

STATE OF ALABAMA

SHELBY COUNTY

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS: That in consideration of One Hundred Forty Three Thousand Seven Hundred Sixty Six and 50/100 (\$143,766.50) Dollars and other good and valuable consideration to the undersigned Grantor, in hand paid by the Grantee herein, the receipt whereof is acknowledged, The Garrett Family Tree, Inc. an Alabama corporation (hereinafter referred to as Grantor) does grant, bargain, sell and convey unto DEER VALLEY, LLC, an Alabama Limited Liability Company (hereinafter referred to as Grantee) the following described real estate, situated in Talladega County, Alabama, to-wit:

\$120,000.00 of the total consideration ^{See Exhibit 1.} recited above was paid from the proceeds of a mortgage loan closed simultaneously herewith.

Said conveyance is subject to:

1. Ad valorem taxes for the current and subsequent years.
2. Permits and rights of way of record, if any.
3. The Grantor does hereby retain an undivided one-half (1/2) interest in and to all mineral and mining rights lying in, under or upon the real estate conveyed herein.

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

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

IN WITNESS WHEREOF, the said Grantor, The Garrett Family Tree, Inc. by its President, who is authorized to execute this conveyance, has set its signature and seal this the 6th day of January, 2004.

THE GARRETT FAMILY TREE, INC.

By: [Signature]
Its [Signature]

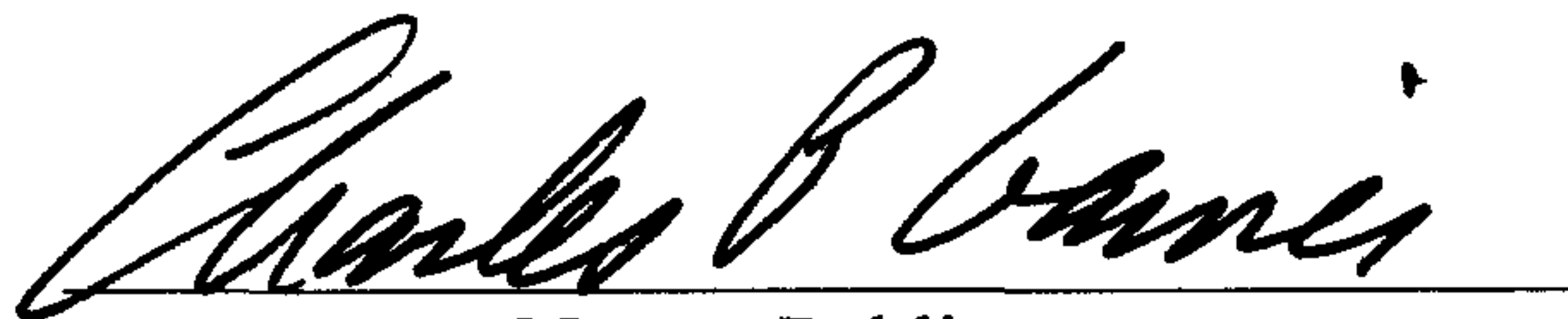
Gaines (see next document)

STATE OF ALABAMA

COUNTY OF TALLADEGA

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that Charles T. Olive, whose name as President of The Garrett Family Tree, Inc., 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 and with full authority, executed the same voluntarily, as the act of The Garrett Family Tree, Inc. on the day the same bears date.

Given under my hand and official seal this the 4th day of January, 2004.


Notary Public

Prepared by:
Charles P. Gaines
Gaines, Gaines & Rasco, P.C.
127 North Street
Talladega, AL 35160

Grantee's Address:

P.O. Box 43533
Birmingham, AL 35243

LEGAL DESCRIPTION

STATE OF ALABAMA

SHELBY

ENTIRE PARCEL:

A parcel of land located in the Northwest Quarter of the Northwest Quarter and in the Southwest Quarter of the Northwest Quarter of Section 23, and in the Southeast Quarter of the Northeast Quarter of Section 22, all in Township 18 South, Range 2 East, Shelby County, Alabama, containing 70.13 acres, more or less, and being more particularly described as follows:

Commencing at a 1-1/2" iron bar representing the Southwest corner of said Section 23; thence run northerly along the monumented West line of said Section 23 for 2,699.26' to the point of beginning of the parcel herein described; thence run easterly, forming a right deflection angle of 94°06'40", for 821.85' a 1-1/2" iron on the top of a ridge known as Hog Mountain; thence run northeasterly, forming an interior angle of 118°00'39", along said ridge top for 198.87' to a 1/2" rebar; thence run northeasterly, forming a right deflection angle of 12°56'22", along said ridge top for 221.55' to a 1/2" rebar; thence run northeasterly, forming an interior angle of 179°55'08", along said ridge top for 178.30' to a 1/2" rebar; thence run northeasterly, forming a right deflection angle of 17°48'44", for 118.59' to a 1/2" rebar; thence run easterly, forming a right deflection angle of 09°30'29", for 101.56' to a 1/2" rebar; thence run easterly, forming a right deflection angle of 04°49'55", for 101.31'; thence run easterly, forming a left deflection angle of 05°34'00" for 390.31' to a 1/2" rebar; thence run easterly, forming a left deflection angle of 19°08'09", for 137.00' to the point of intersection with the curving West right-of-way of Shelby County Road No. 57 (a.k.a. Simmons Mill Road), said intersection point being marked by a 1/2" steel rod; thence run northwesterly, forming a left deflection angle of 91°15'49", along said curving right-of-way through a curve having a radius of 728.79' and a length of 217.07' for a chord distance of 216.27' to the end of said curve; thence run northwesterly, forming an interior angle of 171°26'37", along said right-of-way for 412.54' to the beginning of curve, said curve having a radius of 507.79' and a length of 549.27'; thence run along said curve as follows: northwesterly, forming a right deflection angle of 07°07'35", along said right-of-way and curve for chord distance of 110.38' to a 1/2" steel rod; thence run northerly, along said curving right-of-way for a chord distance of 425.35' to a 1/2" steel rod; thence leaving said right-of-way run northwesterly, forming a left deflection angle of 29°38'34", along a painted line for 596.62' to an iron in a rock pile at the top of ridge; thence run southwesterly forming an interior angle of 89°07'40", along said ridge top for 1,086.88' the point of intersection with the monumented West line of the Northwest Quarter of the Northwest Quarter of said Section 23, said point being marked by an iron in a rock pile; thence run southerly, forming an interior angle of 129°34'03", along the monumented West line of the Northwest Quarter of the Northwest Quarter of said Section 23 for 215.50' to an iron in a rock pile representing the Northwest corner of the Southwest Quarter of the Northwest Quarter of said Section 23; thence run southwesterly, forming a right deflection angle of 46°06'23", along the monumented Northwest line of the Southeast Diagonal One Half of the Southeast Quarter of the Northeast Quarter of said Section 22 for 1,659.97' to an iron in a rock pile representing the Southwest corner of the Southeast Quarter of the Northeast Quarter of said Section 22; thence run easterly, forming an interior angle of 47°50'54", for 1,202.45' to the point of beginning, forming an interior closure angle of 180°00'00".

Said parcel being subject to any easements of record over or across said parcel.