



20051028000562830 1/4 \$470.00
Shelby Cnty Judge of Probate, AL
10/28/2005 03:14:00PM FILED/CERT

THIS INSTRUMENT PREPARED BY:

SEND TAX _____

Phillip G. Stutts, Esq.
Leitman, Siegal & Payne, P.C.
600 North 20th Street, Suite 400
Birmingham, Alabama 35203

Edwin B. Lumpkin, Jr.
100 Metro Parkway
Pelham, AL 35124

GENERAL WARRANTY DEED

STATE OF ALABAMA)

SHELBY COUNTY)

\$4,450,000.00

KNOW ALL MEN BY THESE PRESENTS, That for and in consideration of the sum of Ten and No/100 Dollars (\$10.00), in hand paid and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, CLAYTON-BAILEY PROPERTIES, LLC ("Grantor") hereby grants, bargains, sells and conveys unto EDWIN B. LUMPKIN, JR. ("Grantee") that certain tract or parcel of land in Shelby County, State of Alabama described on **EXHIBIT "A"**, which is attached hereto and incorporated herein by reference. Such property is herein referred to as the "Property."

This conveyance of the Property and the covenants and warranties contained herein are made expressly subject to the matters set forth on **Exhibit "B"** which is attached hereto and incorporated herein by reference as well as to all taxes for the year 2006 and subsequent years not yet due and payable.

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

And said Grantor does, for itself, its successors and assigns, covenant with said Grantee, his heirs and assigns, that it is lawfully seized in fee simple of said premises, that said premises are free from all encumbrances unless otherwise noted above, that it has a good right to sell and convey the same as aforesaid, and that it will, and its successors and assigns shall forever warrant and defend the same to the said Grantee, his heirs and assigns forever, against the lawful claims of all persons whomsoever.

\$4,000,000.00 of the purchase price was paid from the proceeds of a mortgage loan closed simultaneously herewith.

IN WITNESS WHEREOF, the said Grantor, hereto sets its signature and seal this the 27th day of October, 2005.

CLAYTON-BAILEY PROPERTIES, LLC

By: Neil Bailey
Neil Bailey
Its: Member


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STATE OF ALABAMA)

COUNTY OF SHELBY)


I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Neil Bailey whose name as Member of CLAYTON-BAILEY 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 thereof, he, as such officer and with full authority, executed the same voluntarily for and as the act of said company.

Given under my hand and official seal this 27th day of October, 2005

Denny C. Elliott
Notary Public
My Commission Expires: NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: Oct 9, 2006
BONDED THRU NOTARY PUBLIC UNDERWRITERS

[SEAL]

EXHIBIT "A"


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LEGAL DESCRIPTION

Tract 2-A in the NE ¼ of Section 31, Township 18 South, Range 1 West, Shelby County, Alabama, also known as the resurvey of Lot 2 of the J.R. McMillian survey, as recorded in Map Book 19, page 81 in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

EXHIBIT "B"

Permitted Encumbrances

Shelby County, AL 10/28/2005
State of Alabama

Deed Tax: \$450.00

1. Taxes for the year 2006, which are not yet due and payable.
2. Minerals and mineral rights to the extent not owned by Grantor.
3. Building setback line(s) as shown by plat recorded in Map Book 19 page 81 in the Probate Office.
4. Easements as shown by recorded plat in Map Book 19 page 81 in the Probate Office.
5. Restrictions, covenants and conditions as set out in instrument(s) recorded in Deed book 140 page 542 in the Probate Office.
6. Transmission Line Permits(s) to Alabama Power Company as shown by instrument(s) recorded in Deed Book 142 page 94, Deed Book 112 page 132 and Deed Book 112 page 133 in the Probate Office.
7. Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto, including rights set out in Deed Book 140 page 542 in the Probate Office.
8. Covenants as to sanitary sewer as set out by instrument(s) recorded in Instr. # 20021114000567630 in the Probate Office.
9. Matters shown on recorded plat.