

STATE OF ALABAMA)
SHELBY COUNTY)

Send tax notices to:
Pike Nursery Holdings LLC
Attn: Mr. Drew Garner
4020 Steve Reynolds Blvd.
Norcross, GA 30093

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 **GREENHILL, LLC**, an Alabama limited liability company (the "Grantor"), in hand paid by **PIKE NURSERY HOLDINGS LLC**, a Georgia limited liability company (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. Riparian or water rights, claims, or title to water whether or not shown by the public records.
3. Permit to Alabama Power Company as recorded in Deed Book 182, Page 51, amended in Deed Book 270, Page 819 and Deed Book 285, Page 93 in the Office of the Judge of Probate of Shelby County, Alabama.
4. Right of Way to Alabama Power Company as recorded in Book 105, Page 855 in the Office of the Judge of Probate of Shelby County, Alabama.
5. Slope Easement as recorded in Book 66, Page 142 and re-recorded in Book 184, Page 240 in the Office of the Judge of Probate of Shelby County, Alabama.
6. Easement for roadway, slope and signage as recorded in Instrument # 1996-00974 in the Office of the Judge of Probate of Shelby County, Alabama.
7. Rights of other parties in and to Greenhill Parkway, a dedicated roadway, as recorded in Map Book 20, Pages 115 – 116 and in Map Book 25, Page 144 in the Office of the Judge of Probate of Shelby County, Alabama.
8. Mineral and mining rights not owned by Grantor.

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.

The Grantor hereby covenants and agrees with the Grantee, and its successors and assigns, that the Grantor, and its successors and assigns, will warrant and defend the above

described Property against the lawful claims (unless otherwise noted above) of all persons claiming by, through, or under the Grantor, but not further or otherwise.

IN WITNESS WHEREOF, the Grantor, by its authorized representative, has hereto set its signature and seal on the date of the acknowledgment of the Grantor's signature below, to be effective as of December 9th, 2004.

GREENHILL, LLC, an Alabama limited liability company

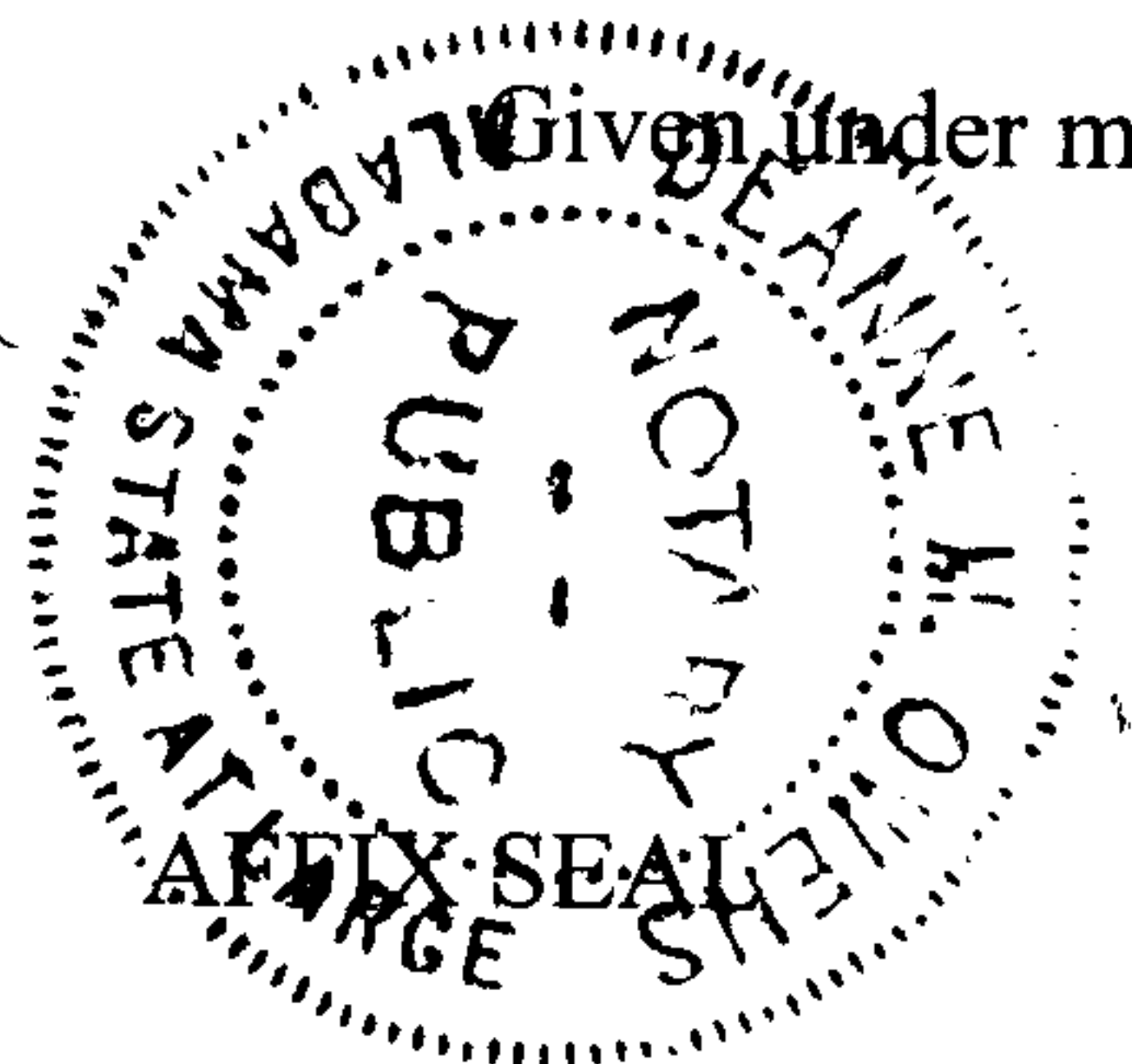
By: [Signature]
Its: MD

By: [Signature]
Its: Member

STATE OF ALABAMA)
COUNTY OF JEFFERSON)

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Robert A. Schleusner and Ben K. Mirce, whose names as the managers of Greenhill, LLC, an Alabama limited liability company, are signed to the foregoing instrument, and who are known to me, acknowledged before me on this day that, being informed of the contents of said instrument, they, as such representatives 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 9th day of December, 2004.



[Signature]
Notary Public

My commission expires: My Commission Expires: 7/9/2006

This Instrument Was Prepared By:
Thomas C. Clark, III, Esq.
Maynard, Cooper & Gale, P.C.
1901 Sixth Avenue North, Suite 2400
Birmingham, Alabama 35203
205-254-1000

Exhibit A

(Legal Description)

PARCEL I

A parcel of land situated in the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 36, Township 18 South, Range 2 West, Shelby County, Alabama; being more particularly described as follows:

Begin at the Southeast corner of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said section and run North along the East line of said $\frac{1}{4}$ - $\frac{1}{4}$ section a distance of 1344.00 feet to the Northeast corner of said $\frac{1}{4}$ - $\frac{1}{4}$ section; thence $129^{\circ} 37'$ to the left in a Southwesterly direction a distance of 447.55 feet to the Easternmost corner of Lot 1, Heatherbrooke Office Park Resurvey, as recorded in Map Book 23, Page 46, in the Office of the Judge of Probate of Shelby County, Alabama; thence continue along the last described course and along a Southeasterly property line of said Lot 1 a distance of 382.03 feet to a point; thence $0^{\circ} 14' 28''$ to the right in a Southwesterly direction along a Southeasterly property line of said Lot 1 a distance of 411.00 feet to a point; thence $72^{\circ} 57' 52''$ to the left in a Southeasterly direction along the property boundary of said Lot 1 a distance of 128.29 feet to a point on a curve to the right having a radius of 670.14 feet and a central angle of $2^{\circ} 17' 39''$; thence $87^{\circ} 21' 32''$ to the left (angle measured to tangent) in a Northeasterly direction along the arc of said curve a distance of 26.83 feet to a point; thence $90^{\circ} 00'$ to the right (angle measured to tangent) in a Southeasterly direction a distance of 60.00 feet to a point on a curve to the right having a radius of 610.14 feet and a central angle of $18^{\circ} 38' 19''$; thence $90^{\circ} 00'$ to the left (angle measured to tangent) in a Northeasterly direction along the arc of said curve a distance of 198.48 feet to the P.R.C. (point of reverse curve) of a curve to the left having a radius of 319.43 feet and a central angle of $25^{\circ} 30' 50''$; thence in a Northeasterly direction along the arc of said curve a distance of 142.24 feet to a point; thence $114^{\circ} 13' 54''$ to the right (angle measured to tangent) in a Southerly direction a distance of 117.17 feet to a point; thence $82^{\circ} 08' 06''$ to the left in a Southeasterly direction a distance of 65.46 feet to a point; thence $70^{\circ} 57' 13''$ to the left in a Northeasterly direction a distance of 61.84 feet to a point; thence $99^{\circ} 29' 07''$ to the right in a Southeasterly direction a distance of 57.08 feet to a point; thence $19^{\circ} 26' 40''$ to the right in a Southeasterly direction a distance of 73.28 feet to a point; thence $0^{\circ} 38' 40''$ to the right in a Southeasterly direction a distance of 81.94 feet to a point; thence $25^{\circ} 42' 01''$ to the left in a Southeasterly direction a distance of 50.71 feet to a point; thence $24^{\circ} 37' 55''$ to the right in a Southeasterly direction a distance of 94.93 feet to a point; thence $17^{\circ} 49' 50''$ to the right in a Southeasterly direction a distance of 52.74 feet to a point; thence $74^{\circ} 12' 26''$ to the right in a Southwesterly direction a distance of 83.74 feet to a point on the South line of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 36, Township 18 South, Range 2 West; thence $145^{\circ} 18' 42''$ to the left in an Easterly direction along the South line of said $\frac{1}{4}$ - $\frac{1}{4}$ section a distance of 263.33 feet to the point of beginning.

PARCEL II

A 20 Foot Force Main Easement as recorded in Instrument #1999-32576 in the Office of the Judge of Probate of Shelby County, Alabama, being situated in the Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 36, Township 18 South, Range 2 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the Northeast corner of the Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 36, Township 18 South, Range 2 West and run in a Westerly direction along the North line of said $\frac{1}{4}$ - $\frac{1}{4}$ section a distance of 251.69 feet to the Point of Beginning of the centerline of the 20 foot easement herein described. Thence $62^{\circ} 53' 55''$ to the left in a Southwesterly direction along said centerline a distance of 396.07 feet more or less to a point 10 feet North of the Northeasterly Right-of-way line of U.S. Highway No. 280 (said centerline lies 10 feet Southeast of and parallel with the Southeast line of Lot 2, Andress Survey as recorded in Map Book 18, Page 118, in the Office of the Judge of Probate of Shelby County, Alabama); thence $90^{\circ} 05' 04''$ to the left along said centerline and 10 feet Northeast of and parallel with the Northeasterly Right-of-way line of said U.S. Highway No. 280 a distance of 115.5 feet more or less to the center of an existing sanitary sewer manhole, said point being the Point of Ending of the centerline of the 20 foot easement herein described.

Together with the right of ingress and egress over and across Greenhill Parkway, a dedicated roadway, as recorded in Map Book 20, Pages 115, and 116 and in Map Book 25, Page 144.