

THIS INSTRUMENT WAS PREPARED BY:

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1804 7th Avenue North
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Send Tax Notice To:

Lacey's Grove, LLC
Attention: P. K. Smartt
4 Office Park Circle, Suite 212
Birmingham, AL 35223

WARRANTY DEED

THE STATE OF ALABAMA)
 :
SHELBY COUNTY)

KNOW ALL MEN BY THESE PRESENTS:

THAT in consideration of the sum of ONE MILLION TWO HUNDRED SIXTY-NINE THOUSAND THREE HUNDRED and No/100 (\$1,269,300.00) DOLLARS in hand paid by the GRANTEE herein, the receipt, adequacy and sufficiency whereof are hereby acknowledged, Agnes L. Harris and husband, George C. Harris, Margaret L. Kerlin and husband, Reginald Kerlin, Stanley Linwood Lacey, an unmarried man, Suzanne Lacey, an unmarried woman, Amy Templin Green Fiorella, an unmarried woman, and Leslie Ann Gorman, a married woman (hereinafter referred to as Grantors), do hereby grant, bargain, sell and convey unto LACEY'S GROVE, LLC, an Alabama limited liability company (hereinafter referred to as Grantee) the following described real property, located and situated in Shelby County, Alabama, to-wit:

PARCEL I:

Begin at the Southwest corner of the Southeast Quarter of the Northeast Quarter of Section 8, Township 21 South, Range 3 West, Huntsville Principal Meridian, Shelby County, Alabama; thence North 01°08'57" East, along and with the East line of said quarter-quarter section, 1326.59 feet to the Northwest corner of said quarter-quarter section; thence South 88°14'04" East, along and with the North line of said quarter-quarter section, 1211.57 feet to a point; thence South 01°16'01" West 925.97 feet to a point; thence South 86°57'08" East 123.79 feet to a point; thence South 89°05'57" East 993.95 feet to the Westerly right-of-way margin of Shelby County Highway #17; thence South 02°27'06" West 400.31 feet to a point on the South line of the Southwest quarter of the Northwest quarter of Section 9; thence North 88°51'54" West, along and with the South line of said quarter-quarter section, 985.08 feet to the southwest corner of said quarter-quarter section; thence North 88°18'25" West, along and with the South line of the Southeast quarter of the Northeast quarter of Section 8, 1333.13 feet to the point of beginning, containing 47.01 acres, more or less.

PARCEL II:

Commence at the Southwest corner of the Southeast Quarter of the Northeast Quarter of Section 8, Township 21 South, Range 3 West, Huntsville Principal Meridian, Shelby County, Alabama; thence North 01°08'57" East, along and with the East line of said quarter-quarter section, 1326.32 feet to a point being the Point of Beginning; thence continue North 01°08'57" East along the West line of the Northeast quarter of the Northeast quarter of said Section 8,

1324.48 feet to a point at the Northwest corner of said quarter-quarter section; thence South 88°15'09" East, along the North line of said quarter-quarter section, 1336.32 feet to the Northeast corner of said Section 8; thence South 89°08'15" East along and with the North line of the Northwest quarter of the Northwest quarter of Section 9, Township 21 South, Range 3 West, Huntsville Principal Meridian, Shelby County, Alabama, 808.87 feet to a point in the centerline of Beaver Dam Creek; thence southerly and easterly along the centerline of said Beaver Dam Creek the following 19 calls; South 06°18'21" West, 84.48 feet to a point; thence North 79°28'30" West, 44.25 feet to a point; thence South 75°17'28" West, 51.07 feet to a point; thence South 26°41'24" West, 51.48 feet to a point; thence South 06°57'58" West, 14.02 feet to a point; thence South 73°30'09" East, 26.77 feet to a point; thence South 52°33'57" East, 121.10 feet to a point; thence South 07°05'54" West, 48.55 feet to a point; thence South 60°00'07" East, 33.24 feet to a point; thence South 24°37'24" East, 93.31 feet to a point; thence South 64°08'32" East, 58.15 feet to a point; thence South 27°00'36" East, 39.50 feet to a point; thence South 18°03'07" West, 42.69 feet to a point; thence South 45°18'54" East, 85.64 feet to a point; thence South 40°39'55" East, 135.24 feet to a point; thence South 30°02'38" West, 31.16 feet to a point; thence South 31°22'04" West, 17.00 feet to a point; thence South 73°15'54" West, 115.67 feet to a point; thence South 35°42'48" East, 108.55 feet to a point; thence leaving said Beaver Dam Creek centerline, South 89°53'10" West, 919.55 feet to a point; thence North 88°36'16" West, 125.19 feet to a point; thence South 01°16'01" West, 503.45 feet to a point on the South line of the Northeast quarter of the Northeast quarter of Section 8, Township 21 South, Range 3 West, Huntsville Principal Meridian, Shelby County, Alabama; thence along and with said South quarter-quarter section line North 88°14'04" West, 1211.57 feet to the Point of Beginning, said tract containing 55.89 acres, more or less.

PARCEL III:

Commencing at the Southeast corner of the Northeast Quarter of the Southwest Quarter of Section 8, Township 21 South, Range 3 West, Huntsville Principal Meridian, Shelby County, Alabama; thence North 01°08'57" East, 490.40 feet to the Point of Beginning; thence North 88°18'23" West, 1335.41 feet to a point on the West line of said quarter-quarter section; thence North 01°03'13" East 2161.97 feet to the Northwest corner of the Northwest quarter of the Northeast quarter; thence South 88°15'09" East, along and with the North line of said quarter-quarter section, 1339.03 feet to the Northeast corner of said quarter-quarter section; thence South 01°08'57" West, along and with the East line of said quarter-quarter section 2160.67 feet to the Point of Beginning, containing 66.34 acres, more or less.

SUBJECT TO:

1. Ad valorem taxes for the current year, 2004.
2. Title to all minerals within and underlying the hereinabove described real property, together with all mining rights and other rights, privileges and immunities relating thereto as recorded in Deed Book 106, Page 565, in the Office of the Judge of Probate of Shelby County, Alabama.
3. Transmission line permits to Alabama Power Company as recorded in Deed Book 102, Page 264, Deed Book 102, Page 265 and Deed Book 102, Page 266, in said Probate Office.
4. Easements/Rights of Way granted Shelby County as recorded in Deed Book 154, Page 499 and Deed Book 154, Page 501, in said Probate Office.
5. Riparian and other rights created by the fact that a portion of the hereinabove described real property lies adjacent to or is bounded by Beaver Dam Creek.

\$964,300.00 of the purchase price recited above was paid from the proceeds of a purchase money first mortgage executed by the grantee and delivered to the grantors herein simultaneously with the execution and delivery of the within deed.

NO PART OF THE PROPERTY CONVEYED HEREIN CONSTITUTES THE HOMESTEAD OF THE GRANTORS NOR THE GRANTORS' SPOUSES.

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

And Grantors do for themselves and for their heirs, personal representatives and assigns, covenant with the said Grantee, its successors and assigns that Grantors are lawfully seized in fee simple of said premises; that said property is free from all encumbrances; unless otherwise noted above; that they have a good right to sell and convey the same to the said Grantee, that they will and their heirs, personal representatives 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, Grantors has hereunto set their hands and seals on this the 1st day of ~~September~~ October, 2004.

Agnes L. Harris (SEAL)
AGNES L. HARRIS

George C. Harris (SEAL)
GEORGE C. HARRIS

THE STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned authority, a Notary Public in and for said County, hereby certify that Agnes L. Harris and husband, George C. Harris, whose names are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 1st day of October, 2004.

E. Kay Wallace
NOTARY PUBLIC
My commission expires: 11/28/04

Margaret L. Kerlin (SEAL)
MARGARET L. KERLIN

Reginald Kerlin (SEAL)
REGINALD KERLIN

THE STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned authority, a Notary Public in and for said County, hereby certify that Margaret L. Kerlin and husband, Reginald Kerlin, whose names are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 1st day of October, 2004.

E. Kay Wallace
NOTARY PUBLIC
My commission expires: 11/28/04

Stanley Linwood Lacey (SEAL)
STANLEY LINWOOD LACEY

THE STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned authority, a Notary Public in and for said County, hereby certify that Stanley Linwood Lacey, 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 day the same bears date.

Given under my hand and official seal this 29th day of September, 2004.

Lisa G. Irvine
NOTARY PUBLIC

My commission expires: _____

NOTARY PUBLIC STATE OF ALABAMA AT LAW
MY COMMISSION EXPIRES: Feb 3, 2006
BONDED THRU NOTARY PUBLIC UNDERWRITER

Suzanne Lacey (SEAL)
SUZANNE LACEY

THE STATE OF ALABAMA)
Shelby COUNTY)

I, the undersigned authority, a Notary Public in and for said County, hereby certify that Suzanne Lacey, 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, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 29th day of October, 2004.

Michaela K. Crumpton
NOTARY PUBLIC
My commission expires: 10-22-04

Amy T. Fiorella (SEAL)
AMY TEMPLIN GREEN FIORELLA

THE STATE OF NEW YORK)
Erie COUNTY)

I, the undersigned authority, a Notary Public in and for said County, hereby certify that Amy Templin Green Fiorella, 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, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 30th day of Sept., 2004.

Karen L. Ladori
NOTARY PUBLIC

My commission expires: _____

KAREN L. LADORI
No. 01LA4764436
Notary Public, State of New York
Qualified in Erie County
My Commission Expires 12/31/06


LESLIE ANN GORMAN

THE STATE OF FLORIDA)
Pinellas COUNTY)

I, the undersigned authority, a Notary Public in and for said County, hereby certify that Leslie Ann Gorman, 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, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 29 day of Sept, 2004.


NOTARY PUBLIC
My commission expires: _____



Jonathan J Harris
My Commission DD185886
Expires February 20, 2007