

20051031000564270 1/4 \$21.00
Shelby Cnty Judge of Probate, AL
10/31/2005 12:59:22PM FILED/CERT

SEND TAX NOTICES TO:
SOUTHERN WINGS FOUR, LLC
4507 Riverview Parkway, # 108,
Birmingham, Alabama, 35242

STATUTORY WARRANTY DEED

STATE OF ALABAMA
COUNTY OF SHELBY

KNOW ALL MEN BY THESE PRESENTS, that in consideration of the sum of One Million and 00/100 Dollars (\$1,000,000.00) to the undersigned grantors, in hand paid by the grantee herein, the receipt of which is hereby acknowledged, **COLONIAL PROPERTIES SERVICES, INC.** (herein referred to as "Grantor"), hereby grants, bargains, sells, and conveys unto **SOUTHERN WINGS FOUR, LLC** (herein referred to as "Grantee") the real estate situated in Shelby County, Alabama, and described on Exhibit "A" attached hereto.


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.


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

IN WITNESS WHEREOF, the Grantor has signed and sealed this Deed as of this 28th day of October, 2005.

COLONIAL PROPERTIES SERVICES, INC.

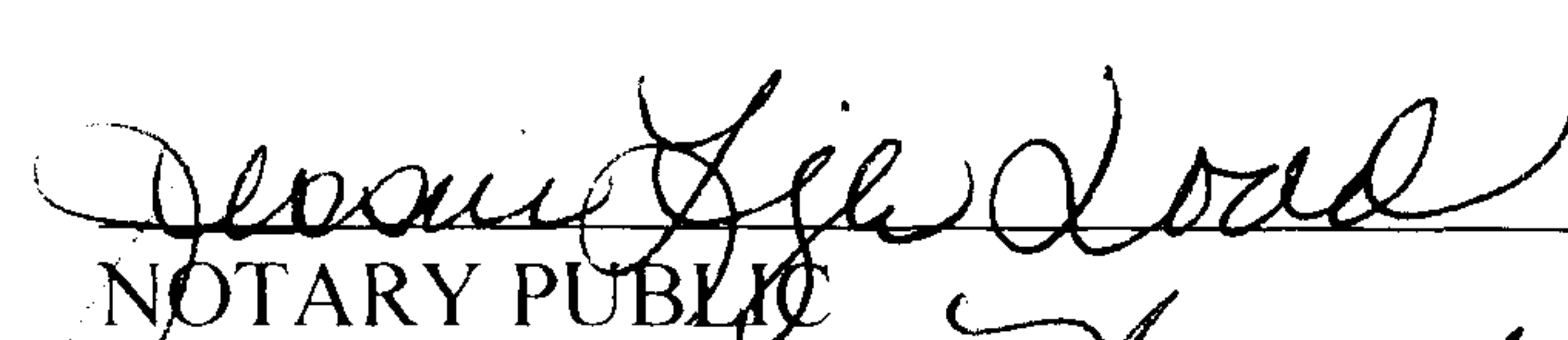
BY: 
Its CHARLES E. LIGHT
EXECUTIVE VICE PRESIDENT

STATE OF ALABAMA
JEFFERSON COUNTY


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I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Charles E. Light, whose name as Executive Vice President of COLONIAL PROPERTIES SERVICES, 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 ~~his~~/her capacity as aforesaid.


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


NOTARY PUBLIC
My Commission Expires: November 8, 2006

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"
to Statutory Warranty Deed
Legal Description of the Property


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Lot 15, according to the Final Plat of Colonial Promenade Alabaster Survey, as recorded in Map Book 35, page 102 A & B, in the Probate Office of Shelby County, Alabama.

EXHIBIT "B"
to Statutory Warranty Deed
Permitted Encumbrances

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1. Taxes and assessments for the year 2006 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. Building lines and easements as shown by recorded map.
6. Rights of Way granted to Alabama Power Company by instrument recorded in Deed Book 48, page 584; Deed Book 130, pages 89, 91, and 94; Deed Book 45, page 297, Deed Book 159, page 335; Deed Book 181, pages 212 and 229; Deed Book 207, pages 669, 676 and 677; Deed Book 210, page 125, Deed Book 218, pages 651 and 565; Deed Book 291, page 584; Deed Book 250, page 852 and Deed Book 262, page 750 in the Probate Office of Shelby County Alabama.
7. Agreement with Alabaster Water and Gas Board for water line easement recorded in Instrument 1992-21213 in the Probate Office of Shelby County Alabama.
8. 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.
9. Temporary easement for ingress/egress as reserved in vacation recorded in Instrument 200404080000184040, in the Probate Office of Shelby County, Alabama.
10. Rights of operators of public utilities, if any, in and to that portion vacated in Instrument 200404080000184040, in the Probate Office of Shelby County, Alabama.
11. Easement with covenants and restrictions affecting land ("ECR") recorded in Instrument 20040507000243250 and First Amendment to Easements with Covenants and Restrictions affecting land recorded in Instrument 20040521000243260, in the Probate Office of Shelby County, Alabama.
12. Agreement recorded in Instrument 20050712000346700, in the Probate Office of Shelby County, Alabama.