

\$2,364,144.84

This Instrument Prepared By:

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Send Tax Notice To:

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**STATUTORY WARRANTY DEED IN DISTRIBUTION AND
SATISFACTION OF MEMBERSHIP INTERESTS**

STATE OF ALABAMA)
COUNTY OF SHELBY)

THIS DEED IN DISTRIBUTION AND SATISFACTION OF MEMBERSHIP INTERESTS is executed and delivered as of the 18th day of August, 2005, by **SOUTHBROOK VILLAGE, LLC**, an Alabama limited liability company (hereinafter called "Grantor"), in favor of **BODNAR INVESTMENT GROUP, INC.**, an Alabama corporation ("Bodnar"), **JEFF COBB**, an individual ("Cobb"), **HUNTER WILLIAMS**, an individual ("Williams"), **SAM SHARP**, an individual ("Sharp"), and **BRIGHAM-WILLIAMS, INC.**, an Alabama corporation ("**Brigham**") (hereinafter referred to collectively as the "Grantees").

KNOW ALL PERSONS BY THESE PRESENTS, that in consideration of the cancellation and termination of all ownership interest of the Grantees in the Grantor, the receipt and sufficiency of which are hereby acknowledged by Grantor, Grantor does by these presents, grant, bargain, sell and convey unto: Bodnar an undivided 28.58% interest, Cobb an undivided 14.28% interest, Williams an undivided 9.52% interest, Sharp an undivided 9.52% interest, Brigham an undivided 9.52% interest (but retaining unto itself an undivided 28.58% interest) in and to the real property located in Shelby County, Alabama (the "Property") described on the attached Exhibit "A", with all improvements located thereon.

This deed is hereby made expressly subject to all existing restrictions, exceptions, reservations, easements, rights-of-way, conditions, and covenants of whatever nature, if any, of record, and to any state of facts that an accurate survey may reveal, and is expressly subject to all municipal, city, county, and state zoning laws and other ordinances, regulations, and restrictions, including statutes and other laws of municipal, county, or other governmental authorities applicable to and enforceable against the property described herein.

This deed is hereby made expressly subject to the Mortgage secured by the Property herein described by the Grantor to National Bank of Commerce of Birmingham in the amount of \$3,384,375.00, dated January 22, 1999, filed for record in the Office of the Judge of Probate of Shelby County, Alabama, in Instrument No. 1999-03651.

The above-described property and all improvements are conveyed "**AS IS**" with no representations or warranties whatsoever with respect to their physical condition or suitability.

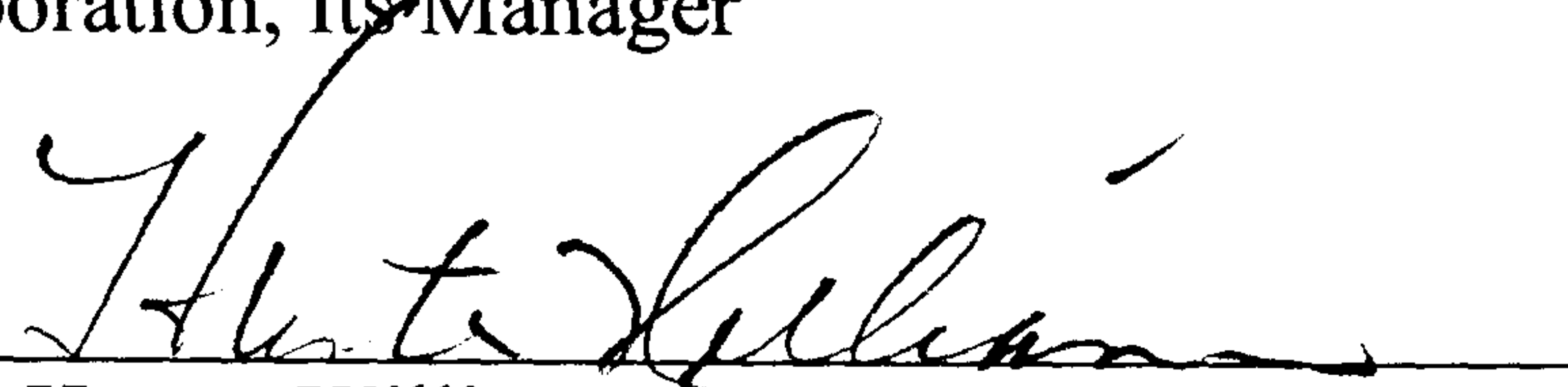
Grantor has made this conveyance pursuant to the consent of its Members. Such consent is evidenced by the Agreement of Redemption, Satisfaction and Cancellation of Membership Interests dated as of the date hereof, entered into by and among the Grantor and Grantees.

TO HAVE AND TO HOLD, unto said Grantees, their successors and assigns forever.

IN WITNESS WHEREOF, the undersigned Grantor has executed this instrument as of the day and year first above written.

SOUTHBROOK VILLAGE, LLC, an Alabama
limited liability company

By: Brigham – Williams, Inc., an Alabama
corporation, Its Manager

By: 
Hunter Williams
President

STATE OF ALABAMA)
COUNTY OF JEFFERSON)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Hunter Williams, whose name as President of Brigham – Williams, Inc., an Alabama corporation, as Manager of **SOUTHBROOK VILLAGE, 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 officer and with full authority, executed the same voluntarily for and as the act of said corporation acting in its capacity as aforesaid.

GIVEN under my hand and seal of office this 16th day of August, 2005.

[SEAL]

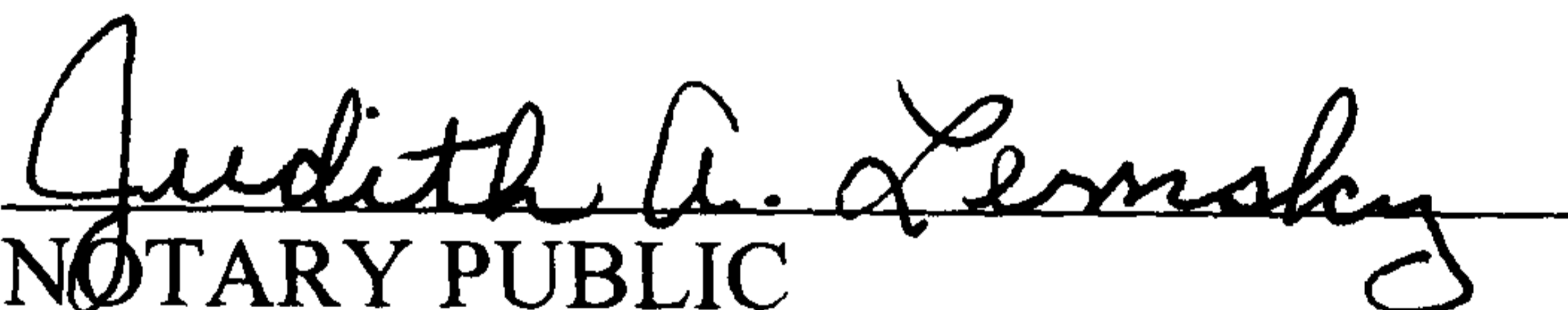

NOTARY PUBLIC
My Commission Expires: 1-19-07

EXHIBIT A

PARCEL A:

All that tract or parcel of land situated, lying and being in Shelby County, and being more particularly described as follows:

Commencing at the intersection of Southwest corner of the North half of the Southwest quarter of the Northeast quarter of Section 2, Township 21 South, Range 3 West, Shelby County, Alabama with the Northern right of way line of 6th Avenue Southwest and running thence North 90° 00' 00" East, for a distance of 500.56 feet to a point; thence run North 90° 00' 00" East for a distance of 290.15 feet to a point; thence run North 90° 00' 00" East for a distance of 342.22 feet to a point; thence run North 32° 43' 59" East for a distance of 26.54 feet to a point; thence run North 32° 44' 05" East for a distance of 281.22 feet to a point; thence run North 29° 54' 54" East for a distance of 12.92 feet to a point, said point being the True Point of Beginning; thence run North 53° 23' 53" West for a distance of 172.18 feet to a point; thence run North 38° 33' 50" East for a distance of 140.00 feet to a point; thence run South 55° 06' 03" East for a distance of 23.52 feet to a point; thence run South 53° 23' 53" East for a distance of 126.60 feet to a point; thence run South 29° 54' 59" West for a distance of 147.51 feet to a point and back to the true point of beginning.

PARCEL B:

All that tract or parcel of land situated, lying and being in Shelby County, Alabama and being more particularly described as follows:

Commencing at the intersection of Southwest corner of the North half of the Southwest quarter of the Northeast quarter of Section 2, Township 21 South, Range 3 West Shelby County, Alabama with the Northern right of way line of 6th Avenue Southwest and running thence North 90° 00' 00" East for a distance of 500.56 feet to a point, said point being the true point of beginning; thence run North 01° 15' 30" West for a distance of 236.17 feet to a point; thence run North 51° 28' 00" West for a distance of 36.46 feet to a point; thence run North 39° 08' 41" East for a distance of 25.41 feet to a point; thence run South 51° 22' 50" East for a distance of 272.86 feet to a point; thence run South 38° 37' 11" West for a distance of 32.09 feet to a point; thence run South 51° 25' 42" East for a distance of 133.38 feet to a point; thence run South 90° 00' 00" West for a distance of 290.15 feet to a point and back to the true point of beginning.

PARCEL D:

All that tract or parcel of land situated, lying and being in Shelby County, Alabama, and being more particularly described as follows:

Commencing at the intersection of Southwest corner of the North half of the Southwest quarter of the Northeast quarter of Section 2, Township 21 South, Range 3 West Shelby County, Alabama with the Northern right of way line of 6th Avenue Southwest, and running thence North 90° 00' 00" East for a distance of 500.56 feet to a point; thence run North 90° 00' 00" East for a distance of 290.15 feet to a point; thence run North 90° 00' 00" East for a distance of 342.22 feet to a point; thence run North 32° 43' 59" East for a distance of 26.54 feet to a point, said point being the true point of beginning; thence run North 51° 25' 31" West for a distance of 868.78 feet to a point; thence run North 38° 22' 47" East for a distance of 178.47 feet to a point; said point being the point of a curve to the right having a radius of 314.00 feet and an arc distance of 112.64 feet; thence run along said curve to the right a chord bearing of North 50° 10' 53" East and a chord distance of 112.04 feet to a point; thence run North 58° 39' 59" East for a distance of 31.80 feet to a point, said point being the point of a curve to the right having a radius of 122.00 feet and an arc distance of 105.63 feet; thence run along said curve to the right a chord bearing of North 83° 28' 14" East and a chord distance of 102.36 feet to a point; thence run North 36° 33' 02" East for a distance of 22.95 feet to a point; thence run South 53° 26' 58" East for a distance of 90.27 feet to a point; thence run South 54° 53' 16" East for a distance of 185.79 feet to a point; thence run South 51° 26' 10" East for a distance of 215.68 feet to a point; thence run South 55° 05' 59" East for a distance of 70.52 feet to a point; thence run South 38° 33' 50" West for a distance of 140.00 feet to a point; thence run South 51° 26' 10" East for a distance of 172.18 feet to a point; thence run South 29° 54' 54" West for a distance of 12.92 feet to a point; thence run South 32° 44' 05" West for a distance of 281.22 feet to a point and back to the true point of beginning.

NON-EXCLUSIVE DUMPSTER PAD EASEMENT

A parcel of land situated in the North half of the Southwest quarter of the Northeast quarter, Section 2, Township 21 South, Range 3 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the Southwest corner of the said North half of the Southwest quarter of the Northeast quarter and a point on the Northern right of way line of 6th Avenue Southwest; thence run in an Easterly direction along the South boundary of the said quarter-quarter line and said right of way line for a distance of 225.95 feet; thence leaving said right of way line turn an interior

angle to the right of 110° 54' 58" and run in a Northeasterly direction for a distance of 294.95 feet to the point of beginning; thence turn an interior angle to the left of 92° 15' 09" and run in a Northeasterly direction for a distance of 87.51 feet; thence turn an interior angle to the left of 166° 05' 30" and run in a Southeasterly direction for a distance of 41.89 feet; thence turn an interior angle to the left of 83° 25' 38" and run in a Southwesterly direction for a distance of 20.71 feet; thence turn an interior angle to the right of 49° 57' 17" and run in an Easterly direction for a distance of 68.95 feet; thence turn an interior angle to the right of 92° 00' 48" and run in a Northeasterly direction for a distance of 26.38 feet; thence turn an interior angle to the right of 127° 25' 14" and run in a Northwesterly direction for a distance of 36.46 feet; thence turn an interior angle to the right of 90° 36' 41" and run in a Southwesterly direction for a distance of 16.85 feet; thence turn an interior angle to the left of 96° 34' 22" and run in a Northwesterly direction for a distance of 46.44 feet; thence turn an interior angle to the right 169° 06' 38" and run in a Northwesterly direction for a distance of 94.78 feet; thence turn an interior angle to the right of 110° 09' 48" and run in a Southwesterly direction for a distance of 32.49 feet; thence turn an interior angle to the right of 73° 05' 36" and run in a Southeasterly direction for a distance of 14.94 feet to the point of beginning.

NON-EXCLUSIVE INGRESS/EGRESS EASEMENT

A parcel of land situated in the North half of the Southwest quarter of the Northeast quarter, Section 2, Township 21 South, Range 3 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the Southwest corner of said North half of the Southwest quarter of the Northeast quarter and a point on the Northern right of way line of 6th Avenue Southwest; thence run in an Easterly direction along the South boundary of the said quarter-quarter line and said right of way line for a distance of 113.71 feet to the point of beginning; thence leaving said right of way line turn an interior angle to the right of 129° 52' 07" and run in a Northeasterly direction for a distance of 12.41 feet; thence turn an interior angle to the right of 161° 07' 24" and run in a Northeasterly direction for a distance of 199.71 feet; thence turn an interior angle to the left of 156° 01' 06" and run in a Northeasterly direction for a distance of 220.58 feet; thence turn an interior angle to the right of 170° 02' 19" and run in a Northeasterly direction for a distance of 48.82 feet; thence turn an interior angle to the left of 13° 55' 59" and run in a Southwesterly direction for a distance of 43.80 feet; thence turn an interior angle to the right of 107° 16' 14" and run in a Southeasterly direction for a distance of 20.53 feet; thence turn an interior angle to the left of 82° 28' 59" and run in a Southwesterly direction for a distance of 211.68 feet; thence turn an interior angle to the right of 167° 80' 25" and run in a Southwesterly direction for a distance of 23.91 feet; thence turn an interior angle to the right of 167° 25' 31" and run in a Southwesterly direction for a distance of 140.04 feet; thence turn an interior angle to the right of 136° 26' 33" and run in a Southeasterly direction for a distance of 43.62 feet to a point on the Northern right of way line of 6th Avenue Southwest; thence turn an interior angle to the left of 167° 15' 08" and run in a Westerly direction along said right of way line for a distance of 65.54 feet to the point of beginning.

NON-EXCLUSIVE 20 FOOT UTILITY EASEMENT

A parcel of land situated in the North half of the Southwest quarter of the Northeast quarter, Section 2, Township 21 South, Range 3 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the Southwest corner of the said North half of the Southwest quarter of the Northeast quarter and a point on the Northern right of way line of 6th Avenue Southwest; thence run in an Easterly direction along the South boundary of the said quarter-quarter line and said right of way line for a distance of 225.95 feet; thence leaving said right of way line turn an interior angle to the right of 110° 54' 58" and run in a Northeasterly direction for a distance of 621.38 feet; thence turn a deflection angle to the right of 107° 39' 26" and run in a Southeasterly direction for a distance of 86.63 feet to the point of beginning of a centerline of a 20 foot easement described as follows: thence turn an interior angle to the right of 88° 58' 22" and run in a Northeasterly direction for a distance of 137.28 feet; thence turn an interior angle to the left of 179° 41' 48" and run in a Northeasterly direction for a distance of 156.61 feet; thence turn an angle to the left of 136° 40' 26" and run in a Northerly direction for a distance of 124.01 feet to the end of the easement described herein.

And also the beneficial easements setforth in instrument recorded in Misc. Book 52, page 692; First Amendment thereto recorded in Real Volume 35, page 822; and Second Amendment thereto recorded in Real Volume 106, page 700, in the Office of the Judge of Probate of Shelby County, Alabama.