

STATE OF ALABAMA )

SHELBY COUNTY )

Send tax notices to:

The City of Alabaster, Alabama

Attn: 201 1ST St North

ALABASTER AL 35007

**STATUTORY WARRANTY DEED**

**KNOW ALL MEN BY THESE PRESENTS** that for and in consideration of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration in hand paid to the undersigned **CMA, LLC**, an Alabama limited liability company (as to an undivided 50% interest), and **MARK PROPERTIES, LLC**, an Alabama limited liability company (as to an undivided 50% interest), as tenants in common (collectively, the "Grantor"), in hand paid by **THE CITY OF ALABASTER, ALABAMA**, a municipal corporation organized under the laws of the State of Alabama (the "Grantee"), the receipt of which is acknowledged, the said Grantor does GRANT, BARGAIN, SELL AND CONVEY unto the Grantee, its successors and assigns, that certain real estate situated in Shelby County, Alabama, which is described in Exhibit A attached hereto and made a part hereof (the "Property").

It is expressly understood and agreed that this Statutory Warranty Deed is made subject to the following (the "Exceptions"):

1. Ad Valorem taxes for the current year.
2. Mineral and mining rights not owned by the Grantor.
3. Easements and building lines as shown on recorded map.
4. Existing easements, restrictions, limitations, covenants, conditions, if any, of record.

**TO HAVE AND TO HOLD** the said Property unto the Grantee, its successors and assigns, together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining and unto its successors and assigns forever.

This Statutory Warranty Deed is executed without warranty or representation of any kind on the part of the Grantor, express or implied, except as against acts done or suffered by the Grantor that are not specifically excepted herein.

*\$321,337.00*  
*consideration*

IN WITNESS WHEREOF, the Grantor has hereto set its signature and seal on the date of the acknowledgment of the Grantor's signature below, to be effective as of May 6, 2004.

**GRANTOR:**

**CMA, LLC**

By: [Signature]  
Its: Manager

STATE OF ALABAMA                    )  
COUNTY OF JEFFERSON            )

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that JAMES JACKSON, whose name as Manager of CMA, LLC, an Alabama limited liability company, 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 said instrument, he/she, as such representative and with full authority, executed the same voluntarily for and as the act of said limited liability company.

Given under my hand and official seal this the 6 day of May, 2004.

[Signature]  
Notary Public

AFFIX SEAL

My commission expires: 7/9/2006  
My commission expires: \_\_\_\_\_

**MARK PROPERTIES, LLC**

By: [Signature]  
Its: President

STATE OF ALABAMA )  
COUNTY OF Shelby )

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Mark Osborn, whose name as President of Mark Properties, LLC, an Alabama limited liability company, 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 said instrument, he/she, as such representative and with full authority, executed the same voluntarily for and as the act of said limited liability company.

Given under my hand and official seal this the 6<sup>th</sup> day of May, 2004.

[Signature]  
Notary Public

AFFIX SEAL

My commission expires: 2/17/07

This Instrument Was Prepared By:  
Thomas C. Clark III  
MAYNARD, COOPER & GALE, P.C.  
1901 Sixth Avenue North  
2400 AmSouth/Harbert Plaza  
Birmingham, Alabama 35203-2602  
(205) 254-1000

**Exhibit A**

(Legal Description)

**That portion of the Northeast  $\frac{1}{4}$  of Section 12, Township 21 South, Range 3 West, lying North and East of Highway 31 and West of Interstate Drive, Shelby County, Alabama.**

**LESS AND EXCEPT:**

**Commence at the Northwest corner of the Northwest  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of Section 12, Township 21 South, Range 3 West, Shelby County, Alabama; thence run in an Easterly direction along the North line of said  $\frac{1}{4}$  -  $\frac{1}{4}$  section a distance of 349.09 feet to the point of beginning; said point of beginning being situated on the Northeasterly right-of-way line of U. S. Highway No. 31; thence continue on last described course a distance of 113.07 feet; thence turn an angle to the right of 127 degrees 07 minutes 28 seconds and run in a Southwesterly direction a distance of 96.37 feet to its intersection with said Northeasterly right-of-way line of U. S. Highway 31; thence turn an angle to the right of 115 degrees 26 minutes 41 seconds and run in a Northerly direction along said Northeasterly right-of-way line of U. S. Highway 31 a distance of 65.00 feet; thence turn an angle to the left of 25 degrees 04 minutes 35 seconds continuing along said right-of-way line in a Northwesterly direction a distance of 31.46 feet to the point of beginning.**