

Mtg Full Value

Send Tax Notice to: Foundation-Shelby West, LLC

Address: ~~FOUNDA~~ 2501 20th Place S
~~ALABAMA, AL 35202~~ Suite 130
Birmingham, AL 35202

This instrument was prepared by

(Name) WALLACE, ELLIS, FOWLER & HEAD, ATTORNEYS AT LAW

(Address) COLUMBIANA, ALABAMA 35051



20040924000529740 Pg 1/2 18.00
Shelby Cnty Judge of Probate, AL
09/24/2004 15:47:00 FILED/CERTIFIED

WARRANTY DEED

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

That in consideration of One Million, Seven Hundred Thousand & No/100 (\$1,700,000.00) Dollars, to the undersigned grantor in hand paid by the GRANTEE herein, the receipt whereof is acknowledged, the undersigned **SHELBY COUNTY, ALABAMA, a political subdivision of the State of Alabama** (herein referred to as grantor) does grant, bargain, sell and convey unto **Foundation-Shelby West, LLC**, (herein referred to as GRANTEE), the following described real estate situated in Shelby County, Alabama to-wit:

Site 5A, Resurvey of Sites 5A and 7A, being a resurvey of part of Sites 4, 5, 6A and 7, being a resurvey of Site 6 and Lot 1-A-1-A-1, Shelby West Corporate Park, as recorded in Map Book 29, page 111, in the Probate Office of Shelby County, Alabama.

SUBJECT TO THE FOLLOWING:

- (1) Taxes and assessments for the year 2004, and subsequent years, which are not yet due and payable.
- (2) Restrictions as shown by recorded Map.
- (3) Easement(s) as shown by recorded Map.
- (4) Restrictions or Covenants recorded in Instrument 2001/20649, in the Probate Office of Shelby County, Alabama.
- (5) Right of Way granted to Alabama Power Company by instrument recorded in Instrument 20020821000398630, in the Probate Office of Shelby County, Alabama.
- (6) Restrictions or Covenants recorded in Instrument 1996-38767, in the Probate Office of Shelby County, Alabama.
- (7) The following matters of survey as delineated on the survey of Jerry O. Perry with Goodwyn, Mills & Cawood, Inc., dated September 21, 2004: (a) Asphalt paving encroaching into 20 foot storm sewer easement; (b) Asphalt paving encroaching into 40 foot storm sewer easement.
- (8) Any mineral and mining rights not owned by the grantor.
- (9) Grantor shall have the right to construct a walking trail within the existing sanitary sewer easement along the North property line.

TO HAVE AND TO HOLD to the said grantee, its successors and assigns forever.

And undersigned does for itself, its successors and assigns covenant with the said grantee, its successors 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; that it will and its successors and assigns shall, warrant and defend the same to the said grantee, its successors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the said **SHELBY COUNTY, ALABAMA, a political subdivision of the State of Alabama**, by its County Manager, Alex Dudchock, who is authorized to execute this conveyance, has hereto set its signature and seal, this the 24th day of September, 2004.

SHELBY COUNTY, ALABAMA, a political subdivision of the State of Alabama

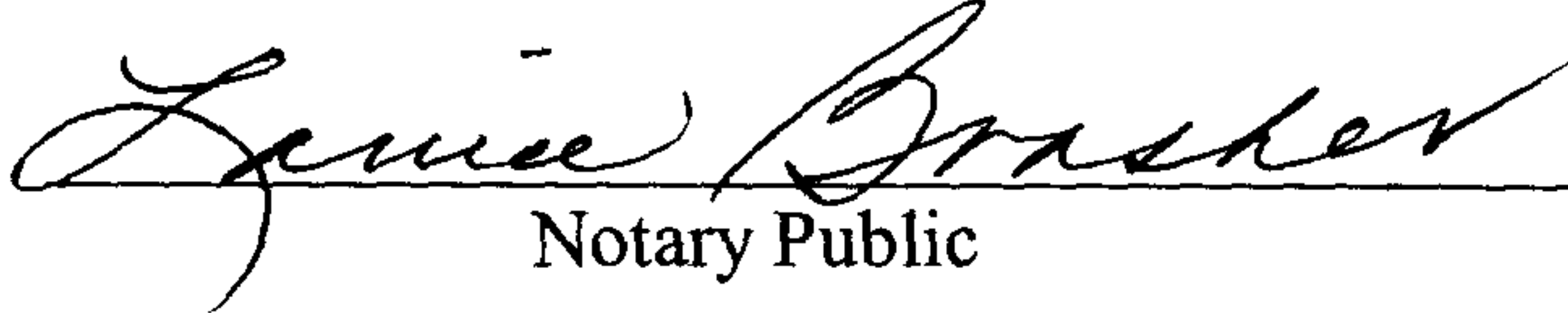
By Alex Dudchock
Its County Manager

300,000,000

STATE OF ALABAMA
SHELBY COUNTY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Alex Dudchock, whose name as County Manager of Shelby County, Alabama, a political Subdivision of the State of Alabama, 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, in capacity as such County Manager, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 24th day of September, 2004.


Notary Public