

THIS INSTRUMENT PREPARED BY:
James J. Odom, Jr.
P.O. Box 11244
Birmingham, AL 35202-1244

SEND TAX NOTICE TO:
Big Mountain, LLC
4964 Heather Point
Birmingham, AL 35242

STATE OF ALABAMA)
COUNTY OF SHELBY)

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS THAT in consideration of Two Million, Five Hundred Thousand and No/100 (\$2,500,000.00) to the undersigned grantor, GINGO-MORGAN PARK, an Alabama General Partnership composed of Morgan-Park, Ltd. and Myra Joe Gingo, as Partners (hereinafter referred to as "Grantor"), in hand paid by Big Mountain, LLC (hereinafter referred to as "Grantee"), the receipt and sufficiency whereof are hereby acknowledged, Grantor does by these presents, grant, bargain, sell and convey unto Grantee the following described real estate, situated in Shelby County, Alabama, to-wit:

SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION.

Mineral and mining rights excepted.

SUBJECT TO: (1) Current taxes; (2) Transmission Line Permits to Alabama Power Company as shown by instruments recorded in Deed Book 101, at Page 502, Deed Book 180, at Page 288, and Deed Book 145, at Page 377, in the Probate Office of Shelby County, Alabama; (3) Right of Way granted to Shelby County by instrument recorded in Deed Book 252, at Page 871, in the Probate Office of Shelby County, Alabama; (4) Easement to Trustee of Homewood, Lodge No. 1738 BPO Elks, as shown by instrument recorded in Real 114, at Page 821, in the Probate Office of Shelby County, Alabama; (5) Less and Except any portions of subject land lying within any road right of ways, including US Highway #31, Shelby County Road #17, Park View Road, Little Mountain Circle & Morgan Park Road.

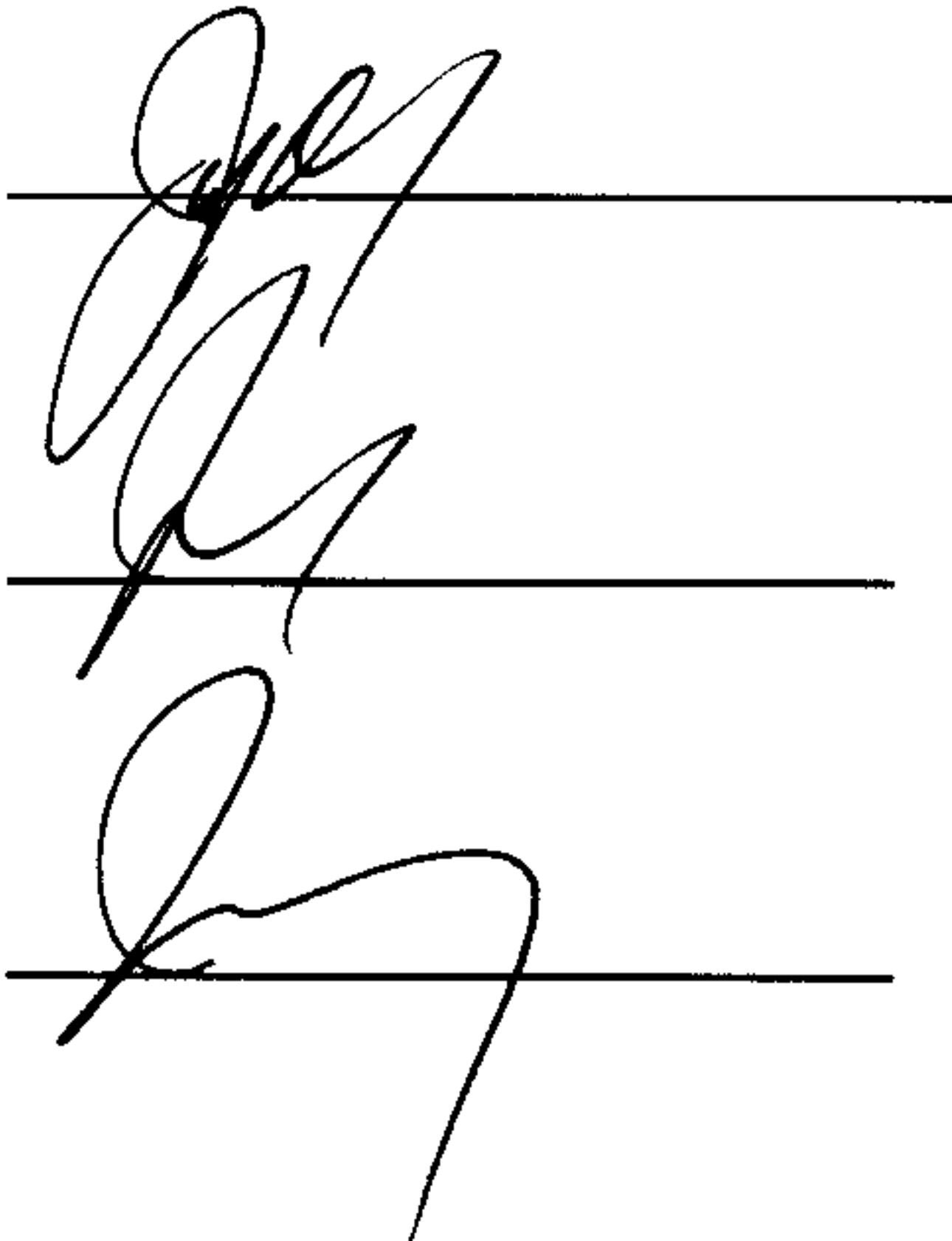
\$1,500,000.00 of the purchase price recited above was paid from a mortgage loan closed simultaneously herewith.

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

And Grantor does for itself, its successors and assigns, covenant with the Grantee, its successors and assigns, that it is lawfully seized in fee simple of the premises; that the premises are free from all encumbrances, except as noted above; that it has a good right to sell and convey the premises as aforesaid; that it will, and its successors and assigns shall, warrant and defend the same to the Grantee, its successors and assigns forever, against the lawful claims of all persons.


IN WITNESS WHEREOF, the undersigned has caused this instrument to be executed on this the 11th day of April, 2002.

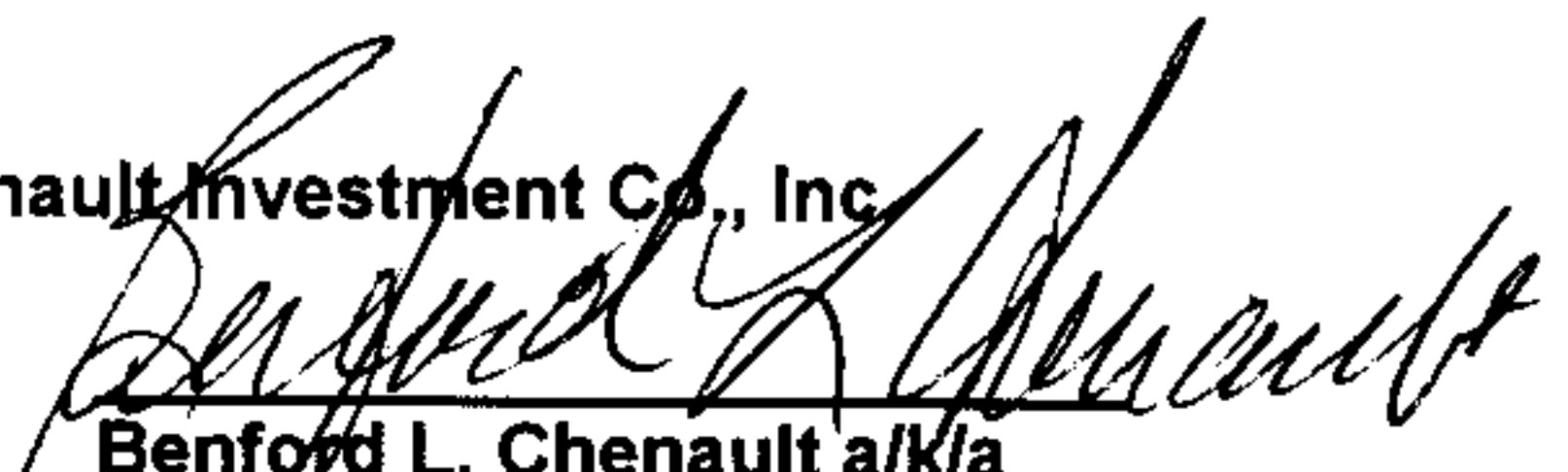
WITNESS:



GINGO-MORGAN PARK, an Alabama General Partnership

By: 
Myra Jo Gingo - Partner

By: Morgan-Park, Ltd. - Partner
By: 
Robert W. Bone, General Partner

By: Chenault Investment Co., Inc.
By: 
Benford L. Chenault a/k/a
B. L. Chenault, as its President

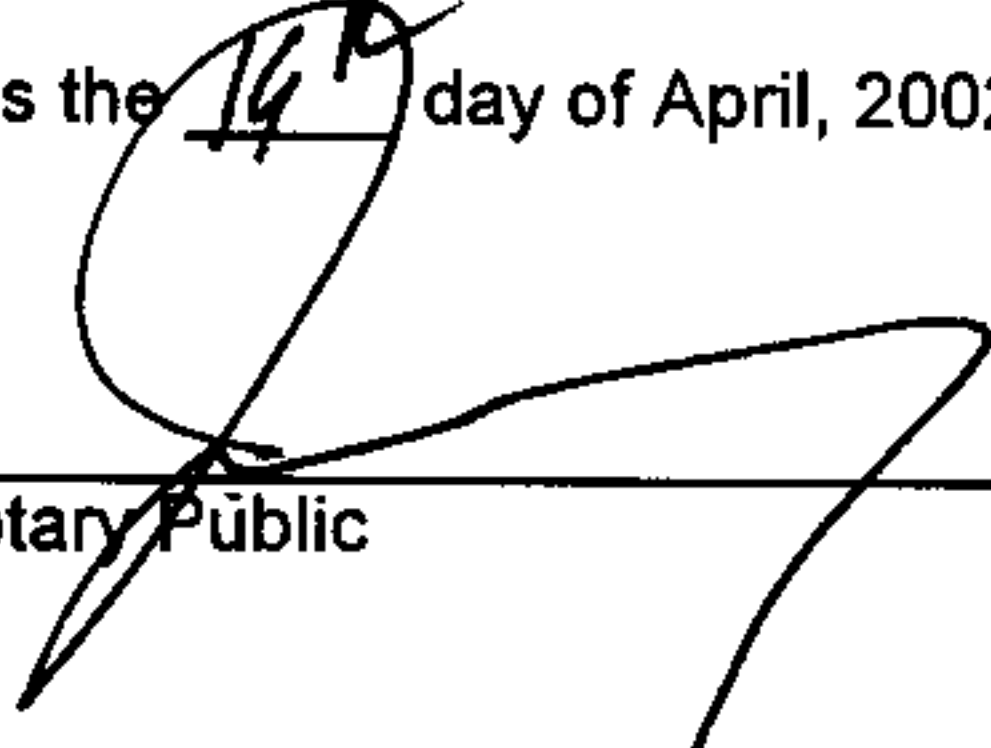
04/25/2002-19183
09:21 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 MSB 1017.00

Inst # 2002-19183

STATE OF ALABAMA)
COUNTY OF SHELBY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Myra Jo Gingo, whose name as Partner of GINGO-MORGAN PARK, an Alabama General Partnership, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, she, as such Partner, and with full authority, executed the same voluntarily for and as the act of said General Partnership.

Given under my hand and official seal, this the 14th day of April, 2002.



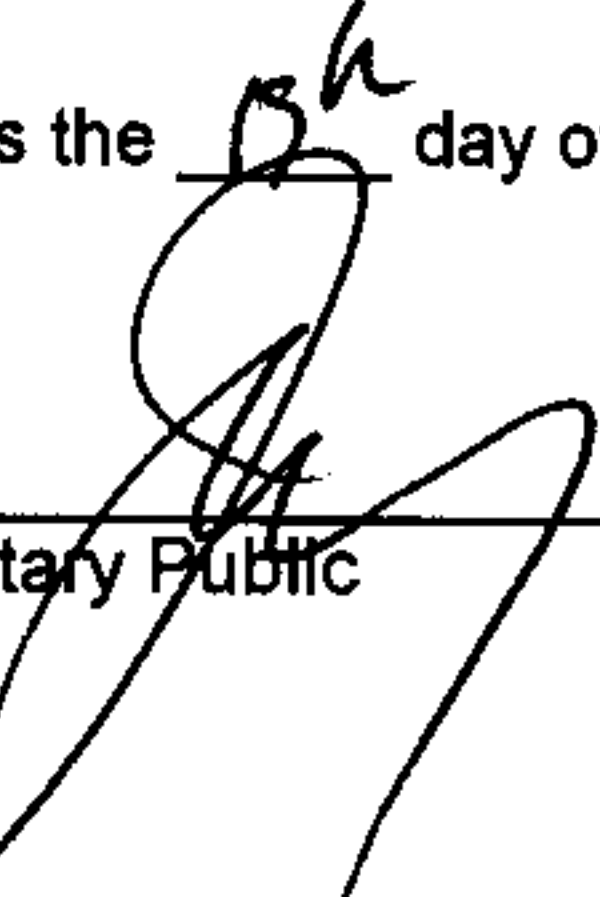
Notary Public

My commission expires: 14 July 03

STATE OF ALABAMA)
COUNTY OF SHELBY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Robert W. Bone, whose name as General Partner of Morgan-Park, Ltd., an Alabama Limited Partnership, as Partner GINGO-MORGAN PARK, an Alabama General Partnership, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he, as such General Partner, and with full authority, executed the same voluntarily for and as the act of said Limited Partnership, acting in its capacity as Partner as aforesaid.

Given under my hand and official seal, this the 14th day of April, 2002.



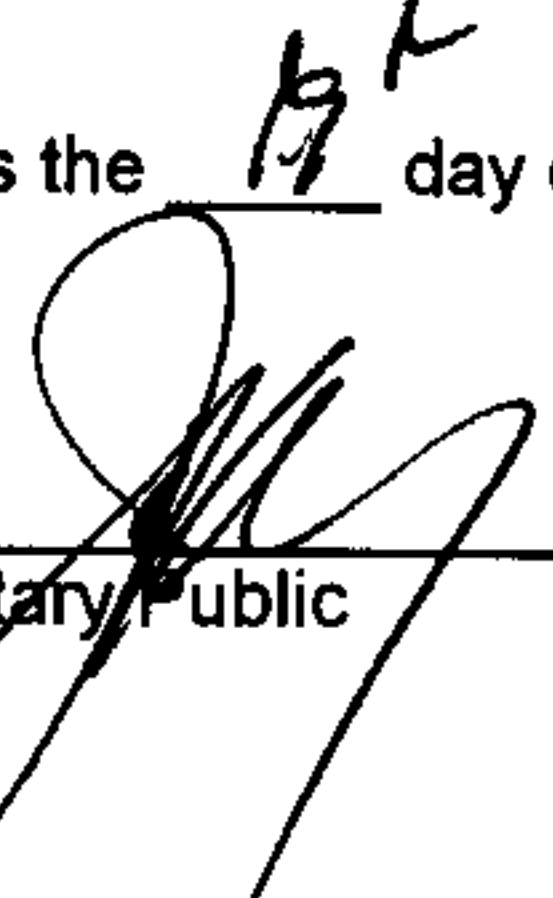
Notary Public

My commission expires: 14 July 03

STATE OF ALABAMA)
COUNTY OF SHELBY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Benford L. Chenault a/k/a B. L. Chenault, whose name as President of Chenault Investment Co., Inc., a corporation, as General Partner of Morgan-Park, Ltd., an Alabama Limited Partnership, as Partner of GINGO-MORGAN PARK, an Alabama General Partnership, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he, as such officer, and with full authority, executed the same voluntarily for and as the act of said corporation, acting in its capacity as General Partner of Morgan-Park, Ltd., acting in its capacity as Partner as aforesaid.

Given under my hand and official seal, this the 14th day of April, 2002.



Notary Public

My commission expires: 14 July 03

EXHIBIT A

Commence at the Northwest corner of the NW ¼ of the NW ¼ of Section 31, Township 19 South, Range 2 West, thence run Easterly along the North line of said Section 31, a distance of 99.00 feet to the point of beginning; thence continue Easterly along said North line of Section 31 a distance of 1097.00 feet; thence turn 90 deg. 00 min. right and run Southerly 295.00 feet; thence turn 4 deg. 24 min. 20 sec. right and run southwesterly 27.65 feet; thence turn 88 deg. 37 min. 36 sec. right to the chord of a curve to the left (said curve having a central angle of 6 deg. 08 min. 38 sec. and a radius of 447.09 feet), and run along said curve 47.94 feet; thence turn a deflection angle of 3 deg. 04 min. 19 sec. left from the chord of said curve and run 149.75 feet; thence turn 3 deg. 14 min. left to the chord of a curve to the left (said curve having a central angle of 6 deg. 28 min. and a radius of 860.08 feet) and run along said curve 97.07 feet; thence turn 92 deg. 57 min. 52 sec. left from the chord of said curve and run southeasterly 329.18 feet; thence turn 87 deg. 13 min. 10 sec. left and run easterly 89.30 feet; thence turn 5 deg. 40 min. 05 sec. right and run southeasterly 144.20 feet; thence turn 7 deg. 15 min. 40 sec. left and run northeasterly 616.27 feet; thence turn 91 deg. 35 min. right and run southeasterly 394.95 feet; thence turn 113 deg. 45 min. right and run Northwesterly 387.40 feet to a point, (said point being on a 50.0 foot radius Cul De Sac and on the centerline of street, the last described course intersecting the centerline of said street at an angle of 18 deg. 33 min.); thence left around Cul De Sac 130.90 feet to a point 25.0 feet from centerline of street; thence turn left and run Northwesterly parallel to and 25.0 feet off centerline of said street a distance of 142.33 feet and the P.C. of a curve; thence turn a deflection angle of 18 deg. 20 min. 30 sec. left for a chord distance of 79.18 feet (Arc distance being 80.56 feet), to the P.T. of said curve; thence turn a deflection angle of 18 deg. 20 min. 30 sec. left and run 94.44 feet to the P.C. of a curve; thence turn a deflection angle of 2 deg. 47 min. 30 sec. left for a chord distance of 97.44 feet (Arc distance being 97.58 feet) to the P.T. of said curve; thence turn a deflection angle of 2 deg. 47 min. 30 sec. left and run 67.50 feet to the P.C. of a curve; thence turn a deflection angle of 29 deg. 36 min. 30 sec. left for a chord distance of 105.64 feet; (Arc distance being 111.06 feet) to the P.T. of said curve; thence turn a deflection angle of 29 deg. 36 min. 30 sec. left and run 231.06 feet to the P.C. of a curve; thence turn a deflection angle of 3 deg. 45 min. left for a chord distance of 196.29 feet (Arc distance being 196.43 feet) to the P.T. of said curve; thence turn 86 deg. 15 min. right and run northwesterly 55.38 feet; thence turn 51 deg. 00 min. 34 sec. left and run 291.62 feet to a point on the Northeasterly right of way line of U.S. Highway No. 31; thence turn 94 deg. 55 min. right to the chord of a curve to the right (said curve having a central angle of 10 deg. 24 min. 21 sec. and a radius of 1809.96 feet) and run along said curve and said right of way 328.70 feet; thence 90 deg. right from the tangent of said curve and run along a radial line of said curve 50.0 feet; thence turn 90 deg. left to the tangent of a curve to the right (said curve having a central angle of 15 deg. 00 min. and a radius of 1759.86 feet) and run along said curve and right of way 460.73 feet; thence turn 90 deg. left from the tangent of said curve and run along a radial line of said curve 50.0 feet; thence turn 94 deg. 25 min. 35 sec. right to the chord of a curve to the right (said curve having a central angle of 8 deg. 51 min. 11 sec. and a radius of 1809.96 feet) and run along said curve and said right of way 279.65 feet to the end of said curve and the beginning of a spiral curve to the right; thence turn 7 deg. 30 min. right from the chord of last described curve and run 248.00 feet to the point of beginning; being situated in Shelby County, Alabama.

Less and Except :

A parcel of land located in the Northwest ¼ of the Northwest ¼ of Section 31, Township 19 South, Range 2 West, Shelby County, Alabama, being more particularly described by the following metes and bounds legal description, based on a Boundary Survey prepared by Walter Schoel Engineering Company, Inc., dated August 27, 1998, to wit: Commence at the Northwest corner of the said Section 31 (also known as the Southwest corner of Section 30), run thence along the North boundary of said Section 31, North 90 deg. 00 min. 00 sec. East (assumed bearing) for a distance of 94.14 feet, to the point of beginning of the parcel herein described, said point also being a point on the Easterly right of way line of U.S. Highway 31; thence continue along said North boundary of Section 31, North 90 deg. 00 min. 00 sec. East a distance of 214.44 feet; thence South 00 deg. 25 min. 21 deg. West for a distance of 90.00 feet; thence along a line lying 90.00 feet South of and parallel with the aforesaid North boundary of Section 31, North 90 deg. 00 min. 00 sec. East for a distance of 224.27 feet, to a point on the aforesaid Easterly right of way line of U.S. Highway 31, lying 100 feet Easterly of concentric with the centerline of said highway, being a spiral angle 4 deg. 30 min.; thence along said right of way, across the chord North 06 deg. 38 min. 57 sec. East for a distance of 90.61 feet, to the point of beginning. Being situated in Shelby County, Alabama.

A parcel of land situated in the Northwest ¼ of the Northwest ¼ of Section 31, Township 19 South, Range 2 West, Shelby County, Alabama and being more particularly described as follows:

Commence at the Northwest corner of Block 2 of the Cahaba Valley Parkway Business Park North, as recorded in Map Book 13, Page 140, Office of the Judge of Probate, Shelby County, Alabama; thence run North 1 deg. 15 min. 24 sec. West for a distance of 191.42 feet to a point; thence run South 86 deg. 43 min. 00 sec. West for a distance of 521.87 feet to a point; said point being the point of beginning; thence run South 1 deg. 15 min. 24 sec. East for a distance of 50.65 feet to a point on the North right of way line of Morgan Park Drive; thence run on a curve to the left having a radius of 351.07 feet, an arc length of 68.63 feet and being subtended by a chord bearing North 65 deg. 33 min. 23 sec. West with a distance of 68.52 feet; thence run North 0 deg. 00 min. 00 sec. West for a distance of 18.14 feet to a point; thence run North 86 deg. 42 min. 34 sec. East for a distance of 61.64 feet to a point, said point being the point of beginning. Being situated in Shelby County, Alabama.

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09:21 AM CERTIFIED
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