



20041214000682350 Pg 1/4 24.50  
Shelby Cnty Judge of Probate, AL  
12/14/2004 10:31:00 FILED/CERTIFIED

This instrument prepared by:  
Elene G. Garrison  
Burr & Forman LLP  
420 North 20th Street, Suite 3100  
Birmingham, Alabama 35203

Send Tax Notice To:  
Poczatek Holdings, LLC  
2537 Fleetway Drive  
Birmingham, AL 35226

STATE OF ALABAMA )

COUNTY OF SHELBY )

### STATUTORY WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that for and in consideration of Twenty-Seven Thousand and No/100 Dollars (\$27,000.00) and other good and valuable consideration to the undersigned Grantor, RIVERWOODS PROPERTIES, LLC, an Alabama limited liability company ("Grantor") in hand paid by POCZATEK HOLDINGS, LLC, an Alabama limited liability company ("Grantee"), the receipt and sufficiency whereof are hereby acknowledged, Grantor does hereby grant, bargain, sell and convey unto Grantee that certain parcel of real estate (the "Property") situated in Shelby County, Alabama, being more particularly described on Exhibit "A" attached hereto and incorporated herein by this reference.

Subject, however, to the permitted exceptions set forth on Exhibit "B" attached hereto and incorporated herein by this reference.

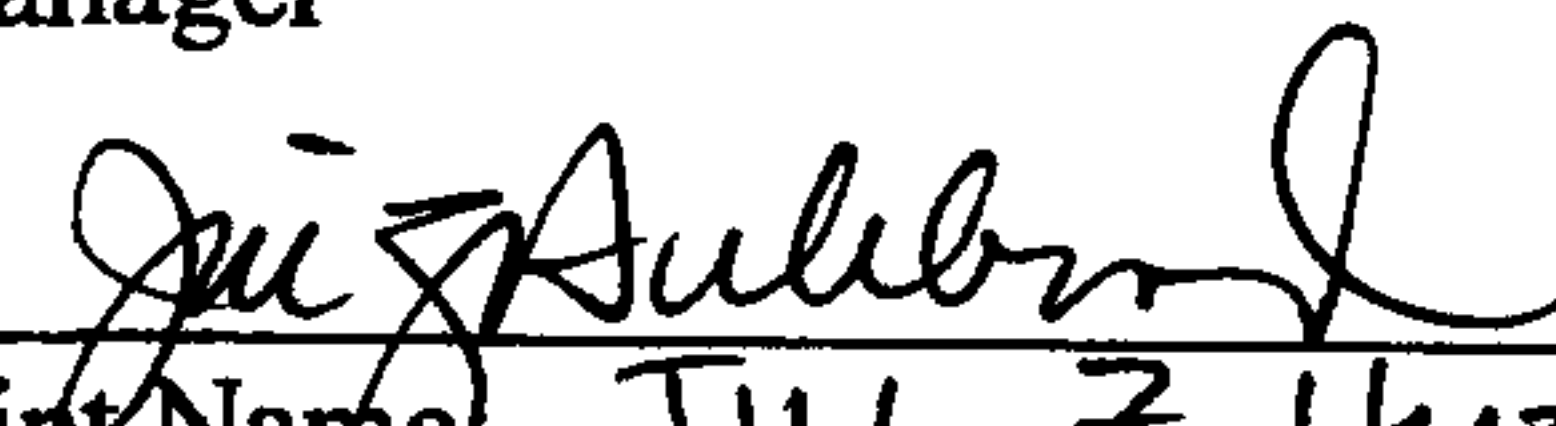
**One hundred percent (100%) of the consideration for this deed is being financed by a note and mortgage executed and filed for record simultaneously herewith.**

TO HAVE AND TO HOLD such property unto Grantee, its successors and assigns forever.

IN WITNESS WHEREOF, Grantor has executed this deed on this 18<sup>th</sup> day of November, 2004.

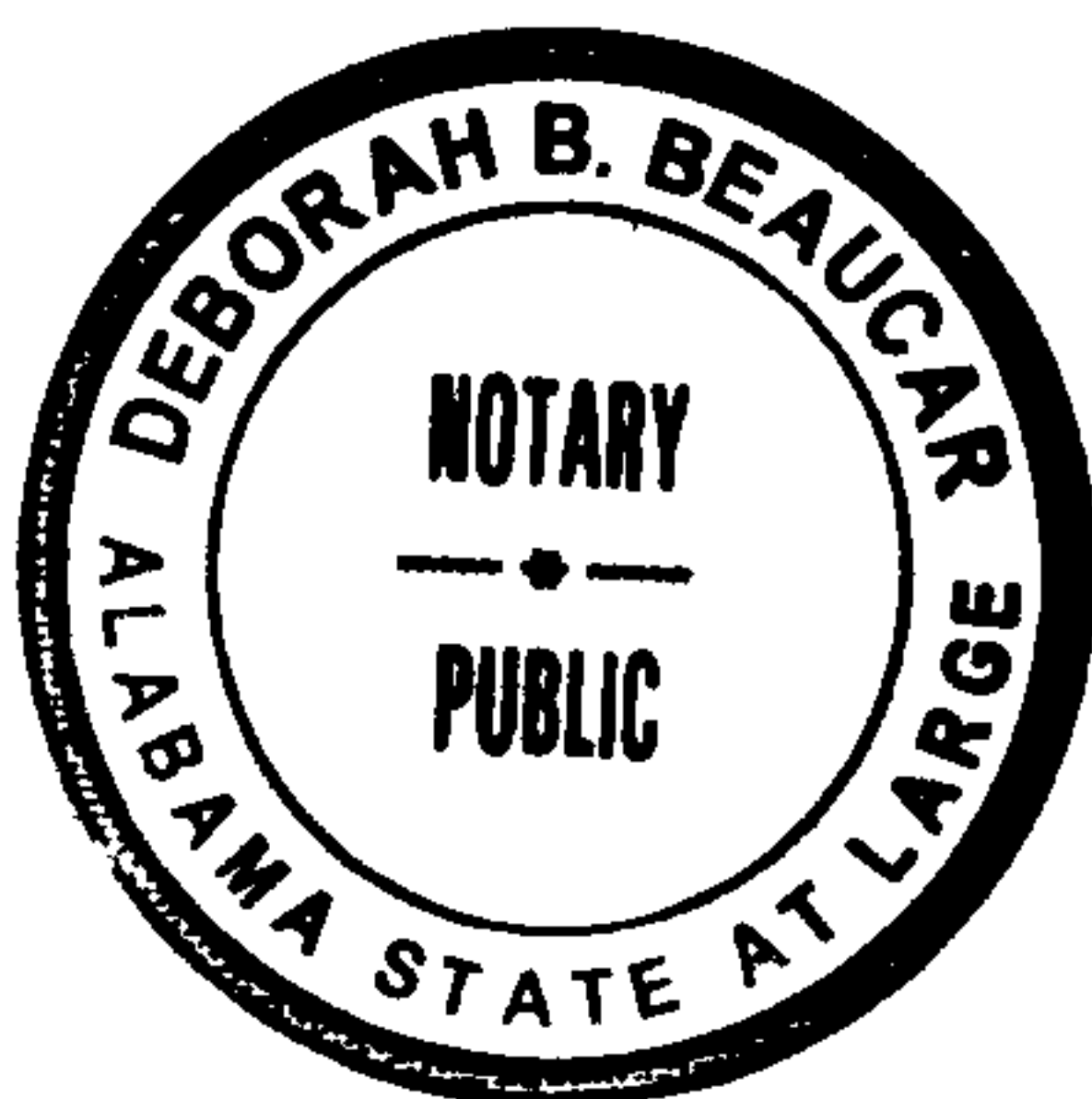
**GRANTOR:**  
RIVERWOODS PROPERTIES, LLC,  
an Alabama limited liability company

By: PZ, Inc.  
Its: Manager

By:   
Print Name: JILL Z. HUBBARD  
Its: SECRETARY

STATE OF ALABAMA     )  
COUNTY OF SHELBY    )

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that JILL E. HUBBARD whose name as SECRETARY of PZ, Inc., an Alabama corporation, acting in its capacity as Manager of Riverwoods 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 the instrument, he/she, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation, acting in its capacity as Manager as aforesaid. Given under my hand and official seal, this 18<sup>th</sup> day of November, 2004.



Deborah B. Beaucar  
Notary Public  
My commission expires: 11/6/05

**EXHIBIT "A"**  
**TO STATUTORY WARRANTY DEED**

**Legal Description of the Property**

**All that portion of the Southeast 1/4 of the Southwest 1/4 of Section 18, Township 20 South, Range 3 West lying North and West of Shelby County Highway No. 269 situated in Shelby County, Alabama being more particularly described as follows:**

**Begin at the Northwest corner of the Southeast 1/4 of the Southwest 1/4 of Section 18, Township 20 South, Range 3 West; thence in a Southerly direction along the West line of said 1/4 - 1/4 section a distance of 235 feet, more or less, to the center line of Shelby County Highway No. 269 (prescriptive Right-of-Way), thence in a Northeasterly direction along said center line a distance of 680 feet, more or less, to the intersection of said center line and the North Line of the Southeast 1/4 of the Southwest 1/4 of Section 18, Township 20 South, Range 3 West; thence in a Westerly direction along the North line of said 1/4 - 1/4 section a distance of 635 feet, more or less to the POINT OF BEGINNING.**

**Less and except any portion lying within the Right-of-Way of Shelby County Highway Number 269.**

**EXHIBIT "B"**  
**TO STATUTORY WARRANTY DEED**

**Permitted Exceptions**

1. Ad valorem taxes due October 1, 2005 and ad valorem taxes for all subsequent years.
2. Right of way to Southern Natural Gas, recorded in Instrument 2001/54741, in the Probate Office of Shelby County, Alabama
3. Reservations, provisions, exceptions, and conditions as recorded in Shelby Real 112, Page 876 and Shelby Real 328, Page 1, in the Probate Office of Shelby County, Alabama.
4. Mineral and mining rights and rights incident thereto recorded in Real 180, page 715 and Deed Book 181, page 374, in the Probate Office of Shelby County, Alabama.
5. Memorandum of Oil, Gas and Mineral Lease recorded in Real 370, page 923, in the Probate Office of Shelby County, Alabama.
6. Any portion of the property obtained by or conveyed to Alabama Power Company by Condemnation Case No. 27-254 or Case No. 28-57.