

This Instrument Was Prepared By:
William S. Fishburne, III, Esq.
Burr & Forman LLP
3100 SouthTrust Tower
420 North 20th Street
Birmingham, AL 35203

Send Tax Notice To:
Robert W. Cole, a Manager
100 Airpark Industrial Road
Alabaster, Alabama 35007

GENERAL WARRANTY DEED

STATE OF ALABAMA)

SHELBY COUNTY)

KNOW ALL MEN BY THESE PRESENTS: That in consideration of Ten and No/100 Dollars, and other good and valuable consideration to **ROBERT W. COLE (also known as R.W. COLE)**, a married man (herein referred to as the "Grantor"), in hand paid by **COLE PROPERTIES, LLC**, an Alabama limited liability company (herein referred to as the "Grantee"), the receipt whereof is acknowledged, the Grantor does hereby grant, bargain, sell and convey unto the Grantee, all of the Grantor's right, title and interest in and to the following described real property, together with all improvements thereon, situated in Shelby County, Alabama, to-wit:

SEE EXHIBITS A AND B ATTACHED HERETO

The conveyance of the real property described in Exhibit A is hereby made subject to the mortgages recorded at Instrument # 1997-17823, Instrument # 1999-38771 (with respect to Parcel One therein), and Instrument # 2000-03896 (with respect to Parcel I therein) in the Office of the Judge of Probate, Shelby County, Alabama, as well as any and all restrictive covenants, rights of way, easements and reservations of record that apply to the real property described therein, including those matters to which the conveyance set forth in the deed dated November 10, 1988 from I-65 Investment Properties, a General Partnership to the Grantor were made "subject to".

The conveyance of the real property described in Exhibit B is hereby made subject to the mortgages recorded at Instrument # 1999-38771 (with respect to Parcel Two therein) and Instrument # 2000-03896 (with respect to Parcel II therein) in the Office of the Judge of Probate, Shelby County, Alabama, as well as any and all restrictive covenants, rights of way, easements and reservations of record that apply to the real property described therein.

The said Grantor hereby warrants that no portion of the property conveyed hereby constitutes the homestead of the Grantor or the Grantor's wife.

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

And the Grantor does for himself, and for his heirs and assigns, covenant with the said Grantee, its successors and assigns, that the Grantor is lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that the Grantor has a good right to sell and convey the same as aforesaid; that the Grantor will, and the

Grantor's heirs 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, I have hereunto set my hand and seal this 16 day of May, 2005.

Robert W. Cole
ROBERT W. COLE

STATE OF ALABAMA)

SHELBY COUNTY)

I, William S Fishburne, a Notary Public in and for the said County, in said State, hereby certify that **ROBERT W. COLE**, 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 16th day of May, 2005.

W S Fishburne
Notary Public
My Commission Expires: 9-27-06

(SEAL)

EXHIBIT A

Commence at the northwest corner of the northeast quarter of the northeast quarter of Section 19, Township 21 South, Range 2 West, Shelby County, Alabama, and run thence S 89 degrees, 11' 26" E along the north line of said quarter - quarter section a distance of 227.95' to a point; thence run S 29 degrees, 39' 48" E a distance of 353.99' to the point of beginning of the property being described; thence continue along last described course a distance of 225.00' to a point; thence run S 89 degrees, 13' 37" E a distance of 299.85' to a point on the westerly margin of Shelby County Road #87; thence run S 14 degrees, 27' 11" E along said Road margin a distance of 302.89' to a point; thence S 82 degrees, 34' 13" W a distance of 50.38' to a point; thence run S 14 degrees, 27' 11" E a distance of 50.38' to a point on the the northerly margin of Airpark Industrial Road; thence run S 82 degrees, 34' 13" W along the north line of said Airpark Industrial Road a distance of 292.00' to a point; thence run N 14 degrees, 27' 11" W a distance of 403.90' to a point; thence run N 16 degrees, 51' 32" W a distance of 203.56' to the point of beginning. There is a 20' easement along the north and northwesterly lines of this property as shown hereon the plat. Situated in Shelby County, Alabama.

Less and except any portion of the following described property that may lie within the above-described property:

Commence at the northwest corner of the northeast quarter of the northeast quarter of Section 19, Township 21 south, Range 2 west, Shelby County, Alabama and run thence S 89° 11' 26" E along the north line of said quarter quarter section a distance of 227.95' to a point, Thence run S 29° 39' 48" E a distance of 353.99' to the point of beginning of the property being described, Thence continue along last described course of distance of 225.00' to a point, Thence turn 59° 33' 49" left and run a distance of 46.91' to a point, Thence turn 76° 07' 43" right and run southerly a distance of 388.63' to a point on the northerly line of Airpark Industrial Road, Thence turn 95° 40' 07" right and run westerly along said right of way of said road a distance of 87.21' to a point, Thence turn 82° 58' 36" right and run northerly 403.90' to a point, Thence turn 2° 24' 21" left and run 203.56' to the point of beginning, containing 0.95 of an acre.



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Shelby Cnty Judge of Probate, AL
06/07/2005 02:04:04PM FILED/CERT

EXHIBIT B

Beginning at a found 2" open top pipe corner representing the southwest corner of the southeast quarter of the southeast quarter of Section 18, Township 21, Range 2 West, Alabaster, Shelby County, Alabama, and run thence North $01^{\circ} 07' 09''$ West along the west line of said quarter-quarter a distance of 200.00' to a set 1/2" steel rebar corner; thence run South $88^{\circ} 52' 51''$ East a distance of 310.25' to a set 1/2" steel rebar corner on the westerly margin of Commercial Court, a proposed fifty foot wide right of way with a guttered street centered within now under construction; thence run South $01^{\circ} 07' 09''$ East along said west margin of said street a distance of 47.63' to the P.C. of a curve to the left having a central angle of $88^{\circ} 04' 12''$ and a radius of 180.00'; thence run along the arc of said curve an arc distance of 250.24' to the P.T. of said curve; thence run South $89^{\circ} 11' 30''$ East along the said margin of said street a distance of 36.06' to the P.T. of a curve to a right having a central angle of $20^{\circ} 49' 36''$ and a radius of 125.00'; thence run along the arc of said curve an arc distance of 45.19' to a set 1/2" steel rebar corner; thence run South $13^{\circ} 06' 14''$ East a distance of 494.05' to a set 1/2" steel rebar corner; thence run North $89^{\circ} 13' 12''$ West a distance of 162.56' to a found 1/2" steel rebar corner; thence run North $29^{\circ} 39' 48''$ West a distance of 578.99' to an existing 1/2" steel rebar corner on the section line between sections 18 and 19; thence run North $89^{\circ} 11' 26''$ West along said section line a distance of 227.95' to the point of beginning.

The above description is taken in its entirety from the survey of S.M. Allen, Alabama Licensed Land Surveyor No. #12944, dated: August 18, 1999.

Shelby County, AL 06/07/2005
State of Alabama

Deed Tax: \$620.00