


This instrument was prepared by:  
John L. Hartman, III  
P. O. Box 846  
Birmingham, Alabama 35201

Send Tax Notice To:  
Caldwell-Valley, LLC  
100 2<sup>nd</sup> Avenue South, Suite 204N  
St. Petersburg, FL 33701

**SECOND CORRECTIVE  
CORPORATION FORM WARRANTY DEED**

  
20030911000609070 Pg 1/3 24.00  
Shelby Cnty Judge of Probate, AL  
09/11/2003 08:53:00 FILED/CERTIFIED

STATE OF ALABAMA )

SHELBY COUNTY )

That in consideration of One Million Two Hundred Ten Thousand and no/100 (\$1,210,000.00) Dollars to the undersigned grantor, **MARK-POINT PROPERTIES, INC.**, an Alabama corporation, (herein referred to as GRANTOR) in hand paid by the grantee herein, the receipt whereof is hereby acknowledged, the said GRANTOR does by these presents, grant, bargain, sell and convey unto **CALDWELL-VALLEY, LLC**, (herein referred to as Grantee), the following described real estate, situated in Shelby County, Alabama, to-wit:

SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION.

SUBJECT TO: (1) Current taxes; (2) Right-of-way granted Alabama Power Company recorded in Deed Book 129, page 559; Deed Book 220, page 47; Real Volume 224, page 525 and under Instrument Number 1998-34339; (3) Terms and conditions of that certain Reciprocal Easement Agreement as recorded in Instrument #20011029000534150 (4) Title to all minerals within and underlying the premises, together with all mining rights and other rights privileges and immunities relating thereto, including release of damages; (5) Curb and gutter encroachments as shown by Survey of Jeff Arrington, dated April 30, 2002; (6) Gas line traversing subject property as shown by Survey of Jeff Arrington, dated April 30, 2002; (7) Party wall located along easterly boundary of subject property as shown by Survey of Jeff Arrington, dated April 30, 2002.

**THIS IS A SECOND CORRECTIVE DEED BEING RECORDED TO CORRECT THE LEGAL DESCRIPTION IN THAT CERTAIN CORRECTIVE CORPORATION FORM WARRANTY DEED DATED DECEMBER 2, 2002, RECORDED ON DECEMBER 3, 2002 IN INSTRUMENT #20021203000602780 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA, TO CORRECT THAT CERTAIN CORPORATION FORM WARRANTY DEED DATED OCTOBER 29, 2002 AND RECORDED ON OCTOBER 29, 2002 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA, INSTRUMENT #20021029000534160.**

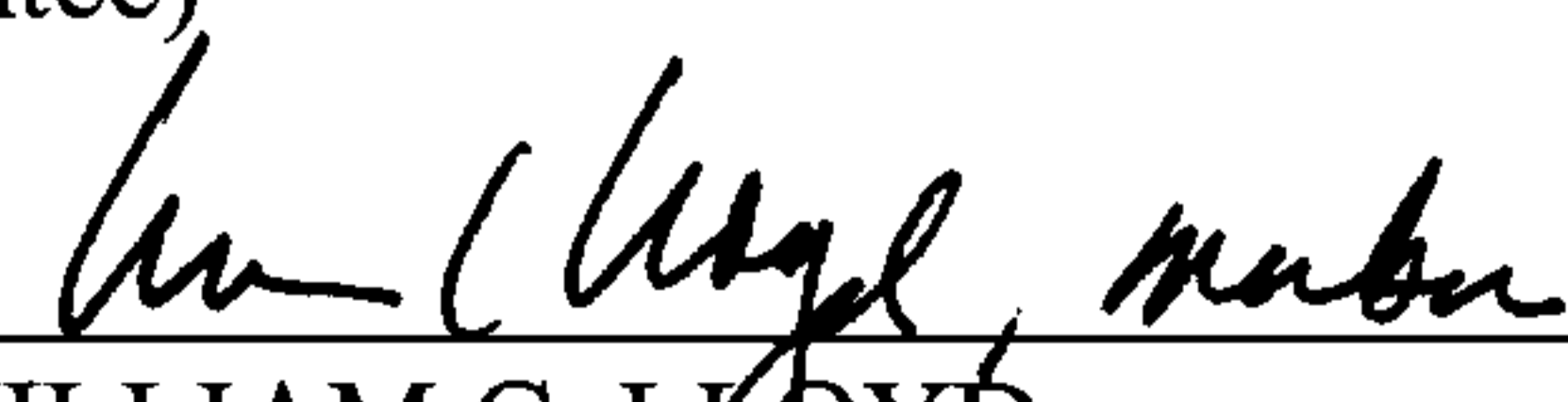
TO HAVE AND TO HOLD unto the said grantee, its successors and assigns forever.

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

Grantee, CALDWELL-VALLEY, LLC, an Alabama limited liability company, herein agrees to the Second Correction of legal description by signing below.

IN WITNESS WHEREOF, the said GRANTOR, by its President who is authorized to execute this conveyance, hereto set its signature and seal, this the 29<sup>th</sup> day of January, 2003.

CALDWELL-VALLEY, LLC  
(Grantee)

By:   
WILLIAM C. LLOYD  
Member

MARK-POINT PROPERTIES, INC.  
(Grantor)

By:   
R. SHAN PADÉN  
President

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that R. SHAN PADEN, whose name as President of MARK-POINT PROPERTIES, INC., a corporation, 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.

Given under my hand and official seal this 13<sup>th</sup> day of February, 2003.

My Commission Expires: 03/23/03

Carla M Hill  
Notary Public

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that WILLIAM C. LLOYD, whose name as Managing Member of CALDWELL-VALLEY, 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 the conveyance, he, as such officer and with full authority, executed the same voluntarily for and as the act of said company.

Given under my hand and official seal this 29<sup>th</sup> day of January, 2003.

My Commission Expires: 08/04/05

J L Hartman III  
Notary Public  
John L. Hartman, III

**EXHIBIT "A"**

Parcel I:

A tract of land situated in the Northeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of Section 15, Township 19 South, Range 2 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the Southwest corner of said quarter-quarter section and run North  $00^{\circ} 00' 32''$  West along the West line of said quarter-quarter section for a distance of 517.05 feet; thence run North  $89^{\circ} 31' 43''$  East for 69.33 feet to the point of beginning of the tract of land herein described; thence continue along the last described course for 191.85 feet; thence run South  $00^{\circ} 28' 18''$  East for 109.88 feet; thence run North  $89^{\circ} 31' 42''$  East for 0.58 feet; thence run South  $00^{\circ} 28' 18''$  East for 115.29 feet; thence run South  $29^{\circ} 05' 16''$  East for 76.06 feet to a point on the Northerly right of way line of Valleydale Road; said point being on a curve to the left, having a radius of 723.85 feet; thence run along said curve and said road right of way line a chord bearing of South  $58^{\circ} 54' 28''$  West for 53.67 feet; thence run North  $75^{\circ} 08' 14''$  West for 100.00 feet to a point on the Easterly right of way line of Caldwell Mill Road and the Point of Beginning of a curve to the right, said curve having a radius of 954.93 feet; thence run along said curve and said right of way line a chord bearing of North  $16^{\circ} 52' 52''$  West for 306.58 feet to the point of beginning.

Parcel II:

Together with those certain non-exclusive and reciprocal easements for the benefit of Parcel I for the purpose of ingress and egress, parking, drainage, utilities and other matters as created by that certain Reciprocal Easement Agreement with covenants, conditions and restrictions between Mark-Point Properties, Inc. and Caldwell-Valley, LLC, dated October 29, 2002, recorded in Instrument Number 20021029000534150, as corrected in Instrument Number 20030911000609060 over, under and across the following described property:

A tract of land situated in the Northeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of Section 15, Township 19 South, Range 2 West, Shelby County, Alabama and being more particularly described as follows:

Commence at the Southwest corner of said  $\frac{1}{4}$  -  $\frac{1}{4}$  section and run North  $00^{\circ} 00' 32''$  West along the West line of said  $\frac{1}{4}$  -  $\frac{1}{4}$  section for 517.05 feet; thence run North  $89^{\circ} 31' 43''$  East for 261.18 feet to the point of beginning of the tract of land herein described; thence run South  $00^{\circ} 28' 18''$  East for 109.88 feet; thence run South  $89^{\circ} 31' 42''$  East for 0.58 feet; thence run South  $00^{\circ} 28' 18''$  East for 115.29 feet; thence run South  $29^{\circ} 05' 16''$  East for 76.06 feet to a point on the Northerly right of way line of Valleydale Road, said point being on a curve to the right having a radius of 723.85 feet; thence run along said curve and said road right of way line a chord bearing of North  $74^{\circ} 30' 42''$  East for 340.57 feet; thence run North  $00^{\circ} 01' 03''$  West for 204.51 feet; thence run South  $89^{\circ} 31' 43''$  West for 364.54 feet to the point of beginning.