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Shelby Cnty Judge of Probate, AL
04/02/2003 11:03:00 FILED/CERTIFIED

SEND TAX NOTICES TO:
SHADY HOLLOW DEVELOPMENT, INC.
503 C Cahaba Park Circle,
Birmingham, Alabama, 35242

AMENDED AND RESTATED WARRANTY DEED

A portion of the property described on Exhibit "A" attached hereto has been previously conveyed by Grantor to Grantee by Warranty Deed recorded as Instrument No. 2001-29430 and 2001-55226 in the Office of the Judge of Probate of Shelby County, Alabama. This Warranty Deed amends those prior Warranty Deed by adding thereto all of the property described on Exhibit "A" hereto and canceling the easement previously conveyed by the Warranty Deed recorded as Instrument No. 2001-55226

STATE OF ALABAMA
COUNTY OF SHELBY

KNOW ALL MEN BY THESE PRESENTS, that in consideration of the sum of Seven Hundred Fourteen Thousand Seven Hundred Seventy-One and 00/100 Dollars (\$714,771.00) and other good and valuable consideration to the undersigned grantors, in hand paid by the grantee herein, the receipt of which is hereby acknowledged, Changiz Gaviri a(n) (un)married man (herein referred to as "Grantor"), hereby grants bargains, sells, and conveys unto SHADY HOLLOW DEVELOPMENT, INC. (herein referred to as "Grantee"), the real estate described on Exhibit "A" attached hereto and situated in Shelby County, Alabama.

[A portion of the purchase price recited above was paid from a mortgage loan closed simultaneously herewith.]

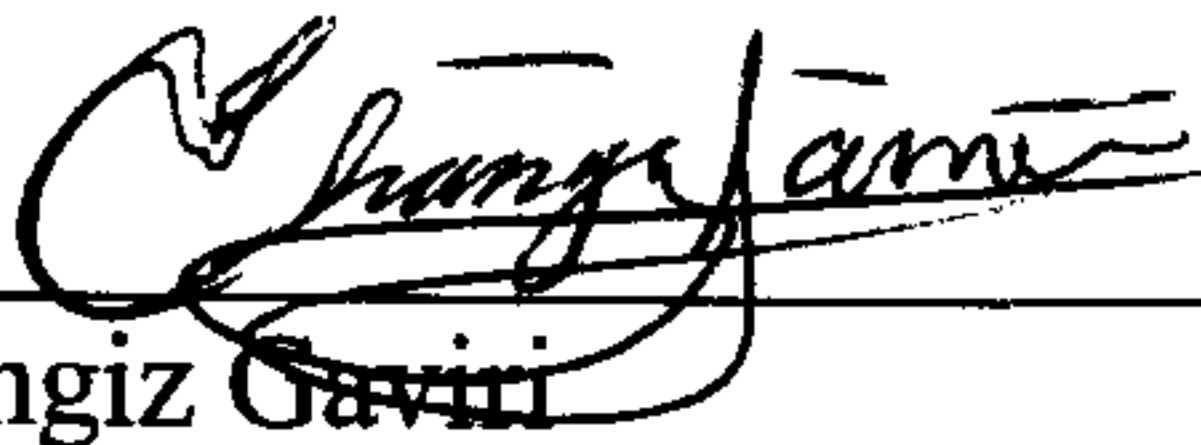
[This property does not constitute the homestead of Grantor nor of Grantor spouse.]

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

AND THE GRANTOR does for himself, and his heirs, executors, successors and assigns, covenant with said Grantee, its successors and assigns, that Grantor is lawfully seized in fee simple of the premises, that they are free from all encumbrances, unless otherwise noted on Exhibit "A", that Grantor has good right to sell and convey the same as aforesaid, and that Grantor will and his heirs, executors, successors and assigns shall warrant and defend same to said Grantee, its successors and assigns forever, against the lawful claims of all persons.

GRANTOR FURTHER terminates and grants to Grantee all of Grantor's rights to the 50 foot easement reserved in Grantor's deed to Grantee recorded as Instrument No. 2001-55226 in the Office of the Judge of Probate of Shelby County, Alabama, and such reserved easement shall no longer benefit Grantor nor any property owned by Grantor, the Southern Parcel as that term is described in Instrument No 2001-55226 and which received the benefit of this reserved easement being heretofore conveyed by Grantor to Grantee.

IN WITNESS WHEREOF, the Grantor has signed and sealed this Deed on the 31 day of March, 2003.

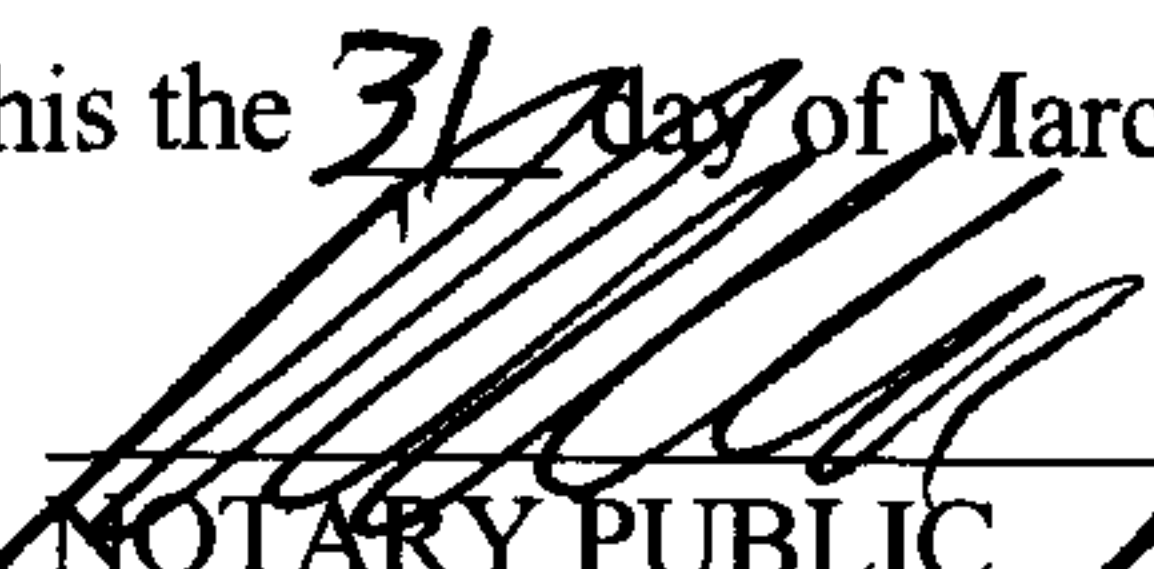


Changiz Gaviri

STATE OF ALABAMA
JEFFERSON COUNTY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Changiz Gaviri, whose names 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 executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this the 31 day of March, 2003



NOTARY PUBLIC
My Commission Expires: 6/17/03

THIS INSTRUMENT PREPARED BY AND AFTER
RECORDATION SHOULD BE RETURNED TO:

William B. Hairston III
Engel, Hairston, & Johanson P.C.
P.O. Box 370027
Birmingham, AL 35237
(205) 328-4600

EXHIBIT "A"
TO
WARRANTY DEED

Grantor: Changiz Gaviri
Grantee: SHADY HOLLOW DEVELOPMENT, INC.

PARCEL I:

Commence at the SE corner of the Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 7, Township 20 South, Range 1 West, said point also being the point of beginning; thence North 2 degrees 35 minutes 14 seconds East and along the East line of said $\frac{1}{4}$ - $\frac{1}{4}$ section a distance of 1,202.93 feet to a point on the south right of way line of Shelby County Road 36 (80 foot right of way), said point also being a point on a curve to the right having a central angle of 0 degrees 15 minutes 56 seconds, a radius of 479.64 feet and subtended by a chord which bears North 71 degrees 01 minutes 55 seconds West a chord distance of 2.22 feet; thence along said curve and said right of way line a distance of 2.22 feet to its point of intersection with the Easterly right of way line of Shelby County Road 336 (Prescriptive right of way) said point also being the beginning of a curve to the left having a central angle of 5 degree 59 minutes 54 seconds, a radius of 960.94 feet and subtended by a chord which bears South 6 degrees 17 minutes 36 seconds West a chord distance of 100.56 feet; thence along said curve and along said right of way line a distance of 100.60 feet to the end of said curve; thence South 1 degree 41 minutes 12 seconds West along said right of way line a distance of 209.48 feet to the beginning of a compound curve to the right having a central angle of 65 degrees 19 minutes 18 seconds, a radius of 368.21 feet and subtended by a chord which bears South 32 degrees 42 minutes 00 seconds West a chord distance of 397.42 feet; thence along said curve and along said right of way line a distance of 419.79 feet to the end of said curve ; said point also being the beginning of a curve to the right having a central angle of 9 degrees 56 minutes 45 seconds, a radius of 1853.78 feet and subtended by a chord which bears South 71 degrees 41 minutes 48 seconds West a chord distance of 321.39 feet; thence along said curve and along said right of way line a distance of 321.79 feet to the end of said curve; thence South 76 degrees 00 minutes 11 seconds West along said right of way line a distance of 386.54 feet; thence South 2 degrees 10 minutes 55 seconds West and leaving said right of way line a distance of 350.87 feet to a point on the south line of said $\frac{1}{4}$ - $\frac{1}{4}$ Section; thence South 89 degrees 06 minutes 26 seconds East along said $\frac{1}{4}$ - $\frac{1}{4}$ line a distance of 873.35 feet to the point of beginning.

PARCEL II

Commence at the NW corner of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 7, Township 20 South, Range 1 West; said point also being the point of beginning; thence South 89 degrees 06 minutes 26 seconds East along the North line of said $\frac{1}{4}$ - $\frac{1}{4}$ Section for a distance of 1,322.24 feet; thence South 2 degrees 39 minutes 55 seconds West along the East line of said $\frac{1}{4}$ - $\frac{1}{4}$ Section for a distance of 1,326.71 feet; thence North 88 degrees 11 minutes 22 seconds West along the South line of said $\frac{1}{4}$ - $\frac{1}{4}$ section for a distance of 1,314.70 feet; thence North 2 degrees 21 minutes 20 seconds East along the West line of said $\frac{1}{4}$ - $\frac{1}{4}$ section for a distance of 1,305.43 feet to the point of beginning.

SUBJECT TO: i) taxes dues and payable October 1, 2003; ii) restrictions or covenants recorded in Instrument 1999/21361 and 1999/24241; iii) right of way granted to Alabama Power Company by instrument recorded in Volume 229, page 500 and Volume 234, page 887; iv) right of way to Shelby County recorded in Volume 252, page 244 and Volume 229, page 492; v) mineral and mining rights and rights incident thereto as recorded in Volume 327, page 553, Instrument 1994/36502 and 1999/24242; and vi) less and except any part of subject property lying within a road right of way.