

20050929000508200 1/3 \$129.50  
Shelby Cnty Judge of Probate, AL  
09/29/2005 11:27:00AM FILED/CERT

Shelby County, AL 09/29/2005  
State of Alabama

Deed Tax: \$112.50

**SEND TAX NOTICES TO:**

ALOHA PARTNERS, LLC  
11643 Township Road 298, Suite C,  
East Liberty, OH, 43319

**WARRANTY DEED**

STATE OF ALABAMA  
COUNTY OF SHELBY

**KNOW ALL MEN BY THESE PRESENTS**, that in consideration of the sum of Seven Hundred Forty-Nine Thousand Two Hundred Five and 00/100 Dollars (\$749,205.00) to the undersigned grantors, in hand paid by the grantee herein, the receipt of which is hereby acknowledged, **LAND SOUTH CONTRACTORS, INC.** (herein referred to as "Grantor"), hereby grants bargains, sells, and conveys unto **ALOHA PARTNERS, LLC** (herein referred to as "Grantee") the real estate described on Exhibit "A" attached hereto and situated in Shelby County, Alabama.

[A portion of the purchase price recited above was paid from a mortgage loan closed simultaneously herewith.]

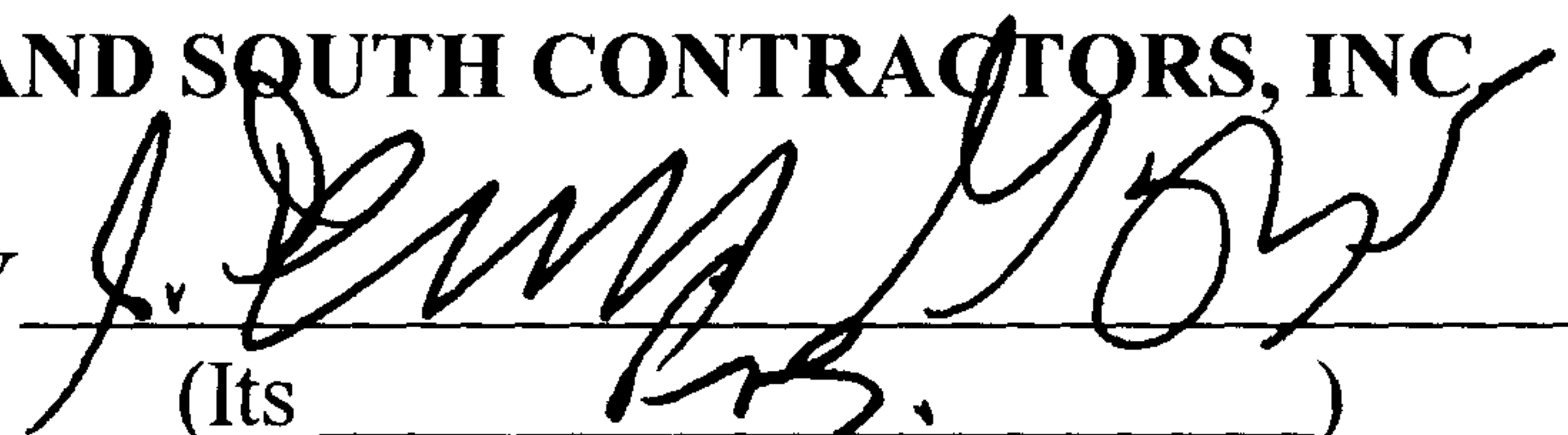
**TO HAVE AND TO HOLD** the described premises to Grantee, its successors and assigns forever.

**AND THE GRANTOR** does for itself, and its successors and assigns, covenant with said Grantee, its successors and assigns, that Grantor is lawfully seized in fee simple of the premises, that they are free from all encumbrances, unless otherwise noted on Exhibit "A", that Grantor has good right to sell and convey the same as aforesaid, and that Grantor will and its successors and assigns shall warrant and defend same to said Grantee, its successors and assigns forever, against the lawful claims of all persons.

**IN WITNESS WHEREOF**, the Grantor has signed and sealed this Deed on the 27 day of September, 2005.

**LAND SOUTH CONTRACTORS, INC**

BY

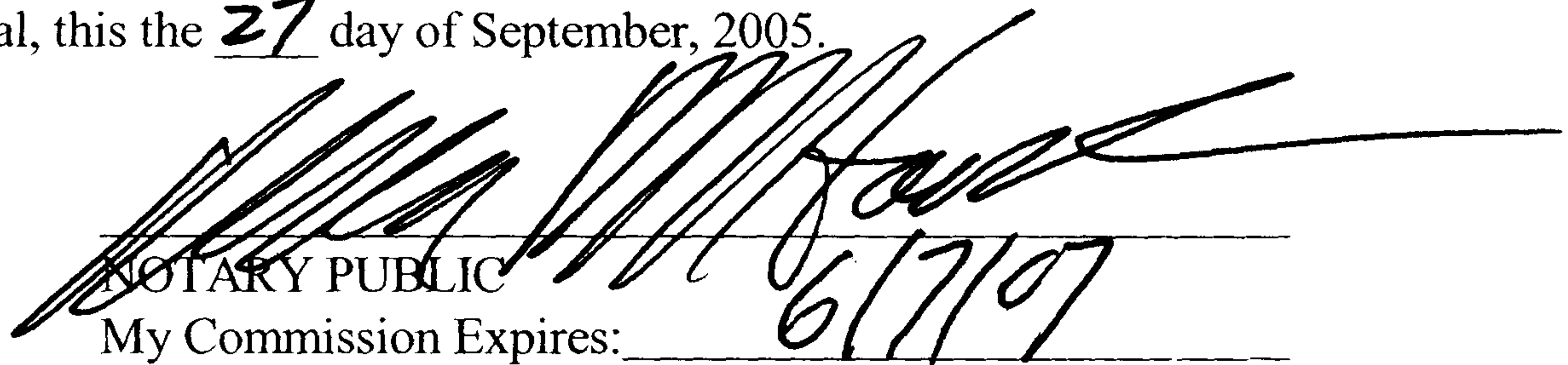
  
(Its \_\_\_\_\_)

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STATE OF ALABAMA  
SHELBY COUNTY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Denise Gellups, whose name as President of LAND SOUTH CONTRACTORS, INC., a 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/she, as such officer, and with full authority, executed the same voluntarily, as an act of said corporation, acting in its capacity as aforesaid.

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

  
NOTARY PUBLIC  
My Commission Expires: 6/7/07

THIS INSTRUMENT PREPARED BY AND AFTER  
RECORDATION SHOULD BE RETURNED TO:

William B. Hairston III  
Engel, Hairston, & Johanson P.C.  
P.O. Box 11405  
Birmingham, AL 35202  
(205) 328-4600



**EXHIBIT "A"**

Lot C, according to a Resurvey of Site 11, Shelby West Corporate Park, Phase I, Sites 1, 2 and 11 Survey, as recorded in Map Book 30, page 56, in the Probate Office of Shelby County, Alabama.

**SUBJECT TO:** i) taxes and assessments for the year 2005, a lien but not yet payable; ii) easements shown on recorded map; iii) restrictive covenants recorded in instrument 1996/38767 and 2001/20649; iv) title to all mineral within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto as recorded in Deed Book 352, page 805 and real Record 270, page 714; v) building lines as shown by recorded map; vi) transmission line permit to Alabama Power Company recorded in Deed Book 57, page 373 and as shown on map recorded in Map Book 28, page 97 and Map Book 27, page 61; vii) terms and conditions recorded in Instrument 20020916000444320; and viii) easement to Alabama Power Company recorded in Instrument 20050801000383430.