

STATE OF ALABAMA)

SHELBY COUNTY)

QUIT CLAIM DEED

THIS INSTRUMENT was executed as of March 25, 2004 by **COMPASS BANK**, an Alabama state banking corporation (the "Grantor") to and for the benefit of **E.R. DEVELOPMENT, INC.**, an Alabama corporation (the "Grantee").

WITNESSETH:

KNOW ALL MEN BY THESE PRESENTS, that in consideration of the sum of Ten Dollars (\$10.00), in hand paid by the Grantee, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Grantor does, by these presents set over, assign and quit claim unto the Grantee, all of the Grantor's right, title and interest in and to certain real property situated in Shelby County, Alabama, as particularly described on **Exhibit A** attached hereto and incorporated by reference.

[The remainder of this page has been intentionally left blank. A signature page for the Grantor follows this page.]

IN WITNESS WHEREOF, the Grantor has caused this instrument to be executed and delivered as of the date first shown above.

GRANTOR:

COMPASS BANK, an Alabama state banking corporation

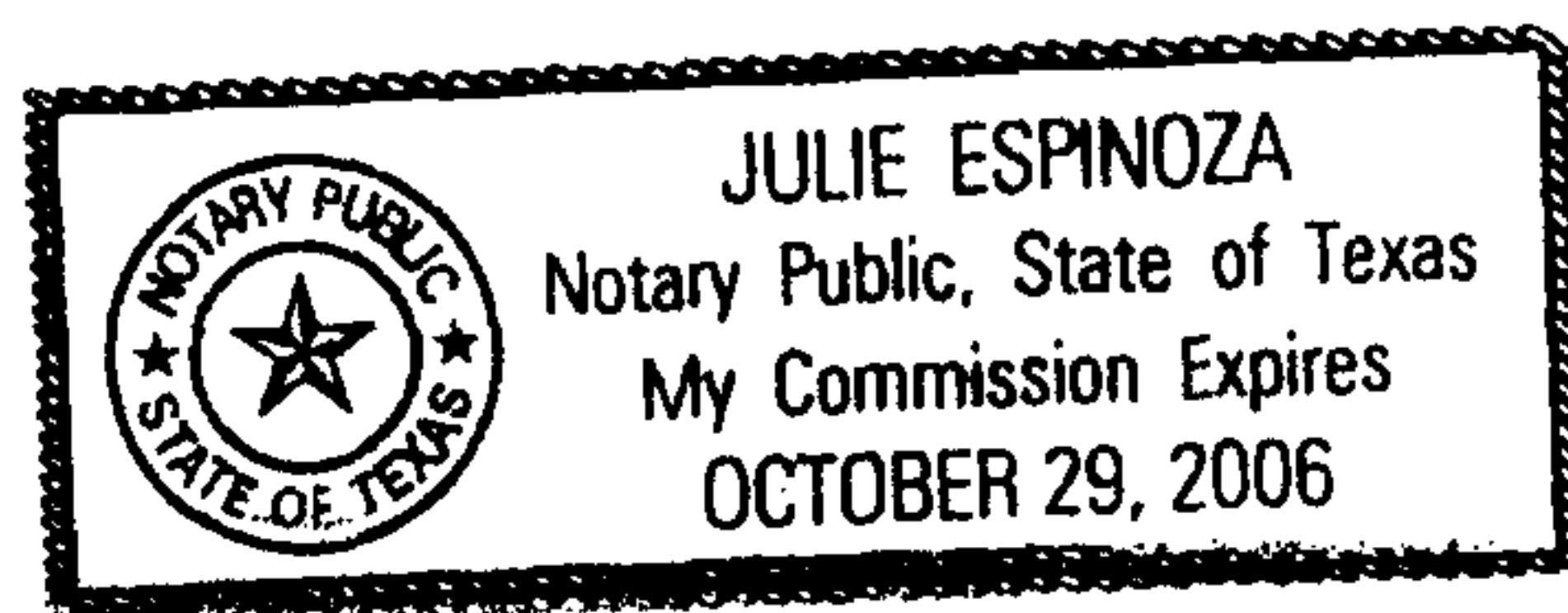
By: *Ken T. Goedeke*
Its: VICE PRESIDENT

STATE OF TEXAS)
HARRIS COUNTY)

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Ken T. Goedeke in his capacity as Vice-Pres. of Compass Bank, an Alabama state banking corporation, 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 officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal this 25 day of March, 2004.

[SEAL]



Julie Espinoza
Notary Public
My Commission Expires: 10-29-06

Prepared by:
Walter H. McKay, Esq.
Walston, Wells, Anderson & Bains, LLP
1819 Fifth Avenue North, Suite 1100
Birmingham, Alabama 35203
205-244-5200

EXHIBIT A

Parcel I

Commence at the Southwest corner of the Southwest quarter of the Northwest quarter of Section 32, Township 20 South, Range 2 West, Shelby County, Alabama; thence run Southerly along the West line of said Section 32 for a distance of 140.25 feet; thence turn a deflection angle to the right of 91 degrees 59 minutes 56 seconds and run Westerly for a distance of 159.28 feet to the Northeast corner of Lot 2710, Weatherly Highlands Club Drive – Sector 27 (Map Book 27, Page 98) in the Office of the Judge of Probate of Shelby County, Alabama and the POINT OF BEGINNING; thence run Southwest for a distance of 100.11 feet; thence turn a deflection angle of 74 degrees 07 minutes 00 seconds to the left for a distance of 236.01 feet to the Southwest corner of said Lot 2710; thence turn a deflection angle of 16 degrees 19 minutes 11 seconds to the right along the West line of said subdivision for a distance of 1018.15 feet; thence turn a deflection angle of 04 degrees 17 minutes 53 seconds to the right along the West line of said subdivision for a distance of 241.34 feet to the Northeast corner of Lot 2617, Weatherly Highlands the Ledges – Sector 26, Phase One as recorded in Map Book 26, Page 145, in the Office of the Judge of Probate of Shelby County; thence turn a deflection angle of 82 degrees 36 minutes 57 seconds to the right along the North line of said Lot 2617 for a distance of 269.70 feet to a point on the Western – most right of way line of Oxford Way (60 foot right of way), said point also being on a curve to the right, said curve having a radius of 2197.00 feet, a central angle of 00 degrees 58 minutes 37 seconds, a deflection angle left of 88 degrees 44 minutes 42 seconds to the chord of said curve, and a chord distance of 37.45 feet; thence run along the arc of said curve and along said right of way line for an arc length of 37.46 feet; thence leaving said right of way line turn a deflection angle of 94 degrees 10 minutes 33 seconds to the right from the chord of said curve for a distance of 366.44 feet to the Northwest corner of Lot 2616, Weatherly Highlands the Ledges – Sector 26, Phase One as recorded in Map Book 26, Page 145; thence turn a deflection angle of 90 degrees 15 minutes 27 seconds to the right for a distance of 56.29 feet to the Southeast corner of Lot 1331, Amended Map of Weatherly Wixford Forest – Sector 13, Map Book 22, Page 23 A and B, thence turn a deflection angle of 02 degrees 56 minutes 14 seconds to the right and run Northerly along the East line of said subdivision for a distance of 1075.00 feet to the Northeast corner of Lot 1336, of said subdivision; thence turn a deflection angle of 01 degrees 59 minutes 42 seconds to the right along the East line of Weatherly Windsor Sector 11, as recorded in Map Book 18, Page 80, in the Office of the Judge of Probate, of Shelby County, Alabama, for a distance of 490.01 feet; thence turn a deflection angle of 11 degrees 54 minutes 26 seconds to the left for a distance of 1379.24 feet to a point on the East line of a Resurvey of Lots 41, 42 & 43 Weatherly Windsor Sector 11, as recorded in Map Book 18, Page 84, in the Office of the Judge of Probate of Shelby County, Alabama; thence turn a deflection angle of 29 degrees 59 minutes 17 seconds to the left for a distance of 141.95 feet; thence turn an deflection angle of 89 degrees 47 minutes 54 seconds to the right for a distance of 155.20 feet; thence turn a deflection angle of 89 degrees 51 minutes 27 seconds to the left for a distance of 1315.15 feet to a point on the South line of Weatherly Oxford Sector 10, as recorded in Map Book 19, Page 38, in the Office of the Judge of Probate of Shelby County, Alabama; thence turn a deflection angle of 97 degrees 01 minutes 34 seconds to the right and run Easterly along the South line of said subdivision for a distance of 684.10 feet; thence turn a deflection angle of 00 degrees 21 minutes 21 seconds to the left for a distance of 483.99 feet to a point on the West line of Weatherly Highlands The Cove Sector 28 Phase I as recorded in Map Book 27, Page 99 in the Office of the Judge of Probate of Shelby County, Alabama; thence turn a deflection angle of 113 degrees 58 minutes 40 seconds to the right for a distance of 1214.66 feet; thence turn a deflection angle of 10 degrees 11 minutes 56 seconds to the left for a distance of 144.87 feet; thence turn a deflection angle of 14 degrees 10 minutes 58 seconds to the right for a distance of 542.87 feet; thence turn a deflection angle of 34 degrees 14 minutes 26 seconds to the left for a distance of 515.62 feet to a point on the Western-most right of way line of Weatherly Club Drive (60 foot right of way); thence turn a deflection angle of 71 degrees 47 minutes 35 seconds to the right and run Southwesterly along said right of way line for a distance of 164.19 feet to a point on a curve to the left,

said curve having a radius of 664.44 feet, a central angle of 20 degrees 19 minutes 34 seconds, thence run along the arc of said curve and along said right of way for an arc length of 235.72 feet to the point of compound curve to the left, said curve having a radius of 699.12 feet, a central angle of 49 degrees 35 minutes 20 seconds; thence run along the arc of said curve and along said right of way line for an arc length of 605.08 feet to the point of beginning;

together with:

Parcel II

Lots 2600, 2601, 2602, 2604, 2605, 2608, 2609, 2610, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, according to the Survey of Weatherly Highlands The Ledges – Sector 26 – Phase One, as recorded in Map Book 26, Page 145, in the Probate Office of Shelby County, Alabama.

Together with certain rights and benefits under the Declaration of Protective Covenants for Weatherly Highlands, the Ledges – Sector 26 – Phase I (the "Sector 26 Covenants") dated May 4, 2000 and filed of record as Inst. No. 2000-14750, in the Probate Office of Shelby County, Alabama (the "Probate Office"), including, without limitation, the rights and benefits of Grantee as successor in interest to Weatherly Partners, L.L.C. under the Sector 26 Covenants;

together with:

Parcel III

Lots 2702, 2719 and 2720, according to the survey of Weatherly Highlands Club Drive – Sector 27, as recorded in Map Book 27, Page 98, in the Probate Office.

Together with certain rights and benefits under the Declaration of Protective Covenants for Weatherly Highlands, Club Drive – Sector 27 (the "Sector 27 Covenants") dated November 9, 2000 and filed of record as Inst. No. 2000-38937, in the Probate Office of Shelby County, Alabama, including, without limitation, the rights and benefits of Grantee as successor in interest to Weatherly Partners, L.L.C. under the Sector 27 Covenants.