

This instrument was prepared by:
Clayton T. Sweeney, Attorney
2700 Highway 280 East, Suite 160
Birmingham, AL 35223

Send Tax Notice To:
Lee Roy Jordan
2425 Burbank Street
Dallas, TX 75235

STATE OF ALABAMA)
COUNTY OF SHELBY) **GENERAL WARRANTY DEED**

KNOW ALL MEN BY THESE PRESENTS: That, for and in consideration of the Assumption by Grantee of Grantor's obligations to **FIRST COMMERCIAL BANK and BIRMINGHAM CITY WIDE LOCAL DEVELOPMENT COMPANY** secured by mortgages and agreements recorded as Instruments No. 2000-05218, 2000-05219, 2000-20850, 2001-02336, 2000-41534, and 2000-44776 and UCC-1 recorded as Instrument 2000-05220, 2001-02335, 2000-05221 and 2001-11056 in the Office of the Judge of Probate of Shelby County, Alabama, and for Ten Dollars (\$10.00), and other good and valuable consideration, this day in hand paid to the undersigned **Rainbow Play Systems of Alabama, Inc., an Alabama corporation** (hereinafter referred to as GRANTOR), in hand paid by the GRANTEE herein, the receipt whereof is hereby acknowledged, the GRANTOR does hereby give, grant, bargain, sell and convey unto the GRANTEE, **Lee Roy Jordan**, (hereinafter referred to as GRANTEE), his heirs and assigns, the following described Real Estate, lying and being in the County of **Shelby**, State of Alabama, to-wit:

Lot 3-B, according to the Triangle Resurvey of Lot 3, Brook Highland Plaza, as recorded in Map Book 24, Page 45, in the Probate Office of Shelby County, Alabama.

Subject To:

- 1) Ad valorem taxes for 2004 and subsequent years not yet due and payable until October 1, 2004.
- 2) Agreement with Alabama Power Company regarding underground cables, recorded in Real 220, Pages 521 and 532, in the Probate Office of Shelby County, Alabama.
- 3) Access and grading easement agreement as set out in Real 308, Page 37, in the Probate Office of Shelby County, Alabama.
- 4) Sanitary sewer and waterline easement as recorded in Real 194, Page 1, in the Probate Office of Shelby County, Alabama.
- 5) Reciprocal Easement Agreement recorded in Real 125, Page 249 and Real 199, Page 18, in the Probate Office of Shelby County, Alabama.
- 6) Sanitary sewer lift station easement as set out in Deed Book 358, Page 220, in the Probate Office of Shelby County, Alabama.
- 7) Sewer easement to the Water Works and Sewer Board as set out in Instrument 1995-6235 with bill of sale for sanitary sewer line recorded in Instrument 1995-6236, in the Probate Office of Shelby County, Alabama.
- 8) Rights of Alabama State Land Company and its successors and assigns in and to the mineral rights within and underlying the insured premises, as more particularly set out in Deed Book 28, Page 581, in the Probate Office of Shelby County, Alabama.
- 9) Brook Highland Common Property Declaration of Covenants, conditions and restrictions recorded in Real 307, Page 950, in the Probate Office of Shelby County, Alabama.
- 10) Restrictions, covenants and conditions as set out in agreement between AmSouth Bank, N.A., as Ancillary Trustee for NCNB National Bank of North Carolina as Trustee for the Public Employees Retirement System of Ohio, and Woman's Missionary Ancillary to Southern Baptist Convention recorded in Real 309, Page 317, as amended by Instrument 1993-32510, in the Probate Office of Shelby County, Alabama.
- 11) Transmission line permit to Alabama Power Company, as recorded in Deed Book 112, Page 134 and amended by the containment certification letter from Alabama Power Company dated 10-14-93, in the Probate Office of Shelby County, Alabama.
- 12) Declaration of easements and restrictive covenants (Brook Highland Development - 1.30 acre Out Parcel) by AmSouth Bank, N.A., as Ancillary Trustee for NCNB National Bank of North Carolina, as Trustee for the Public Employees Retirement System of Ohio, dated 8-29-90, recorded in Real 307, Page 985, in the Probate Office of Shelby County, Alabama.
- 13) Declaration of Protective Covenants for the "Watershed Property" and the maintenance thereof, as recorded in Real 194, Page 54, in the Probate Office of Shelby County, Alabama.
- 14) Permit to Southern Bell Telephone and Telegraph Company recorded in Deed book 349, Page 865 in the Probate Office of Shelby County, Alabama.
- 15) Restrictions and conditions as set out in that certain deed recorded in Real 308, Page 1; Real 220, Page 339 and Instrument 1992-14567, in the Probate Office of Shelby County, Alabama.

- 16) Restrictions as set out in deed from AmSouth Bank, N.A., as Ancillary Trustee to Brook Highland Limited Partnership recorded in Instrument 1993-32511, in the Probate Office of Shelby County, Alabama.
- 17) Easement agreement between AmSouth Bank/NationsBank and Brook Highland Limited Partnership, recorded in Instrument 1993-32515, in the Probate Office of Shelby County, Alabama.
- 18) Restrictions and covenants set out in the deed recorded in instrument 1997-41554, in the Probate Office of Shelby County, Alabama.
- 19) 10 foot Easement on Northerly side; 20 foot easement along the Southerly, Southeasterly and Easterly sides and 35 foot easement along the Southwesterly corner, as shown by recorded map.
- 20) Easement for ingress and egress as set out in Instrument 2000-05216, in the Probate Office of Shelby County, Alabama.

TO HAVE AND TO HOLD, the tract or parcel of land above described together with all and singular the rights, privileges, tenements, appurtenances, and improvements unto the said GRANTEE, his heirs and assigns forever.

AND SAID GRANTOR, for said GRANTOR, GRANTOR'S heirs, successors, executors and administrators, covenants with GRANTEE, and with GRANTEE'S heirs and assigns, that GRANTOR is lawfully seized in fee simple of the said Real Estate; that said Real Estate is free and clear from all Liens and Encumbrances, except as hereinabove set forth, and except for taxes due for the current and subsequent years, and except for any Restrictions pertaining to the Real Estate of record in the Probate Office of said County; and that GRANTOR will, and GRANTOR'S heirs, executors and administrators shall, warrant and defend the same to said GRANTEE, and GRANTEE'S heirs and assigns, forever against the lawful claims of all persons.

IN WITNESS WHEREOF, said GRANTOR has hereunto set her hand and seal this the 11th day of March, 2004.

Rainbow Play Systems of Alabama, Inc.

Sharon Kay Core president
Sharon Kay Core, President

STATE OF IOWA)
COUNTY OF Marion)

I, the undersigned, a Notary Public, in and for said County and State, hereby certify that Sharon Kay Core, whose name as President of Rainbow Play Systems of Alabama, Inc., an Alabama corporation, 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 Officer and with full authority, signed the same voluntarily for and as the act of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this the 11th day of March, 2004.

[Signature]
NOTARY PUBLIC
My Commission Expires: 4/13/07

4/13/07