

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was
prepared by:

SEND TAX NOTICE TO:

R. Shan Paden
PADEN & PADEN
Attorneys at Law
5 Riverchase Ridge, Suite 100
Birmingham, Alabama 35244

THIRD AVENUE NORTH PROPERTIES, INC.
P.O. BOX 661253
BIRMINGHAM, ALABAMA 35266

STATE OF ALABAMA)
COUNTY OF SHELBY)

WARRANTY DEED

Know All Men by These Presents: That in consideration of FOUR HUNDRED NINETY THOUSAND DOLLARS and 00/100 (\$490,000.00) to the undersigned grantor, SOUTHERN LANDMARK DEVELOPMENT, LLC an Alabama Limited Liability company, in hand paid by the GRANTEES herein, the receipt of which is hereby acknowledged, the said GRANTOR, does by these presents, grant, bargain, sell and convey unto THIRD AVENUE NORTH PROPERTIES, INC., (herein referred to as GRANTEES, whether one or more) the following described real estate, situated in SHELBY County, Alabama, to-wit:

SEE EXHIBIT "A"

SUBJECT TO:

1. TAXES FOR THE YEAR 2003 WHICH CONSTITUTE A LIEN BUT ARE NOT YET DUE AND PAYABLE UNTIL OCTOBER 1, 2004.
2. RESTRICTIONS COVENANTS AND CONDITIONS AS SET OUT IN INSTRUMENT RECORDED IN INST. NO. 1994-21077 IN THE PROBATE OFFICE.
3. TRANSMISSION LINE PERMITS TO ALABAMA POWER COMPANY AS SHOWN BY INSTRUMENT RECORDED IN INST. NO. 1994-3243 IN THE PROBATE OFFICE.
4. GUY POLE AS SHOWN ON SURVEY BY MELVIN R. REYNOLDS DATED JULY 15, 1994.

\$375,000.00 of the consideration herein was derived from a mortgage closed simultaneously herewith.

TO HAVE AND TO HOLD Unto the said GRANTEES, their heirs and assigns, forever.

And said GRANTOR does for itself, its successors and assigns, covenant with the said GRANTEES, his, her, or their heirs and assigns, that it is lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; 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 GRANTEES, his, her, or their heirs and assigns forever, against the lawful claims of all persons.

Paden

IN WITNESS WHEREOF, the said GRANTOR, SOUTHERN LANDMARK DEVELOPMENT, LLC, by its MANAGING MEMBER, ROY L. MARTIN who is authorized to execute this conveyance, has hereunto set its signature and seal, this the 15th day of January, 2004.

SOUTHERN LANDMARK DEVELOPMENT, LLC

By: 
ROY L. MARTIN, MANAGING MEMBER

STATE OF ALABAMA)

COUNTY OF SHELBY)

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that ROY L. MARTIN, whose name as MANAGING MEMBER of SOUTHERN LANDMARK DEVELOPMENT, 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 or she, as such officer and with full authority, executed the same voluntarily for and as the act of said limited liability company.

Given under my hand this the 15th day of January, 2004.


Notary Public

My commission expires: 10.2.05

EXHIBIT A - LEGAL DESCRIPTION

A part of lot 7, Oak Mountain Commerce Place, as recorded in Map Book 18 page 58, in the Office of the Judge of Probate of Shelby County, Alabama, being located in the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 6, Township 20 South, Range 2 West, more particularly described as follows:

Commence at the NE corner of Section 1, Township 19 South, Range 3 West, said point also being the NW corner of Section 6, Township 20 South, Range 2 West, and lying on the Westerly line of said Lot 7; thence in a Southerly direction along the Westerly line of said Lot 7 and said Section 6, a distance of 318.16 feet to the point of beginning; thence continue along last described course a distance of 175.00 feet; thence 90 deg. left in an Easterly direction a distance of 171.64 feet to the Westerly right of way line of Commerce Court; thence 90 deg. left in a northerly direction along said right of way line a distance of 175.00 feet; thence 90 deg. left in a Westerly direction 171.64 feet to the point of beginning; being situated in Shelby County, Alabama.