22'04''$ , and subtended by a chord which bears  $S01^{\circ}16'43''E$ , a chord distance of 292.66 feet; thence along the arc of said curve, a distance of 292.73 feet; thence  $N86^{\circ}32'15''E$ , a distance of 10.00 feet to a point of curve to the left, having a radius of 490.00', a central angle of  $50^{\circ}52'53''$ , and subtended by a chord which bears  $S28^{\circ}54'12''E$ , a chord distance of 420.98 feet; thence along the arc of said curve, a distance of 435.14 feet; thence  $S54^{\circ}20'38''E$ , 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; thence  $S46^{\circ}22'35''W$ , 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; thence  $S86^{\circ}06'35''W$ , a distance of 709.30 feet; thence  $S88^{\circ}53'40''W$ , a distance of 464.62 feet; thence  $S72^{\circ}01'34''W$ , a distance of 38.52 feet; thence  $S49^{\circ}13'10''W$ , a distance of 94.60 feet; thence  $S68^{\circ}58'47''W$ , a distance of 30.98 feet; thence  $N74^{\circ}48'01''W$ , a distance of 37.23 feet; thence  $S15^{\circ}11'59''W$ , a distance of 64.48 feet; thence  $N72^{\circ}06'29''W$ , a distance of 139.52 feet; thence  $N17^{\circ}53'31''E$ , a distance of 5.00 feet; thence  $N72^{\circ}06'29''W$ , a distance of 21.24 feet to a point of curve to the right, having a radius of 320.00, a central angle of  $17^{\circ}45'52''$ , and subtended by a chord which bears  $N63^{\circ}13'34''W$ , a chord distance of 98.82 feet; thence along the arc of said curve, a distance of 99.21 feet; thence  $N54^{\circ}20'38''W$ , a distance of 253.03 feet to a point of curve to the right, having a radius of 430.00, a central angle of  $50^{\circ}52'53''$ , and subtended by a chord which bears  $N28^{\circ}54'12''W$ , a chord distance of 369.44 feet; thence along the arc of said curve, a distance of 381.86 feet; thence  $N86^{\circ}32'15''E$ , a distance of 10.00 feet to a

point of curve to the right, having a radius of 3760.00, a central angle of  $04^{\circ}22'04''$ , and subtended by a chord which bears  $N01^{\circ}16'43''W$ , a chord distance of 286.56 feet; thence along the arc of said curve, a distance of 286.63 feet; thence  $N00^{\circ}54'18''E$ , a distance of 459.12 feet to a curve to the right, having a radius of 560.00, a central angle of  $20^{\circ}48'58''$ , and subtended by a chord which bears  $N11^{\circ}18'47''E$ , a chord distance of 202.34 feet; thence along the arc of said curve, a distance of 203.45 feet; thence  $N21^{\circ}43'16''E$ , a distance of 143.49 feet to a point of curve to the left, having a radius of 315.00', a central angle of  $43^{\circ}07'09''$ , and subtended by a chord which bears  $N00^{\circ}09'42''E$ , a chord distance of 231.51 feet; thence along the arc of said curve, a distance of 237.06 feet; thence  $N21^{\circ}23'52''W$ , 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 left, having a radius of 1482.75', a central angle of  $09^{\circ}36'47''$ , and subtended by a chord which bears  $N59^{\circ}05'01''E$ , 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; thence, leaving said Right-of-Way Line  $S49^{\circ}59'15''E$ , a distance of 122.97 feet; thence  $N16^{\circ}19'05''E$ , a distance of 59.99 feet; thence  $N63^{\circ}53'00''E$ , a distance of 246.67 feet to a point lying on the Southwesterly Right-of-Way Line of an Unnamed 40' Right-of-Way; thence  $S44^{\circ}13'01''E$ , along said Right-of-Way Line a distance of 225.95 feet; thence  $S00^{\circ}25'31''E$ , along said Right-of-Way Line a distance of 1,396.21 feet to the end of said Right-of-Way; thence  $S14^{\circ}45'08''E$ , a distance of 206.79 feet; thence  $S89^{\circ}50'13''E$ , a distance of 420.00 feet; thence  $S89^{\circ}48'17''E$ , a distance of 236.49 feet; thence  $S89^{\circ}49'11''E$ , a distance of 137.79 feet; thence  $N00^{\circ}10'56''E$ , a distance of 200.00 feet to a point lying on the Southerly Right-of-Way Line of Dogwood Drive (60' Right-of-Way); thence  $S89^{\circ}51'27''E$ , along said Right-of-Way Line a distance of 45.26 feet to the beginning of a curve to the left having a radius of 406.63 feet, a central angle of  $2^{\circ}3'41''$ , and subtended by a chord which bears  $N89^{\circ}33'36''E$ , a chord distance of 14.63 feet; thence easterly along the arc of said curve and along said Right-of-Way Line, a distance of 14.63 feet; thence, leaving said Right-of-Way Line  $S00^{\circ}08'32''W$ , a distance of 200.19 feet; thence  $S89^{\circ}51'28''E$ , a distance of 134.94 feet; thence  $N89^{\circ}43'30''E$ , a distance of 135.03 feet; thence  $N89^{\circ}41'24''E$ , a distance of 135.01 feet; thence  $N89^{\circ}41'16''E$ , a distance of 144.75 feet to the POINT OF BEGINNING.

Containing 177.0 acres, more or less.

PARCEL C

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 and leaving said Right-of-Way line, a distance of 158.40 feet to the POINT OF BEGINNING; thence N89°04'01"E, a distance of 500.00 feet; 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 S56°50'31"W, along said Right-of-Way Line a distance of 1831.89 feet to the beginning of a curve to the left having a radius of 2399.54 feet, a central angle of 8°20'19", and subtended by a chord which bears S52°40'21"W, a chord distance of 348.91 feet; thence along the arc of said curve and along said Right-of-Way Line a distance of 349.22 feet to the beginning of a compound curve to the left having a radius of 699.54 feet, a central angle of 7°39'42", and subtended by a chord which bears S44°40'21"W, a chord distance of 93.47 feet; thence along the arc of said curve and said Right-of-Way Line a distance of 93.54 feet to the POINT OF BEGINNING.

contains 24.9 acres, more or less.

Inst # 2001-54481

12/12/2001-54481  
01:45 PM CERTIFIED

SHELBY COUNTY JUDGE OF PROBATE  
DOY MEL 30.00