


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 )

CORRECTIVE WARRANTY DEED

  
20031121000766750 Pg 1/4 22.00  
Shelby Cnty Judge of Probate, AL  
11/21/2003 10:37:00 FILED/CERTIFIED

This Corrective Warranty Deed is by and between GINGO-MORGAN PARK, an Alabama General Partnership composed of Morgan-Park, Ltd. and Myra Joe Gingo, as Partners (hereinafter referred to as "Grantor"), and Big Mountain, LLC (hereinafter referred to as "Grantee"), dated as of April 19, 2002.

**RECITALS**

By Instrument dated April 19, 2002 and recorded April 25, 2002 in Instrument #2002-19183, in the Office of the Judge of Probate of Shelby County, Alabama, Grantor conveyed to Grantee certain property described on Exhibit "A." Through a scrivener's error (a "less and except" description failed to exclude an intended area), an area of land not intended to be described was purportedly conveyed. The error has since been discovered and agreed by Grantor and Grantee to be corrected. The purpose of this instrument is to effect the correction.

NOW, THEREFORE, in consideration of the premises and to correct the aforescribed scrivener's error, Grantor, joined herein by Grantee, does hereby correct and amend that certain Warranty Deed recorded in Instrument #2002-19183, in the Office of the Judge of Probate of Shelby County, Alabama, by deleting Exhibit "A" therein and substituting therefor the description contained in Exhibit "B" attached hereto.

IN WITNESS WHEREOF, the undersigned has caused this instrument to be executed on this the 3<sup>rd</sup> day of November, 2003.

WITNESS:

Anne P. Marshall

GINGO-MORGAN PARK, an Alabama General Partnership

By:

Myra Joe Gingo  
Myra Joe Gingo - Partner

By: Morgan-Park, Ltd. - Partner

By:

Robert W. Bone  
Robert W. Bone, General Partner

By: Chenault Investment Co., Inc.

By:

Benford L. Chenault  
Benford L. Chenault a/k/a  
B. L. Chenault, as its President

The undersigned Big Mountain, LLC joins in the execution of this Corrective Warranty Deed to consent to the correction of the legal description and to evidence that Big Mountain, LLC claims no interest in the "less and except" portion of the legal description.

Anne Marshall

Big Mountain, LLC

By:

James O. Lunceford  
James O. Lunceford, as its Manager

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 instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, 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 17<sup>th</sup> day of November, 2003.

Anne P. Marshall

Notary Public

My commission expires: 3/13/2007

STATE OF Missouri )  
COUNTY OF Stone )

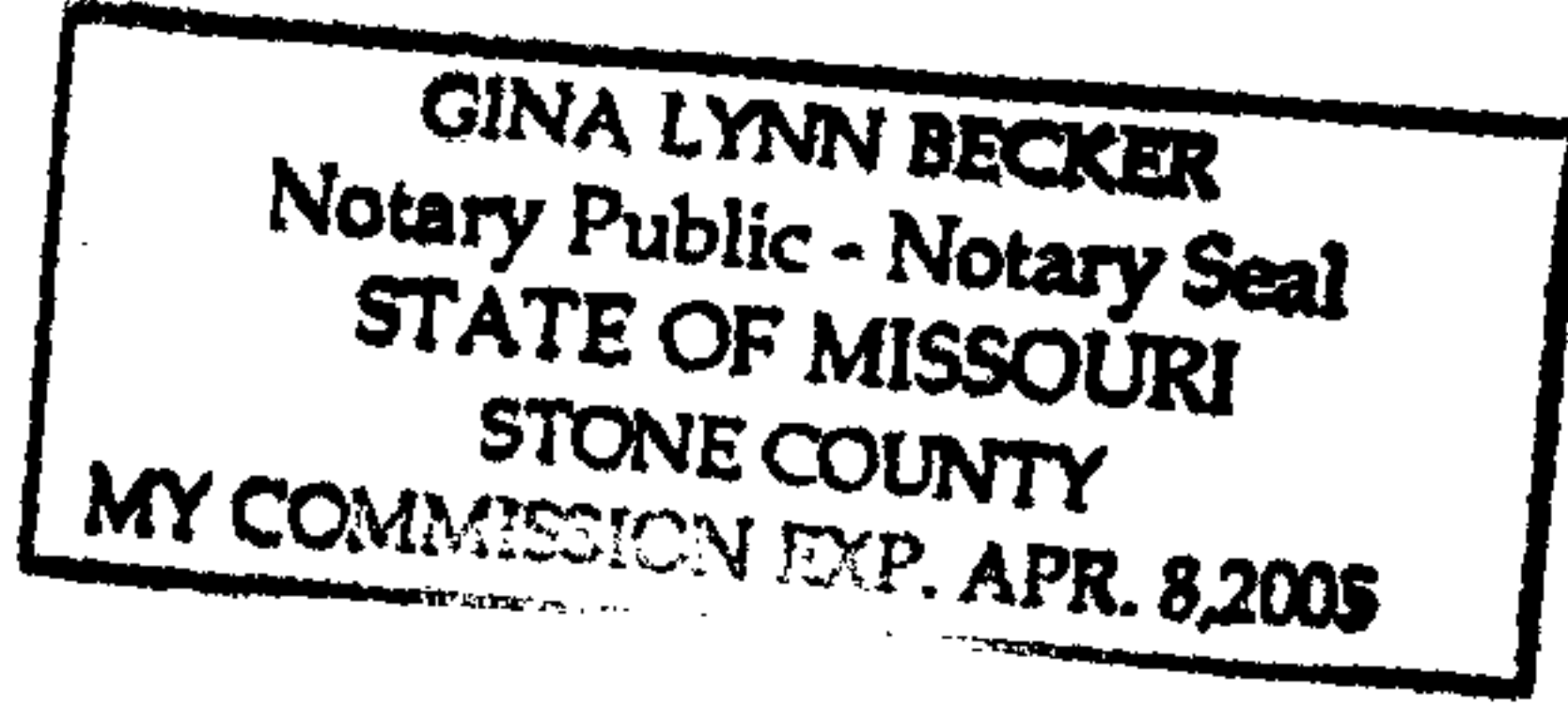
I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Robert W. Bone, whose name as General Partner of Morgan-Park, Ltd., an Alabama Limited Partnership, as Partner GINGO-MORGAN PARK, an Alabama General Partnership, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, 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 6<sup>th</sup> day of November, 2003.

Gina Lynn Becker

Notary Public

My commission expires: 4-8-05



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 instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, 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 3<sup>rd</sup> day of November, 2003.

Anne P. Marshall

Notary Public

My commission expires: 3/13/2007

STATE OF ALABAMA )  
COUNTY OF SHELBY )

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that James O. Lunceford, whose name as Manager of Big Mountain, LLC, 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 the instrument, he, in his capacity as Manager, executed the same voluntarily on the day the same bears date.

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

Anne P. Marshall

Notary Public

My commission expires: 3/13/2007

## 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.

**EXHIBIT B**

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 Southeast corner of the Northwest Quarter of the Northeast Quarter of the Northwest Quarter of Section 31, Township 19 South, Range 2 West, 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 103.49 feet and being subtended by a chord bearing North 68 deg. 24 min. 04 sec. West with a distance of 103.12 feet; thence run North 1 deg. 15 min. 22 sec. West for a distance of 6.69 feet to a point; thence run North 86 deg. 42 min. 34 sec. East for a distance of 95.34 feet to a point, said point being the Point of Beginning.