

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

Send Tax Notice To:
Alabaster Moon Bell, LLC
Post Office Box 361137
Birmingham, Alabama 35236

STATE OF ALABAMA)
COUNTY OF SHELBY)

STATUTORY WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS that in consideration of the sum of One Million Three Hundred Fifty Thousand and 00/100 Dollars (\$1,350,000.00) and other good and valuable consideration, to the undersigned Grantor in hand paid by the Grantee herein, the receipt and sufficiency of which are hereby acknowledged, **COLONIAL PROPERTIES SERVICES, INC.**, an Alabama corporation ("Grantor"), does hereby grant, bargain, sell and convey unto **ALABASTER MOON BELL, L.L.C.**, an Alabama limited liability company ("Grantee"), that certain real property situated in Shelby County, Alabama, being more particularly described on Exhibit A attached hereto and made a part hereof.

This conveyance is made subject to encumbrances set forth in Exhibit B attached hereto and made a part hereof.

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

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.

IN WITNESS WHEREOF, Grantor has caused this conveyance to be executed as of the 30th day of June, 2005.

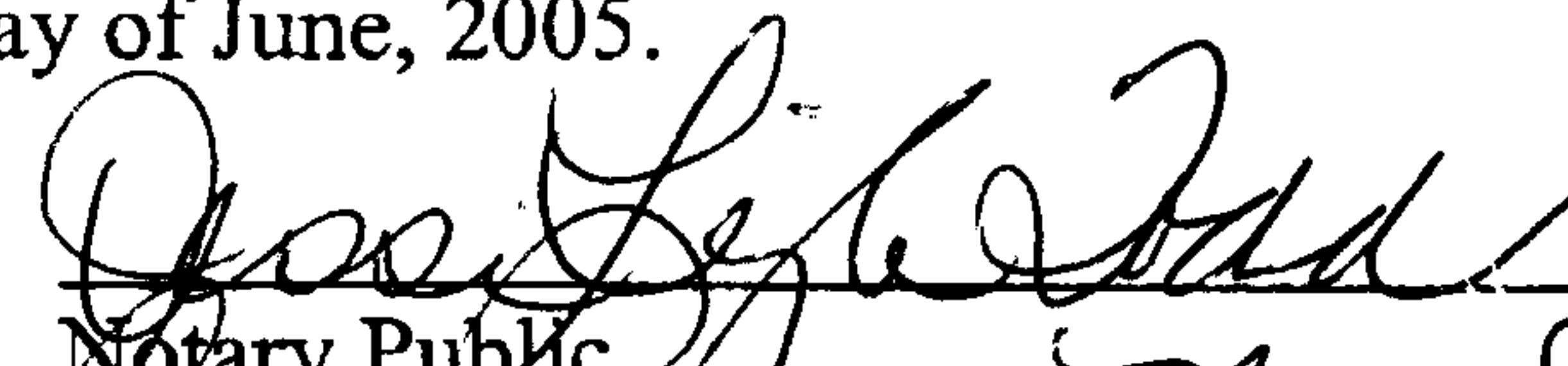
GRANTOR:
COLONIAL PROPERTIES SERVICES, INC.,
an Alabama corporation

BY: 
John L. Moss
Its: Senior Vice President - Retail Division

STATE OF ALABAMA)
COUNTY OF JEFFERSON)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that **John L. Moss**, whose name as Senior Vice President - Retail Division of Colonial Properties Services, Inc., an Alabama corporation, 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 said instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand this the 30 day of June, 2005.


Notary Public
My Commission Expires: Nov. 8, 2006



20050705000331880 2/3 \$1367.00
Shelby Cnty Judge of Probate, AL
07/05/2005 08:02:11AM FILED/CERT

EXHIBIT A
to Statutory Warranty Deed
Legal Description of the Property

A parcel of land situated in the Southeast 1/4 of Section 1, Township 21 South, Range 3 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the Southeast corner of Section 1, Township 21 South, Range 3 West; thence in a Westerly direction along the South line of said Section 1 a distance of 1965.36 feet to a point on the Easterly Right-of-Way line of Interstate Drive; thence $84^{\circ}15'29''$ to the right in a Northerly direction along said Right-of-Way line a distance of 428.78 feet to the P.C. (point of curve) of a curve to the right having a radius of 25.00 feet and a central angle of $86^{\circ}31'11''$; thence in a Northerly, Northeasterly and Easterly direction (leaving said Right-of-Way line) along the arc of said curve a distance of 37.75 feet to the P.T. (point of tangent) of said curve; thence tangent to said curve in an Easterly direction a distance of 491.10 feet to a point; thence $93^{\circ}42'51''$ to the left in a Northerly direction a distance of 60.12 feet to a point; thence $86^{\circ}17'09''$ to the left in a Westerly direction a distance of 514.15 feet to the P.C. (point of curve) of a curve to the right having a radius of 25.00 feet and a central angle of $88^{\circ}00'27''$; thence in a Westerly, Northwesterly and Northerly direction along the arc of said curve a distance of 38.40 feet to the P.R.C. (point of reverse curve) of a curve to the left having a radius of 1600.00 feet and a central angle of $25^{\circ}47'16''$; thence in a Northerly and Northwesterly direction along the arc of said curve a distance of 720.13 feet to the P.T. (point of tangent) of said curve; thence tangent to said curve in a Northwesterly direction a distance of 197.69 feet to a point said point lying on a curve to the left having a radius of 20.00 feet and a central angle of $90^{\circ}00'00''$; thence 180° to the right (angle measured to tangent) in a Southeasterly, Easterly and Northeasterly direction along the arc of said curve a distance of 31.42 feet to the P.T. (point of tangent) of said curve; thence tangent to said curve in a Northeasterly direction a distance of 27.21 feet to the P.C. (point of curve) of a curve to the right having a radius of 224.50 feet and a central angle of $26^{\circ}54'46''$; thence in a Northeasterly and Easterly direction along the arc of said curve a distance of 105.45 feet to the P.T. (point of tangent) of said curve; thence tangent to said curve in an Easterly direction a distance of 12.71 feet to the P.C. (point of curve) of a curve to the left having a radius of 30.00 feet and a central angle of $90^{\circ}00'00''$; thence in an Easterly, Northeasterly and Northerly direction along the arc of said curve a distance of 47.12 feet to the P.T. (point of tangent) of said curve; thence tangent to said curve in a Northerly direction a distance of 273.89 feet to the POINT OF BEGINNING of the parcel described herein; thence $85^{\circ}38'38''$ to the left in a Westerly direction a distance of 327.03 feet to a point, said point lying on a curve to the right having a radius of 500.00 feet and a central angle of $40^{\circ}06'14''$; thence $83^{\circ}12'24''$ to the right (angle measured to tangent) in a Northerly and Northeasterly direction along the arc of said curve a distance of 349.97 feet to the P.T. (point of tangent) of said curve; thence $84^{\circ}29'06''$ to the right in a Southeasterly direction a distance of 281.03 feet to a point, said point lying on a curve to the right having a radius of 520.00 feet and a central angle of $14^{\circ}04'16''$; thence $71^{\circ}55'10''$ to the right (angle measured to tangent) in a Southerly direction along the arc of said curve a distance of 127.70 feet to the P.T. (point of tangent) of said curve; thence tangent to said curve in a Southerly direction a distance of 75.66 feet to the POINT OF BEGINNING.

Containing 85,826 Square feet or 1.970 Acres.

EXHIBIT B

**to Statutory Warranty Deed
Permitted Encumbrances**

1. Taxes and assessments for the year 2005, and subsequent years, which are not yet due and payable.
2. Declaration of Covenants, Conditions and Restrictions and Operating Agreement by and between Grantor and Grantee recorded simultaneously herewith in the Probate Office of Shelby County, Alabama.
3. Any matters which would be disclosed by a complete and accurate survey of the Property.
4. Coal, oil, gas, and other mining and mineral interests in, to or under the land herein described which are not owned by Grantor, if any.
5. Right of Way granted to Alabama Power Company by instrument recorded in Deed Book 48, pages 584 and 617; Deed Book 107, pages 133, 140 and 143; Deed Book 130, pages 52, 86, 89, 91, 92, 93 and 94; Deed Book, 145, page 297; Deed Book 169, page 335; Deed Book 179, page 337; Deed Book 180, page 36; Deed Book 181, pages 212 and 229; Deed Book 207, pages 669, 676 and 677; Deed Book 210, pages 109, 114, 121, 123 and 125; Deed Book 213, page 366; Deed Book 218, pages 651 and 656; Deed Book 219, page 584; Deed Book 250, page 852 and Deed Book 262, page 750, in the Probate Office of Shelby County, Alabama.
6. Agreement for water line easement to Alabaster Water and Gas Board as recorded in Instrument 1992-21213, in the Probate Office of Shelby County, Alabama.
7. Restrictions as to uses declared in that certain I-65, Exit 238 Redevelopment Plan adopted by the City of Alabaster, Alabama, as may be amended from time to time, as set out in those certain deeds recorded in Instrument 20040218000085110, Instrument 20040218000085140, Instrument 20040211000072140, and Instrument 20040218000085080, in the Probate Office of Shelby County, Alabama.
8. Temporary easement for ingress/egress as reserved in vacation recorded in Instrument 200404080000184040, in the Probate Office of Shelby County, Alabama.
9. Rights of utilities, if any, in and to that portion vacated in Instrument 200404080000184040, in the Probate Office of Shelby County, Alabama.
10. Easement recorded in Instrument 20040521000271360, in the Probate Office of Shelby County, Alabama
11. Restrictions appearing of record in Instrument 20040507000243250 and First Amendment recroded in Instrument 20040507000243260, in the Probate Office of Shelby County, Alabama.