

Send Tax Notice To:
Teachers Insurance and Annuity
Association
730 Third Avenue
New York, NY 10017

STATE OF ALABAMA)
)
COUNTY OF SHELBY)

STATUTORY WARRANTY DEED

THIS IS A STATUTORY WARRANTY DEED executed and delivered as of the 1st day of June, 2005, by **METROPOLITAN LIFE INSURANCE COMPANY**, a New York Corporation, (hereinafter referred to as the "Grantor"), to **TEACHERS INSURANCE AND ANNUITY ASSOCIATION OF AMERICA**, a New York corporation, for the benefit of its separate Real Estate Account (hereinafter referred to as the "Grantee").

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of the sum of Ninety Two Million Five Hundred Thousand and No/100 Dollars (\$92,500,000.00) in hand paid by Grantee to Grantor and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by Grantor, the Grantor does by these presents, grant, bargain, sell and convey unto the Grantee the real estate situated in Shelby County, Alabama and more particularly described on Exhibit "A" attached hereto.

TOGETHER WITH all appurtenances thereto belonging or in anywise appertaining and all right, title and interest of Grantor in and to any and all roads, alleys and ways bounding such property.

This conveyance is subject to the following:

1. Taxes for the year 2005, a lien, but not yet due and payable.
2. Mineral and mining rights not owned by the Grantor.
3. Any applicable zoning ordinances.
4. Easements, rights-of-ways, reservations, agreements, restrictions and setback lines of record as set forth on Exhibit "B" attached hereto and by reference made a part hereof.

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

The Grantor hereby covenants and agrees with Grantee, its successors and assigns, that the Grantor, its successors and assigns, will warrant and defend the above-described real estate against the lawful claims (unless otherwise noted above) of all persons claiming by, through, or under the Grantor.

IN WITNESS WHEREOF, THE SAID Grantor, by its Director, Gary N. Otten, who is authorized to execute this conveyance, has hereto set his signature and seal as of the 1st day of June, 2005.

GRANTOR:

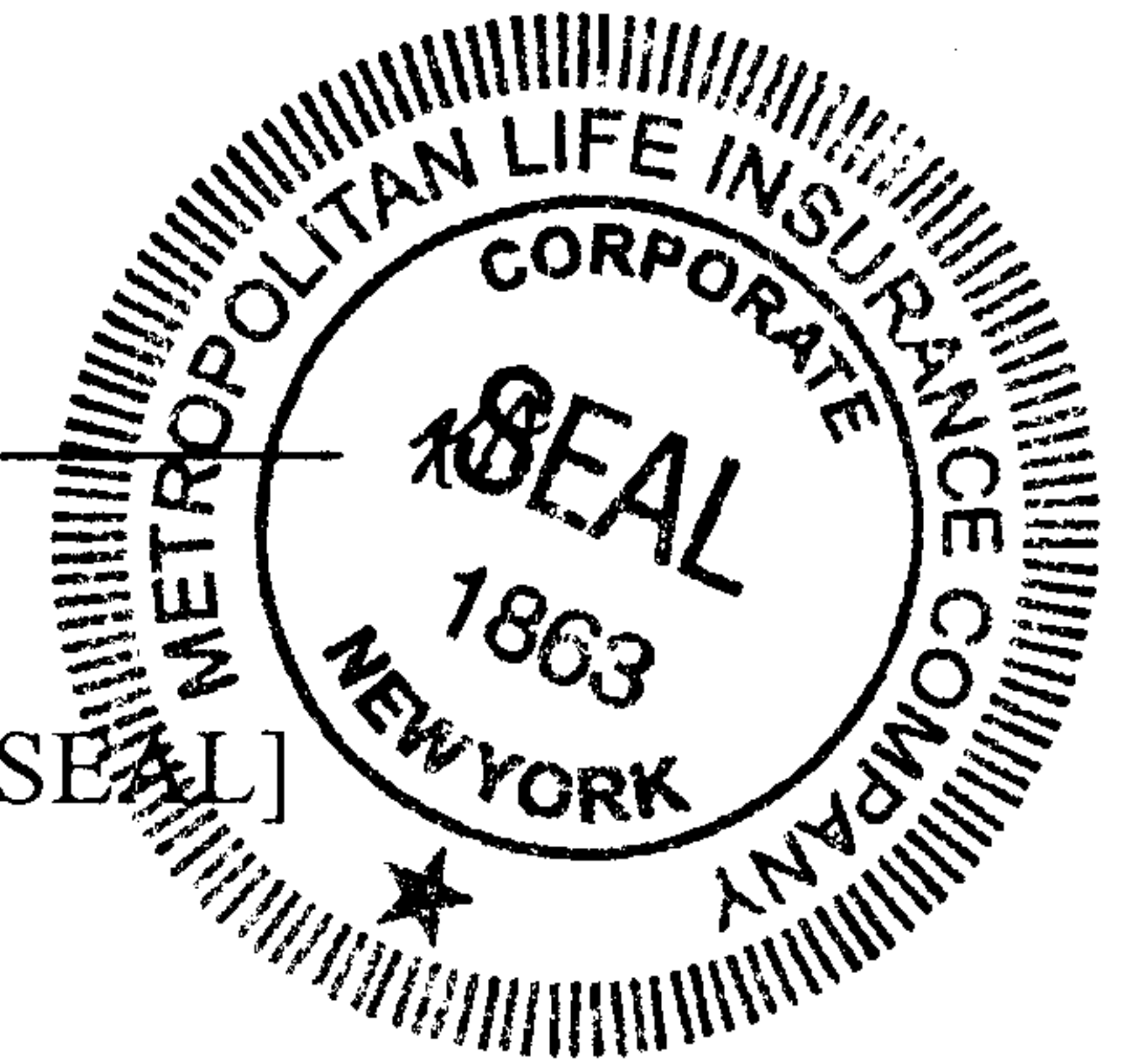
METROPOLITAN LIFE INSURANCE COMPANY,
a New York corporation

Attest:

By: Kathy B. Atkinson
Name: Kathy B. Atkinson
Its: Assistant Secretary

By: Gary N. Otten
Name: Gary N. Otten
Its: Director

[CORPORATE SEAL]



STATE OF GEORGIA
COUNTY OF FULTON

I, Robinson D. Coady, a Notary Public in and for said County, in said State, hereby certify that Gary N. Otten, as Director of **METROPOLITAN LIFE INSURANCE COMPANY**, a New York corporation, signed to the foregoing conveyance, and who is known to me, acknowledged before on this day, that being informed of the contents of this conveyance, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal, this the 27 day of May, 2005.

(SEAL)

Notary: Kathleen D. Coady
Print Name: Kathleen D. Coady

Notary Public, DeKalb County, GA
My Commission Expires March 14, 2007

THIS INSTRUMENT PREPARED BY:

Kathy B. Atkinson
Metropolitan Life Insurance Company
2400 Lakeview Parkway, Suite 400
Alpharetta, Georgia 30004
678-319-2100

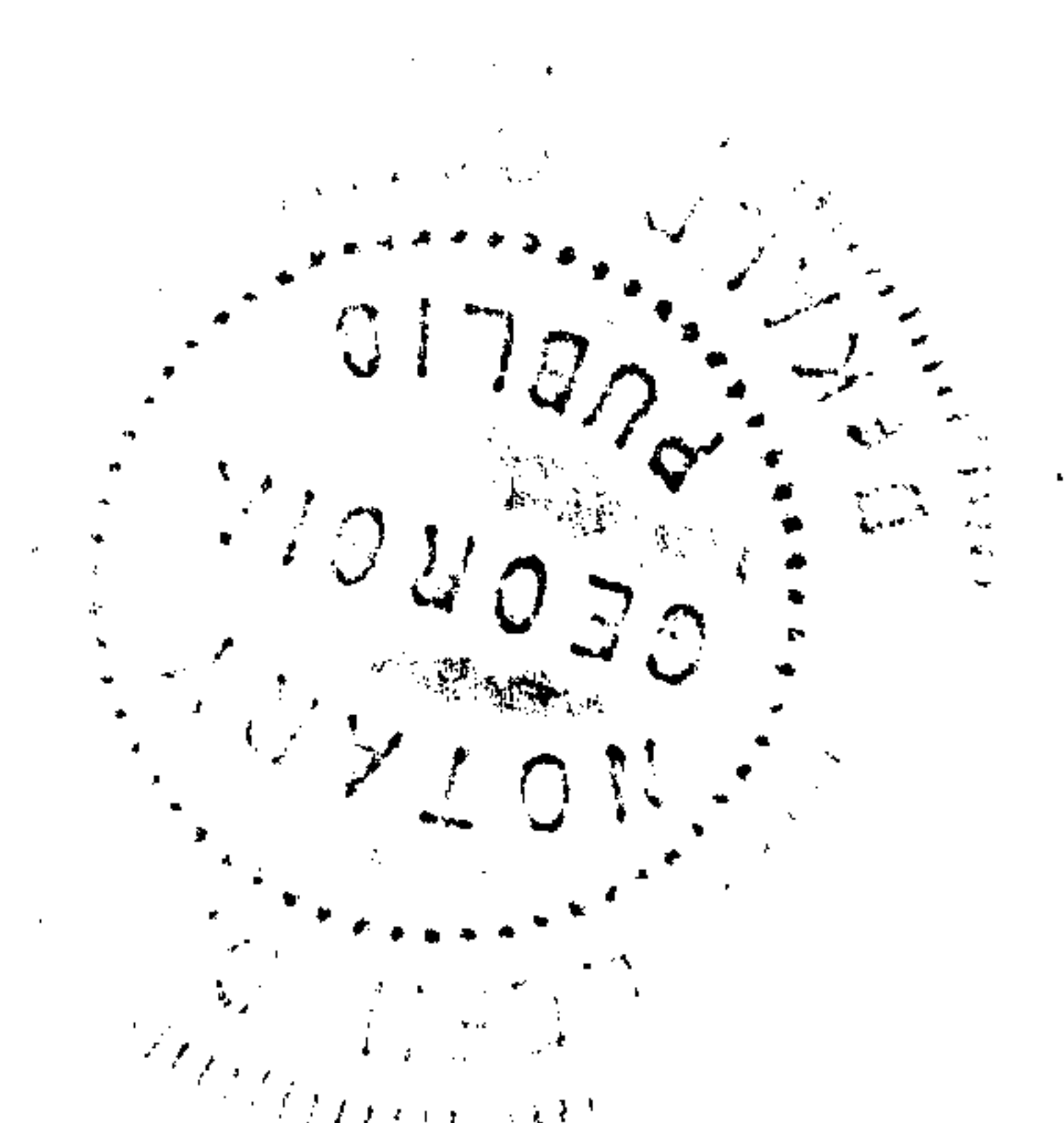


EXHIBIT 'A'
LEGAL DESCRIPTION

PARCEL 1 (BUILDINGS NOS. 40, 42, 44 AND 46)

Part of the East half of Section 35, Township 18 South, Range 2 West and the West half of Section 36, Township 18 South, Range 2 West, Shelby County, Alabama and being more particularly described as follows:

Begin at the Southwest corner of the Southeast quarter of the Northeast quarter of Section 35, Township 18 South, Range 2 West, Shelby County, Alabama and run North 45° 29' 10" East along the diagonal line from the Southwest corner to the Northeast corner of said quarter-quarter section, being the same as the Southeast line of a resurvey of Lot 2-D of Cahaba River Park, as recorded in Map Book 8, page 95 in the Probate Office of Shelby County, Alabama 1791.69 feet to a 5/8 inch rebar, being the Northwestern corner of Lot 4A of the survey of Resource Center, as recorded in Map Book 24, page 118 in the Probate Office of Shelby County, Alabama; thence South 45° 56' 49" East along the Southwesterly line of said Lot 4A, 82.80 feet to an existing rod & cap corner and angle point of said Lot 4A, said point also being on the West line of the Southwest quarter of the Northwest quarter of Section 36, Township 18 South, Range 2 West, Shelby County, Alabama; thence South 00° 08' 37" East along said Section line and West line of said subdivision, 557.20 feet to an existing rod & cap; thence South 88° 23' 57" East along the South line of said Resource Center survey 391.12 feet to an existing 1 inch crimped iron and the common corner with Inverness Office Center Building 22 survey; thence the following courses along the common property line with said Building 22 survey, South 01° 36' 03" West, 166.03 feet; thence South 36° 15' 02" West, 682.41 feet to a point on the back of curb of an existing drive, said point being on a curve to the left, having a radius of 275.00 feet and a central angle of 19° 48' 04"; thence the following courses along the existing back of curb and a common property line with said Building 22 survey, South 43° 20' 02" East along the chord of said curve, 94.57 feet to the Point of Tangent; thence South 53° 14' 04" East, 133.54 feet to the Point of Curve of a curve to the right, having a radius of 229.01 feet and a central angle of 43° 55' 17"; thence South 24° 52' 29" East along the chord of said curve, 171.28 feet to the Point of Tangent; thence South 02° 29' 00" East, 36.87 feet to Point of Curve of a curve to the left having a radius of 58.90 feet and central angle of 20° 29' 35"; thence South 12° 43' 48" East along the chord of said curve, 20.95 feet to the Point of Tangent; thence South 22° 58' 36" East, 5.09 feet to the Point of Curve of a curve to the left having a radius of 68.08 feet and a central angle of 55° 46' 18"; thence South 50° 51' 45" East along the chord of said curve, 63.68 feet to a point on a curve to left on the Northwestern right of way of Inverness Center Parkway, said curve having a radius of 985.24 feet and a central angle of 28° 50' 14"; thence the following courses along said right of way of Inverness Center Parkway, South 48° 56' 24" West along the chord of said curve, 490.66 feet to the Point of Tangent; thence South 34° 31' 17" West, 167.46 feet to the Point of Curve of a curve to the right having a radius of 1184.57 feet and a central angle of 21° 57' 41"; thence South 45° 30' 08" West along the chord of said curve, 451.27 feet to the Point of Tangent; thence South 56° 28' 58" West, 112.67 feet to the Point of Curve of a curve to the left having a radius of 1469.86 feet and a central angle of 01° 54' 49"; thence South 55° 31' 34" West along the chord of said curve, 49.09 feet to a point on said curve; thence leaving said right of way North 01° 40' 59" East 427.65 feet to an existing 1 1/4 inch crimped iron; thence North 63° 49' 01" West, 334.90 feet to an existing 1 1/2 inch crimped iron; thence South 40° 42' 16" West, 310.00 feet to an existing 1 1/2 inch crimped iron; thence North 63° 46' 33" West, 639.96 feet to an existing 1 inch crimped iron on the Northwestern line of herein described site; thence North 26° 14' 07" East along said Northwestern line of site, 820.12 feet to the Point of Beginning.

PARCEL II (BUILDING NO. 31)

A part of the Northwest quarter of the Southwest quarter of Section 36, Township 18 South, Range 2 West and a part of the Northeast quarter of the Southeast quarter of Section 35, Township 18 South, Range 2 West, being more particularly described as follows:

Commence at the Southwest corner of the Northwest quarter of the Southwest quarter of said Section 36 and run North 44° 19' 30" West for 354.20 feet; thence North 34° 17' 30" East for 638.56 feet; thence North 65° 04' 00" East for 225.67 feet; thence South 22° 14' 00" East for 82.08 feet to the point of beginning; thence continue along last described course 290.25 feet; thence South 14° 42' 21" West for 60.11 feet to a point on the edge of Lake Heather (the following point meander along the edge of Lake Heather until otherwise stated); thence South 30° 34' 00" West for 26.38 feet; thence South 01° 36' 24" East for 39.30 feet; thence South 35° 56' 55" East for 69.60 feet; thence South 45° 25' 00" East for 46.40 feet; thence South 27° 14' 14" East for 40.50 feet; thence South 29° 45' 25" East for 34.11 feet; thence South 12° 52' 06" East for 55.19 feet; thence South 15° 00' 56" East for 33.65 feet; thence South 02° 55' 19" West for 22.90 feet; thence South 21° 15' 49" West for 24.91 feet; thence South 59° 14' 05" West for 35.60 feet; thence South 35° 04' 09" West for 21.02 feet; thence South 41° 54' 39" West for 38.34 feet; thence South 54° 43' 51" West for 46.14 feet; thence South 86° 47' 46" West for 19.92 feet; thence North 78° 23' 14" West for 10.84 feet; thence North 49° 53' 09" West for 13.38 feet; thence North 36° 15' 28" West for 33.67 feet; thence North 75° 41' 07" West for 9.49 feet; thence South 86° 59' 33" West for 21.92 feet; thence North 74° 31' 40" West for 27.50 feet; thence North 66° 59' 58" West for 31.89 feet; thence North 51° 28' 45" West for 49.75 feet; thence North 46° 29' 16" West for 26.67 feet; thence North 22° 11' 59" West for 11.00 feet; thence North 59° 22' 36" West for 16.54 feet; thence North 61° 08' 45" West for 21.53 feet; (the following points are no longer the edge of Lake Heater); thence North 81° 37' 00" West for 24.28 feet; thence North 81° 57' 30" West for 107.44 feet; thence North 43° 27' 30" West for 269.97 feet; thence North 34° 29' 00" East for 150.86 feet; thence North 49° 46' 49" East for 398.30 feet along the chord of a curve to the right having a radius of 755.19 feet; a central angle of 30° 35' and an arc length of 403.11 feet; thence North 65° 03' 51" East for 80.69 feet to the Point of Beginning.

The above described property is also known as Site-7, according to the map of Inverness Sites 6 & 7 as recorded in Map Book 26, page 147, in the Probate Office of Shelby County, Alabama.

PARCEL III (BUILDING NO. 104)

All that piece or parcel of land lying on the West side of Inverness Center Place within the Inverness Center Development in or near the City of Hoover as part of the Southwest quarter of Section 36, Township 18 South, Range 2 West, and more particularly described to-wit:

Commencing at an iron pin found on the Eastern side of Inverness Center Place, being the Southwestern corner of that property known as Inverness Center Site 24B as recorded in P.B. 21, page 61, South 24° 31' 48" East for 371.87 feet to an iron pin on the Western side of Inverness Center Place which is the Point of Beginning.

Thence leaving Inverness Center Place South 40° 46' 16" West for 173.77 (passing iron pin found at 138.36 feet) to a point, in or near the edge of Lake Heather (a.k.a. Lake Inverness); thence following the edge of Lake Heather at contour 496.00 feet with the following traverse points and courses (labeled A-B on plat by F.V. Clinkscales, Jr., AL. PLS & PE) to wit: South 86° 00' 20" West for 64.27 feet to a point on or near the 496 foot contour; thence South 47° 49' 49" West for 40.95 feet to a point on or near the 496 foot contour; thence South 54° 12' 24" West for 22.12 feet to a point on or near the 496 foot contour; thence South 76° 47' 06" West for 31.68 feet to a point on or near the 496 foot contour; thence South 83° 11' 13" West for 78.43 feet to a point on or near the 496 foot contour; thence South 86° 41' 36" West for 75.25 feet to a point on or near the 496 foot contour; thence South 29° 14' 31" West for 64.41 feet to a point on or near the 496 foot contour; thence South 85° 45' 49" West for 14.46 feet to a point on or near the 496 foot contour; thence North 17° 31' 08" East for 23.12 feet to a point on or near the 496 foot contour; thence North 08° 31' 15" West for 9.54 feet to a point on or near the 496 foot contour; thence South 26° 45' 08" West for 19.67 feet to a point on or near the 496 foot contour; thence South 38° 40' 34" West for 30.80 feet to a point on or near the 496 foot contour; thence South 87° 30' 05" West for 26.10 feet to a point on or near the 496 foot contour; thence South 57° 04' 15" West for 51.82 feet to a point on or near the 496 foot contour; thence South 14° 12' 02" West for 7.25 feet to a point on or near the 496 foot contour; thence South 87° 01' 24" West for 9.00 feet to a point on or near the 496 foot contour; thence South 57° 32' 16" West for 60.94 feet to a point on or near the 496 foot contour; thence North 88° 13' 37" West for 59.24 feet to a point on or near the 496 foot contour; thence North 68° 56' 31" West for 55.15 feet to a point on or near the 496 foot contour; thence North 30° 58' 07" West for 20.87 feet to a point on or near the 496 foot contour; thence North 16° 33' 06" West for 39.41 feet to a point on or near the 496 foot contour; thence North 03° 40' 00" East for 28.26 feet to a point on or near the 496 foot contour; thence North 21° 11' 06" East for 19.81 feet to a point on or near the 496 foot contour; thence North 44° 53' 30" West for 5.31 feet to a point on or near the 496 foot contour; thence North 39° 08' 18" East for 14.95 feet to a point on or near the 496 foot contour; thence South 83° 56' 54" West for 11.83 feet to a point on or near the 496 foot contour; thence North 23° 22' 32" West for 23.41 feet to a point on or near the 496 foot contour; thence North 03° 43' 45" West for 29.70 feet to a point on or near the 496 foot contour; thence North 06° 52' 19" East for 36.45 feet to a point on or near the 496 foot contour; thence North 21° 38' 23" East for 54.71 feet to a point on or near the 496 foot contour; thence North 31° 26' 23" East for 78.78 feet to a point on or near the 496 foot contour; thence North 40° 29' 18" East for 25.16 feet to a point on or near the 496 foot contour; thence North 68° 45' 57" East for 8.81 feet to a point on or near the 496 foot contour; thence North 22° 16' 41" East for 19.60 feet to a point on or near the 496 foot contour; thence North 28° 10' 40" East for 29.36 feet to a point on or near the 496 foot contour; thence North 26° 40' 30" East for 10.94 feet to an iron pin set at the edge of the water; thence with the center of an un-named creek for six (6) courses to wit: North 04° 28' 56" East for 4.73 feet to a point; South 42° 12' 18" East for 44.95 feet to a point; thence North 63° 52' 49" East for 17.26 feet to a point; thence North 26° 16' 48" East for 44.95 feet to a point; thence North 17° 58' 09" West for 15.56 feet to a point; thence North 39° 01' 57" East for 112.82 feet to an iron pin found (passing over a headwall) on the Western side of Inverness Center Place; thence with Inverness Center Place for four (4) courses to wit: a curve to the left with a chord bearing of South 78° 09' 58" East for 87.72 feet (R=249.99 feet; L=88.18 feet) to an iron pin; thence South 88° 10' 38" East for 35.02 feet to a point; thence a curve to the right with a chord bearing of South 55° 55' 00" East for 452.06 feet (R=422.03 feet; L=477.06 feet) to a point; thence South 23° 31' 53" East for 47.74 feet to the Point of Beginning.


PARCEL NO. IV (BUILDING NO. 10) New Legal From Survey

Part of the West 1/2 of Section 36, Township 18 South, Range 2 West, Shelby County, Alabama and being more particularly described as follows; Commence at the point where the North line of the South 1/2 said 1/4 - 1/4 of the Se. 1/4 of the Nw. 1/4 of Section 36, Township 18 South, Range 2 West intersects the Southwesterly Right of Way of U.S. Highway 280 and run N88°24'25"W along said North line of South 1/2 a distance of 138.23 feet to the Point of Beginning of herein described parcel; thence run S09°56'31"E along the Southwesterly line of Inverness Office Center, Site 1 a distance of 370.81 feet to a point on a curve to the left on the Northwesterly Right of Way of Inverness Center Parkway, said curve having a radius of 639.00 feet and a central angle of 17°05'09"; thence S57°28'31"W along the chord of said curve 189.85 feet to the Point of Tangent; thence continuing along said Right of Way the following courses, S48°55'56"W, 47.17 feet to the Point of Curve of a curve to the right, having a radius of 431.50 feet and a central angle of 13°33'45"; thence S55°02'49"W along the chord of said curve 101.90 feet to the Point of Tangent; thence S62°29'42"W, 137.56 feet to the Point of Curve of a curve to the left, having a radius of 1342.50 feet and a central angle of 11°11'18"; thence S56°54'02"W along the chord of said curve 261.74 feet to the Point of Tangent; thence S51°18'23"W, 81.81 feet to the Point of Curve of a curve to the right, having a radius of 1325.00 feet and a central angle of 2°03'06"; thence S52°19'56"W along the chord of said curve 47.44 feet to a point on said curve and the centerline of a common drive for Inverness Office Center Buildings 10 and 22; thence the following courses along said centerline of common drive, N28°28'27"W, 5.13 feet to a Point of Curve of a curve to the right, having a radius of 213.00 feet and a central angle of 16°09'39"; thence N20°23'37"W along the chord of said curve 59.88 feet to the Point of Tangent; thence N12°18'47"W, 71.95 feet to the Point of Curve of a curve to the left, having a radius of 116.00 feet and a central angle of 67°11'32"; thence N45°54'33"W along the chord of said curve 128.37 feet to a point on said curve; thence leaving said centerline of common drive, the following courses along the existing back of curb of an entrance drive to Building 10, N10°51'55"E, 35.08 feet to the Point of Curve of a curve to the right, having a radius of 321.55 feet and a central angle of 32°08'29"; thence N26°56'09"E along the chord of said curve 178.02 feet to the Point of Tangent; thence N43°00'24"E, 8.85 feet; thence N29°39'25"W 28.26 feet; thence S60°20'35"W 29.00 feet leaving said back of curb; thence N29°39'25"W paralleling existing parking lots of Building 10 and 22 388.34 feet; thence N88°24'25"W 55.92 feet; thence N01°35'35"E 25.00 feet; thence S88°24'25"E 5.00 feet; thence N01°35'35"E 75.50 feet to a point on said North line of the South 1/2 of the Southeast 1/4 of the Northwest 1/4 of Section 36, T 18 S, R 2 W; thence S88°24'25"E along said North line of South 1/2 156.00 feet to a point; thence S46°22'05"E 40.73 feet; thence N43°37'55"E 36.72 feet to a point on said North line of South 1/2; thence S88°24'25"E along said North line of South 1/2 765.04 feet to the Point of Beginning. Contains 12.4531 acres.

PARCEL V (BUILDING NO. 22) New Legal From Survey

Part of the West 1/2 of Section 36, Township 18 South, Range 2 West, Shelby County, Alabama and being more particularly described as follows; Commence at a point where the North line of the South 1/2 of the Southeast 1/4 of the Northwest 1/4 of Section 36, Township 18 South, Range 2 West intersects the Southwesterly Right of Way of U.S. Highway 280 and run N88°24'25"W along same 1114.10 feet to the Point of Beginning of herein described parcel; thence S01°35'35"W 75.50 feet; thence N88°24'25"W 5.00 feet; thence S01°35'35"W 25.00 feet; thence S88°24'25"E 55.92 feet; thence S29°39'25"E paralleling existing parking lots of Building 10 and 22 388.34 feet; thence N60°20'35"E 29.00 feet to a point on the existing back of curb of drive into Building 10; thence the following courses along said back of curb, S29°39'25"E 28.26 feet; thence S43°00'24"W 8.85 feet to the Point of Curve of a curve to the left, having a radius of 321.55 feet and a central angle of 32°08'29"; thence S26°56'09"W along the chord of said curve 178.02 feet to the Point of Tangent; thence S10°51'55"W 35.08 feet to a point on a curve to the right and on the centerline of a common drive for Buildings 10 and 22, said curve having a radius of 116.00 and a central angle of 67°11'32"; thence the following courses along said centerline of drive, S45°54'33"E along the chord of said curve 128.37 feet; thence S12°18'47"E 71.95 feet to the Point of Curve of a curve to the left, having a radius of 213.00 feet and a central angle of 16°09'39"; thence S20°23'37"E along the chord of said curve 59.88 feet to the Point of Tangent; thence S28°28'27"E 5.13 feet to a point on a curve to the right on the Northerly Right of Way of Inverness Center Parkway, said curve having a radius of 1325.00 feet and a central angle of 11°50'45"; thence S59°16'51"W along the chord of said curve 273.45 feet to the Point of Tangent; thence S65°12'13"W continuing along said Right of Way 234.70 feet to the Point of Curve of a curve to the left, having a radius of 985.24 feet and a central angle of 1°49'24"; thence S64°17'32"W continuing along said Right of Way 31.35 feet to an intersection with a curve to the right being on the back of the Easterly curb of the entrance drive to Inverness Office Center, Site - 4, (The 40's), said curve having a radius of 68.08 feet and a central angle of 55°56'13"; thence the following courses along said Easterly back of curb of entrance drive, N50°56'42"W along the chord of said curve 63.86 feet to the Point of Tangent; thence N22°58'36"W 5.09 feet to the Point of Curve of a curve to the right, having a radius of 58.90 feet and a central angle of 20°29'35", thence N12°43'48"W along the chord of said curve 20.95 feet to the Point of Tangent; thence N02°29'00"W 36.87 feet to the Point of Curve of a curve to the left, having a radius of 229.01 feet and a central angle of 43°55'17"; thence N24°52'29"W along the chord of said curve 171.28 feet to the Point of Tangent; thence N53°14'04"W 133.54 feet to the Point of Curve of a curve to the right, having a radius of 275.00 feet and a central angle of 19°48'04"; thence N43°20'02"W along the chord of said curve 94.57 feet to a point on said curve; thence N36°15'02"E leaving said back of curb and paralleling existing parking lots of Site - 4 and Building 22 682.41 feet; thence N01°36'01"E 166.08 feet to a point on said North line of the South 1/2 of the Southeast 1/4 of the Northwest 1/4 of Section 36; thence S88°24'25"E along said same 52.95 feet to the Point of Beginning. Contains 10.2960 acres.


EXHIBIT "B"


20050603000271280 8/16 \$92556.00
Shelby Cnty Judge of Probate, AL
06/03/2005 03:20:32PM FILED/CERT

GENERAL EXCEPTIONS AS TO ALL SITES:

1. Taxes due and payable October 1, 2005.


EXHIBIT "B"


20050603000271280 9/16 \$92556.00
Shelby Cnty Judge of Probate, AL
06/03/2005 03:20:32PM FILED/CERT

SPECIFIC EXCEPTIONS AS TO BUILDINGS 40, 42, 44 AND 46:

2. (formerly 8)Easement(s) and Right(s) of Way from Metropolitan Life Insurance Company to Alabama Power Company as recorded in Real 50, page 544.
3. (formerly 9)Easement(s) and Right(s) of Way from 2154 Trading Corp. to Alabama Power Company as recorded in Deed Book 320, page 30; as amended by Misc. Book 14, page 420; Deed Book 320, page 22; as amended by Misc. Book 14, page 420; Deed Book 327, page 881;
4. (formerly 12) Easement to Alabama Power Company as recorded in Real Volume 365, page 812 and Real Volume 369, page 624.
5. (formerly 13)Easement to BellSouth Telecommunications, Inc. as recorded under Instrument Number 1999-29883.
6. (formerly 14)Agreement to the City of Hoover for sanitary sewers and easements as recorded in Real Volume 365, page 876.
7. (formerly 16) Reservations and conditions as described in that certain deed recorded in Real Volume 324, page 845.
8. (formerly 17)Terms and conditions of those certain deeds recorded in Real Volume 234, page 872 and under Instrument Number 1992-22154 (helipad site). May be changed-Rights Assigned from Met to Teachers; Quit Claim Deed Pending.
9. (formerly 18)Easements to Alabama Power Company INTENTIONALLY DELETED; INTENTIONALLY DELETED; and Real Volume 34, Page 620.
10. (formerly 19)Easements to The Water Works Board of the City of Birmingham as recorded in Real Volume 11, page 651.


EXHIBIT "B"


20050603000271280 10/16 \$92556.00
Shelby Cnty Judge of Probate, AL
06/03/2005 03:20:32PM FILED/CERT

SPECIFIC EXCEPTIONS AS TO BUILDINGS 40, 42, 44 AND 46:

11. (formerly 21) Matters of survey as prepared by Paragon Engineering, Inc., dated January 2005, revised May 2005, last revised ____ 2005, Project No. 040861, and which shows the following:
 - i) easement, if any, for overhead power lines and utility poles over and across the property;
 - ii) encroachment of fence and possibly of cell phone tower, to the greatest extent of 0.20 feet along the northeast boundary line;
 - iii) water spillway as shown on the southern property line;
 - iv) easements, if any, for access via asphalt drive at two locations onto adjoining Building No. 22 at the eastern property line.
12. (new) Terms and conditions of Declaration of Protective Covenants for Inverness Office Park, executed by Metropolitan Life Insurance Company, dated March 31, 2005, and recorded April 1, 2005, as Instrument No. 20050401000150480.
13. (new) That portion of the insured premises that lies within any right of way as shown on plat recorded May 17, 2005 at Map Book 35, Page 28-A.

EXHIBIT "B"


20050603000271280 11/16 \$92556.00
Shelby Cnty Judge of Probate, AL
06/03/2005 03:20:32PM FILED/CERT


SPECIFIC EXCEPTIONS AS TO BUILDING 31:

2. (formerly 8)Easement(s) and Right(s) of Way from 2154 Trading Corp. to Alabama Power Company as recorded in Deed Book 320, page 30; as amended by Misc. Book 14, page 420; Deed Book 320, page 22; as amended by Misc. Book 14, page 420; Deed Book 327, page 881; Deed Book 326, page 141.
3. (formerly 10)Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto, including rights set out in Deed Book 5, page 355; Volume 48, page 427; Volume 65, page 96 and Volume 64, page 267.

(new)The Company hereby insures the Insured against loss which the Insured shall sustain by reason of physical damage to improvements existing on the land at the date of policy or constructed thereon in good faith thereafter, resulting from the exercise subsequent to the date of policy and without the consent of the surface owner and/or mortgagee of any right to use the surface of the land for the extraction from the land of the minerals referred to in the above exception.


4. (formerly 11)Easement to BellSouth Telecommunications, Inc. as recorded under Instrument Number 1999-29883.
5. (formerly 12)Agreement to the City of Hoover for sanitary sewers and easements as recorded in Real Volume 365, page 876.
6. (formerly 14)Reservations and conditions as described in that certain deed recorded in Real Volume 324, page 845.
7. (formerly 15)Easements to Alabama Power Company as recorded in Volume 109, page 290; Real Volume 34, page 626.
8. (formerly 16)Easements to The Water Works Board of the City of Birmingham as recorded in Real Volume 11, page 651.
9. (formerly 17)Restrictions and conditions as recited in that certain agreement by and between The Barber Companies, Inc. and Metropolitan Life Insurance Company, as recorded under Instrument Number 20040607000305130.
10. (formerly 18)Easement agreement as described under Instrument Number 2000-06722.

EXHIBIT "B"


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Shelby Cnty Judge of Probate, AL
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11. (formerly 19)Sanitary sewer easement as described under Instrument Number 2000-06721.
12. (formerly 20)Mortgage by and between American Investments, L.L.C. and AmSouth Bank, dated September 30, 2003, and recorded under Instrument Number 20031009000679740. (As to ingress and egress easement)
13. (formerly 21) Easements as shown on Shelby County Map Book 26, page 147.
14. (formerly 22)Riparian and other rights created by the fact that subject property lies adjacent to or is bounded by Lake Heather.
15. (formerly 23)Matters of survey as prepared by Freeland-Clinkscates & Associates, Inc., dated January 6, 2005, and last revised April 14, 2005, and which shows the following:
 - a. encroachment of concrete/asphalt over sanitary sewer lines, drainage lines and water lines at various points of the property.
16. (new)Terms and conditions of Declaration of Protective Covenants for Inverness Office Park, executed by Metropolitan Life Insurance Company, dated March 31, 2005, and recorded April 1, 2005, as Instrument No. 20050401000150480.
17. (new)That portion of the insured premises that lies within any right of way as shown on plat recorded May 17, 2005 at Map Book 35, Page 28-A.

EXHIBIT "B"


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SPECIFIC EXCEPTIONS AS TO BUILDING 104:

2. (formerly 8) Easement(s) and Right(s) of Way from 2154 Trading Corp. to Alabama Power Company as recorded in Deed Book 327, page 881; Deed Book 331, page 850; as amended by Misc. Book 29, page 79.
3. (formerly 11) Easement to BellSouth Telecommunications, Inc. as recorded under Instrument Number 1999-29883.
3. (formerly 12) Agreement to the City of Hoover for sanitary sewers and easements as recorded in Real Volume 365, page 876.
4. (formerly 14) Reservations and conditions as described in that certain deed recorded in Real Volume 324, page 845.
5. (formerly 15) Easements to Alabama Power Company as recorded in Real Volume 34, page 620; Real Volume 365, page 837; Real Volume 34, page 626 and under Instrument Number 1993-28296.
6. (formerly 17) Restrictions and conditions as recited in that certain agreement by and between The Barber Companies, Inc. and Metropolitan Life Insurance Company, as recorded under Instrument Number 20040607000305130.
7. (formerly 18) Riparian and other rights created by the fact that subject property lies adjacent to or is bounded by Lake Heather.
8. (formerly 19) Matters of survey as prepared by Freeland-Clinkscates & Associates, Inc., dated January 6, 2005, and last revised April 14, 2005, and which shows the following:
 - i) encroachment of asphalt drive and parking over and across storm sewers and sanitary drains at various points of the property.
9. (new) Terms and conditions of Declaration of Protective Covenants for Inverness Office Park, executed by Metropolitan Life Insurance Company, dated March 31, 2005, and recorded April 1, 2005, as Instrument No. 20050401000150480.
10. (new) That portion of the insured premises that lies within any right of way as shown on plat recorded May 17, 2005 at Map Book 35, Page 28-A.

EXHIBIT "B"




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SPECIFIC EXCEPTIONS AS TO BUILDING 10:

2. (formerly 9) Easement(s) and Right(s) of Way from 2154 Trading Corp. to Alabama Power Company as recorded in Deed Book 342, page 373; Deed Book 327, page 881.
3. (formerly 12) Easement to BellSouth Telecommunications, Inc. as recorded under Instrument Number 1999- 29883.
4. (formerly 13) Agreement to the City of Hoover for sanitary sewers and easements as recorded in Real Volume 365, page 876.
5. (formerly 15) Reservations and conditions as described in that certain deed recorded in Real Volume 324, page 845.
6. (formerly 19) Matters of survey as shown on survey prepared by Paragon Engineering, Inc., dated February 2005, Project No. 040861.00, and which shows the following:
 - a. easement, if any, for overhead power lines over and across the property;
 - b. easement, if any, for the power box along the eastern property line;
 - c. easement, if any, for the shared access of the Asphalt Drive along the eastern boundary with Inverness Building No. 22.
7. (new) Terms and conditions of Declaration of Protective Covenants for Inverness Office Park, executed by Metropolitan Life Insurance Company, dated March 31, 2005, and recorded April 1, 2005, as Instrument No. 20050401000150480.
8. (new) That portion of the insured premises that lies within any right of way as shown on plat recorded May 17, 2005 at Map Book 35, Page 28-A.


EXHIBIT "B"


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SPECIFIC EXCEPTIONS AS TO BUILDING 22:

2. (formerly 8) Easement(s) and Right(s) of Way from Metropolitan Life Insurance Company to Alabama Power Company as recorded in Real 50, page 544 and Real 34, page 626.
3. (formerly 9) Easement(s) and Right(s) of Way from 2154 Trading Corp. to Alabama Power Company as recorded in Deed Book 327, page 881.
4. (formerly 12) Easement to BellSouth Telecommunications, Inc. as recorded under Instrument Number 1999-29883.
5. (formerly 13) Agreement to the City of Hoover for sanitary sewers and easements as recorded in Real Volume 365, page 876.
6. (formerly 19) Matters of survey as prepared by Paragon Engineering, Inc., dated February 2005, last revised ____ 2005, Project No. 040861.01, and which show the following:
 - a. easement, if any, to overhead power lines along and across the property;
 - b. easement, if any, for shared access of the Asphalt Drive with Inverness Building No. 10 along the western property line;
 - c. easement, if any, to shared access to Asphalt Drive into Inverness Office Center 4 along the northwestern property line and the south property line.

EXHIBIT "B"


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SPECIFIC EXCEPTIONS AS TO BUILDING 22:

7. (new) Terms and conditions of Declaration of Protective Covenants for Inverness Office Park, executed by Metropolitan Life Insurance Company, dated March 31, 2005, and recorded April 1, 2005, as Instrument No. 20050401000150480.
8. (new) That portion of the insured premises that lies within any right of way as shown on plat recorded May 17, 2005 at Map Book 35, Page 28-A.

Shelby County, AL 06/03/2005
State of Alabama

Deed Tax: \$92500.00