

Inst. No.  
20040112000019520

20040112000019520 Pg 1/5 1,123.00  
Shelby Cnty Judge of Probate, AL  
01/12/2004 12:49:00 FILED/CERTIFIED

This instrument prepared by  
Dwight L. Mixson, Jr., Esq.  
3100 SouthTrust Tower  
420 North 20<sup>th</sup> Street,  
Birmingham, Alabama 35203

\$ 1,100,000.00

STATE OF ALABAMA     )  
                                      )  
SHELBY COUNTY         )

**STATUTORY WARRANTY DEED**

**KNOW ALL MEN BY THESE PRESENTS**, That in consideration of the payment of Ten and No/100 Dollars (\$10.00), and other good and valuable consideration, the receipt of which is hereby acknowledged, the undersigned Grantors, **PHILLIPS-RIVERCHASE LIMITED PARTNERSHIP**, a Georgia limited partnership, and **ROBERT E. CRUCE**, a single man (the "Grantors"), do by these presents, grant, bargain, sell and convey unto **MCCONNELL, WHITE, TERRY REALTY & INSURANCE CO.**, an Alabama corporation (the "Grantee"), the following described real estate, situated in Shelby County, Alabama, to-wit:

See Exhibit A attached hereto and made a part hereof.

TOGETHER WITH all improvements situated thereon or attached thereto, and all tenements, hereditaments, improvements, appurtenances, rights, easements, benefits and rights-of-way, if any, appurtenant thereto, subject, however, to the matters set forth on Exhibit B attached hereto and made a part hereof,

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

IN WITNESS WHEREOF, the Grantor has executed this instrument this 7<sup>th</sup> day of  
January 2004.

**GRANTORS:**

**PHILLIPS-RIVERCHASE LIMITED  
PARTNERSHIP,**  
a Georgia limited partnership

BY: William P. Phillips  
William P. Phillips  
Its Managing General Partner

STATE OF ALABAMA     )  
                                  )  
Shelby COUNTY     )

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that William P. Phillips, whose name as Managing General Partner of Phillips-Riverchase Limited Partnership, a Georgia limited partnership, 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 Managing General Partner and with full authority, executed the same voluntarily for and as the act of said partnership.

Given under my hand and official seal this 7<sup>th</sup> day of January 2004.

Darren L. Hopkins  
Notary Public  
My Commission Expires: 8-4-07

Robert E. Cruce  
ROBERT E. CRUCE

STATE OF ALABAMA     )  
                                  )  
Jefferson COUNTY     )

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Robert E. Cruce whose name 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 executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 7<sup>th</sup> day of January 2004.

Judy D. Baker  
Notary Public  
My Commission Expires: 4/6/2004

## **Exhibit A**

### **Legal Description**

A tract of land situated in the Northwest quarter of the Southwest quarter of Section 19, Township 19 South, Range 2 West, Shelby County, Alabama, and being more particularly described as follows:

Commence at the Southwest corner of Section 19, Township 19 South, Range 2 West; thence North along West section line 1506.75 feet to an intersection with baseline of the East bound lane of Riverchase Parkway East; thence 71 degrees 40 minutes 55 seconds right and run along said baseline 75.54 feet to the beginning of a curve to the left; thence continue along curve 220.45 feet, said curve having a center angle of 24 degrees 15 minutes 00 seconds and a radius of 520.86 feet; thence continue on a tangent of said baseline 171.06 feet to the beginning of a curve to the right; thence continue along curve 71.21 feet to a point, said curve having a central angle of 6 degrees 45 minutes 53 seconds and a radius of 603.10 feet; thence 90 degrees 00 minutes 00 seconds right tangent to curve 42.00 feet to the South right of way line of Riverchase Parkway – East and the POINT OF BEGINNING; thence 90 degrees 00 minutes 00 seconds left, tangent to a curve to the right 323.19 feet along said right of way line, said curve having a central angle of 33 degrees 00 minutes 17 seconds and a radius of 561.10 feet; thence continue tangent to said right of way curve in a Northeasterly direction 140.32 feet to the beginning of a curve to the left; thence continue along said curve 24.94 feet, said curve having a central angle of 01 degrees 49 minutes 43 seconds and a radius of 781.30 feet, to a curve to the right; thence continue along curve 36.94 feet, said curve having a central angle of 84 degrees 40 minutes 05 seconds and a radius of 25.00 feet; thence continue tangent to said curve and along the West right of way line of a new road in a Southeasterly direction 170.68 feet; thence 90 degrees 00 minutes 00 seconds right from said right of way line in a Southeasterly direction 22.35 feet to a point on the 422 foot contour line M.S.L. Datum; thence along said contour line in a Southwesterly, Northerly and Westerly direction 644+/- feet; thence North 81 degrees 33 minutes 10 seconds West 51.17 feet to a point; thence North 35 degrees 48 minutes 07 seconds West 19.92 feet perpendicular to the South right of way line of Riverchase Parkway – East and the point of beginning.

**EXHIBIT "B"**  
**PERMITTED ENCUMBRANCES**

1. Taxes due and payable October 1, 2004.
2. Oil, gas, petroleum and sulphur excepted in Deed Book 127, page 140, and other oil, gas, mineral and mining rights, if any, not owned by Grantor.
3. Easements, covenants and restrictions and building lines of record, including:
  - (a) Right of way to Alabama Power Company in Deed Book 252, page 184, and Deed Book 304, page 16.
  - (b) The Declaration of Protective Covenants, agreements, easements, charges and liens for Riverchase (Business) recorded in Misc. Book 13, page 50, and as amended in Misc. Book 15, page 189, by Amendment No. 1.
  - (c) Agreement in favor of Alabama Power Company recorded in Misc. Book 15, page 401.
4. Matters that would be disclosed by a current accurate survey.
5. Current zoning.