

[Purchase price = \$2,350,000.00. A mortgage in the face amount of \$2,240,000.00 is being recorded simultaneously herewith. Amount to which deed recording tax is applicable is \$110,000.00.]

Send Tax Notice to:  
Restore Properties, LLC  
c/o Restore Therapy Services, Inc.  
11 West Oxmoor Tower, Suite 210  
Birmingham, Alabama 35209  
Attention: Deb Delgado

This instrument prepared by:  
Angie Godwin McEwen, Esq.  
Johnston Barton Proctor & Powell LLP  
1901 Sixth Avenue North  
2900 AmSouth/Harbert Plaza  
Birmingham, Alabama 35203  
(205) 458-9400

**STATUTORY WARRANTY DEED**

**STATE OF ALABAMA** )  
 )  
**COUNTY OF SHELBY** )

**KNOW ALL PERSONS BY THESE PRESENTS**, that **PELHAM OFFICE ENTERPRISES, LLC**, an Alabama limited liability company (the "Grantor"), for a good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, does hereby grant, bargain, sell and convey unto **RESTORE PROPERTIES, LLC**, an Alabama limited liability company ("Grantee"), that certain real property and the improvements thereon situated in the County of Shelby, State of Alabama, more particularly described in Exhibit A attached hereto, subject to the following:

1. Taxes and assessments for the year 2002 and subsequent years, which are not yet due and payable;
2. Transmission Line Permits to Alabama Power Company as shown by instruments recorded in Deed Book 101, Page 520, in Deed Book 145, Page 378, and in Deed Book 113, Page 281 in the Probate Office of Shelby County, Alabama;
3. Declaration of Protective Covenants for Cahaba Valley Park North, as set out in Real 268, Page 140 in the Probate Office of Shelby County, Alabama;
4. Declaration of Restrictive Covenants in connection with sale to Taco Bell recorded in real 325, Page 929 in the Probate Office of Shelby County, Alabama;
5. Restrictive Covenants in connection with sale to Camps, Inc., as recorded in Real 290, Page 386 in the Probate Office of Shelby County, Alabama;
6. Restrictive Covenants in connection with sale to Pelham Hotel Investment, Inc., as recorded as Instrument #1992-15856 in the Probate Office of Shelby County, Alabama;
7. Restrictive Covenants in connection with sale to Baptist Medical Center, as recorded as Instrument #1993-25691 in the Probate Office of Shelby County, Alabama;

Cahaba Title

- 8. A 50-foot right of way to Alabama Power Company with overhead transmission lines as shown on the survey of Joseph A. Miller, last dated June 1, 2000; and
- 9. Mineral and mining rights not owned by Grantor, matters of record and matters shown on survey prepared by Laurence Weygand dated November 25, 2002.

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

Any and all warranties contained or implied herein are expressly limited to claims of all persons claiming by, through or under Grantor, but nor further or otherwise, unless noted above.

**IN WITNESS WHEREOF**, the Grantor has caused this Statutory Warranty Deed to be executed by its duly qualified representative this \_\_\_\_\_ day of December, 2002.

**GRANTOR:**

**PELHAM OFFICE ENTERPRISES, LLC**

By: *Marc A. Eason*  
 Name: Marc A. Eason  
 Its: Authorized Member

**STATE OF ALABAMA** )

**COUNTY OF JEFFERSON** )

I, the undersigned, a notary public in and for said county in said state, hereby certify that Marc A. Eason, whose name as Authorized Member of **Pelham Office Enterprises, LLC**, an Alabama limited liability company, 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 said instrument, he, as such representative and with full authority, executed the same voluntarily for and as the act of said limited liability company.

GIVEN under my hand and official seal this 11<sup>th</sup> day of December, 2002.

[AFFIX SEAL]

*Bradley C. Mayhew*  
 Notary Public  
 My Commission Expires: 10/11/04

## EXHIBIT A

Part of Block 2 of Cahaba Valley Park North as recorded in Map Book 13, Page 140, in the Probate Office of Shelby County, Alabama, being more particularly described as follows:

Commence at the centerline point of tangent station 43 + 18.73 of Cahaba Valley Parkway; thence run east along the centerline of said Cahaba Valley Parkway for 73.40 feet; thence 90 deg. 00 min. 00 sec. left and run northerly for 30.00 feet to a point on the north right of way line of said Cahaba Valley Parkway, said point being the SE corner of the Steely Enterprises Survey by Miller Triplett & Miller Engineers, Inc., dated February 14, 1990, and also the point of beginning of the parcel herein described; thence continue northerly along the last stated course and along the west line of said Steely Enterprises Survey for 300.00 feet to the NW corner of said survey, said point being on the north boundary of Block 2 of said Cahaba Valley Park North; thence 90 deg. 00 min 00 sec. left and run westerly along said north line of Block 2 for 568.66 feet measured, 568.11 record, to the NW corner of said Block 2, said point being also the NW corner of the Steve Boner Survey by Miller Triplett & Miller Engineers, Inc., dated May 16, 1995; thence 130 deg. 48 min. 19 sec. left and run southeasterly along the northerly property line of said Steve Boner Survey for 481.77 feet to the NE corner of said survey, said point being on the northerly right of way line of said Cahaba Valley Parkway; thence 88 deg. 39 min. 33 sec. left to become tangent to a curve to the right, said curve having a radius of 283.71 feet and subtending a central angle of 39 deg. 27 min. 52 sec.; thence run northeasterly along said right of way line and along the arc of said curve for 195.42 feet to the end of said curve; thence at tangent to said curve run east along said right of way line for 73.40 feet to the point of beginning; being situated in Shelby County, Alabama.