20050620000303570 1/1 $12.00
Shelby Cnty Judge of Probate, AL
06/20/2005 09:00:54AM FILED/CERT

This instrument was prepared by:
Clayton T. Sweeney, Attorney
2700 Highway 280 East, Suite 160
Birmingham, AL 35223

Send Tax Notice To:
Ken Underwood Development, Inc.
198 Narrows Drive Suite 102
Birmingham, AL 35242

STATE OF ALABAMA)
: **STATUTORY WARRANTY DEED**
COUNTY OF SHELBY)

KNOW ALL MEN BY THESE PRESENTS: That, for and in consideration of **Seven Hundred Sixty-One Thousand Six Hundred Twenty-One and 96/100 ($761,621.96)**, and other good and valuable consideration, this day in hand paid to the undersigned **Ken Underwood Properties, LLC, an Alabama Limited Liability Company** (hereinafter referred to as GRANTOR), in hand paid by the GRANTEE herein, the receipt whereof is hereby acknowledged, the GRANTOR does hereby give, grant, bargain, sell and convey unto the GRANTEE, **Ken Underwood Development, Inc.,** (hereinafter referred to as GRANTEE), its successors and assigns, the following described Real Estate, lying and being in the County of **Shelby**, State of Alabama, to-wit:

Lot 7, according tot he Survey of Greystone Highlands Commercial Subdivision, as recorded in Map Book 20, Page 25, in the Probate Office of Shelby County, Alabama.

Subject To:
1) Ad valorem taxes for 2005 and subsequent years not yet due and payable until October 1, 2005.
2) Easement(s), as shown by recorded map.
3) Restrictions recorded in Instrument 1995/18410, in the Probate Office of Shelby County, Alabama.
4) Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto as recorded in Deed Book 349, Page 230; Deed Book 4, Page 486 and Deed Book 4, Page 488, in the Probate Office of Shelby County, Alabama.
5) Covenant and Agreement for water service recorded in Real Volume 235, Page 611, in the Probate Office of Shelby County, Alabama.
6) Terms and conditions as described in Instrument No. 1996/34645, in the Probate Office of Shelby County, Alabama.
7) Right of Way granted to Alabama Power Company by instrument recorded in Instrument 1999/12009, in the Probate Office of Shelby County, Alabama.

$3,080,000.00 of the consideration was paid from the proceeds of a mortgage loan closed simultaneously herewith.

This instrument is executed as required by the Articles of organization and operational agreement of said LLC and same have not been modified or amended.

TO HAVE AND TO HOLD, the tract or parcel of land above described together with all and singular the rights, privileges, tenements, appurtenances, and improvements unto the said GRANTEE, its successors and assigns forever.

IN WITNESS WHEREOF, said GRANTOR has hereunto set his hand and seal this the **10th** day of **June, 2005.**

Ken Underwood Properties, LLC

Ken Underwood, Managing Member

STATE OF ALABAMA)
:
COUNTY OF JEFFERSON)

I, the undersigned, a Notary Public, in and for said County and State, hereby certify that Ken Underwood, whose name as Managing Member of Ken Underwood 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 as such Member and with full authority, signed the same voluntarily for and as the act of said Limited Liability Company.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this the 10th day of June, 2005.

NOTARY PUBLIC
My Commission Expires: 6-5-20

CLAYTON T. SWEENEY, ATTORNEY AT LAW