

Send Tax Notice To:
Due South Properties, LLC
P. O. Box 26186
Birmingham, AL 35260

This instrument was prepared by:
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P. O. Box 380275
Birmingham, AL 35238

WARRANTY DEED

STATE OF ALABAMA)
)
COUNTY OF SHELBY) **KNOW ALL MEN BY THESE PRESENTS,**

THAT IN CONSIDERATION OF **Five Hundred Thirty-Five Thousand and 00/100 (\$535,000.00) Dollars** and other good and valuable consideration to the undersigned Grantors in hand paid by the Grantees herein, the receipt of which is hereby acknowledged, **Gerald Dennis O'Brien, a married man**, (herein referred to as Grantor) does grant, bargain, sell and convey unto **Due South Properties, LLC, a limited liability company**, (herein referred to as Grantee), the following described real estate, situated in the State of Alabama, County of Shelby, to-wit:

See Exhibit "A" for legal description.

Subject to:

1. Right of way to Plantation Pipeline Co. as recorded in Deed 112, page 281.
2. Easements to AT&T as recorded in Deed 213, page 992.
3. A temporary easement for air conditioning units as described in deed recorded under Instrument Number 20040519000264360.
4. Release of damages as described under Instrument Number 2001/11301.
5. Taxes for 2004 due and payable October 1, 2004.
6. All other existing easements, restrictions, current taxes, set-back lines, rights of way, limitations, if any, of record.

NOTE: \$500,000.00 of the above consideration was paid from the proceeds of a mortgage filed simultaneously herewith.

NOTE: None of the real property conveyed herein constitutes any part of the homestead of the Grantor.

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

And I do for myself and for my heirs, executors, personal representatives and administrators covenant with said Grantee and its successors and assigns, that I am lawfully seized in fee simple of said premises, that they are free from all encumbrances, unless otherwise noted above; that I have a good right to sell and convey the same as aforesaid; that I will and my heirs, executors, personal representatives and administrators shall, warrant and defend the same to the said Grantee and its successors and assigns forever against the lawful claims of all persons.

IN WITNESS WHEREOF, I have hereunto set my hand and seal, this 21st day of May, 2004.


Gerald Dennis O'Brien

STATE OF ALABAMA)

COUNTY OF SHELBY)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Gerald Dennis O'Brien, 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 date the same bears date.

Given under my hand and official seal, this 21st day of May, 2004.

Notary Public

My commission expires: 5/21/07

EXHIBIT A

20040603000295340 Pg 2/2 49.00
Shelby Cnty Judge of Probate, AL
06/03/2004 10:18:00 FILED/CERTIFIED

A part of the Southeast quarter of the Southwest quarter of Section 11, Township 21 South, Range 3 West, Shelby County, Alabama, more particularly described as follows:

Commence at the Southwest corner of Section 11, Township 21 South, Range 3 West, Shelby County, Alabama and run thence Easterly along the South line of said Section 11 a distance of 1,726.82 feet to a point; thence turn 70 degrees 45 minutes 20 seconds left and run Northerly a distance of 208.85 feet to a point; thence turn 00 degrees 07 minutes 23 seconds left and continue Northerly 124.85 feet to an existing iron rebar set by Weygand; thence turn an angle to the right of 5 degrees 20 minutes 38 seconds and run in a Northeasterly direction for a distance of 4.84 feet to an existing iron rebar set by Weygand and being the point of beginning; thence continue in a Northeasterly direction along last mentioned course for a distance of 205.16 feet to an existing iron rebar set by Weygand; thence turn an angle to the left of 90 degrees and run in a Northwesterly direction for a distance of 141.76 feet to an existing iron rebar set by Weygand and being on the East right of way line of Alabama Highway #119; thence turn an angle to the left of 90 degrees 09 minutes 17 seconds and run in a Southwesterly direction along the East right of way line of said Alabama Highway #119 for a distance of 210.0 feet to an existing cross cut in concrete; thence turn an angle to the left of 89 degrees 50 minutes 43 seconds and run in a Southeasterly direction for a distance of 66.56 feet to an existing PK nail; thence turn an angle to the left of 88 degrees 49 minutes 14 seconds and run in a Northeasterly direction for a distance of 5.4 feet to an existing #4 iron rebar; thence turn an angle to the right of 89 degrees 15 minutes 01 seconds and run in a Southeasterly direction for a distance of 74.51 feet, more or less, to the point of beginning.