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Shelby Cnty Judge of Probate, AL
11/02/2005 03:10:41PM FILED/CERT

This instrument was prepared by:
Calvert C. Sullins, Esq.
Burr & Forman LLP
420 North 20th Street, Suite 3100
Birmingham, Alabama 35203

Send Tax Notice To:
Calera Commons LLC
c/o Dunn Real Estate
3900 Airport Highway
Birmingham, AL 35222

\$ 2,000,000.00

STATE OF ALABAMA)

COUNTY OF SHELBY)

STATUTORY WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that for and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration to the undersigned Grantor, **INDUSTRIAL DEVELOPMENT BOARD OF THE CITY OF CALERA** ("Grantor"), in hand paid by **CALERA COMMONS LLC**, an Alabama limited liability company ("Grantee"), the receipt and sufficiency whereof are hereby acknowledged, Grantor does hereby grant, bargain, sell, and convey unto Grantee all of its right, title and interest in and to that certain real estate (the "Property") situated in Shelby County, Alabama, being more particularly described on Exhibit A, which is attached hereto and incorporated herein by reference.

Subject, however, to the permitted exceptions set forth on Exhibit "B" attached hereto and incorporated herein by this reference.

Grantor represents and warrants that the conveyance represented by this deed complies with the provisions of Section 9-15-82 of the *Code of Alabama 1975*.

Grantor covenants that Grantor is lawfully seized in fee simple of the Property conveyed and has good right to sell and convey the same as aforesaid; and that Grantor will so warrant and defend the same to Grantee, its successors and assigns forever, against the lawful claims of all persons claiming by, through or under Grantor.

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

[signature pages follow]

IN WITNESS WHEREOF, Grantors have executed this deed on this 1st day of Nov., 2005.

GRANTOR:

INDUSTRIAL DEVELOPMENT BOARD OF
THE CITY OF CALERA

By: Bill Schroeder
Name: Bill Schroeder
Its: Chairman

STATE OF ALABAMA)

COUNTY OF SHELBY)

I, Mitchell A. Spears, a Notary Public in and for said County in said State, hereby certify that Bill Schroeder, whose name as Chairman of INDUSTRIAL DEVELOPMENT BOARD OF THE CITY OF CALERA 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 such instrument, he, as such Chairman and with full authority, executed the same voluntarily for and as the act of said Industrial Development Board.

Given under my hand and seal, this 1st day of Nov., 2005.

[Signature]
NOTARY PUBLIC

[SEAL]

My Commission Expires: 8/13/09

EXHIBIT "A"
TO STATUTORY WARRANTY DEED

Property Description

A parcel of land situated in Section 4, Township 22 South, Range 2 West, being more particularly described as follows:

Beginning at an iron pin located at the NE Corner of the NE 1/4 of the SE 1/4, Sec. 4, T-22-S, R-2-W, said point being the POINT of BEGINNING of the property being conveyed, thence S 0° 0' 1" W and along the east line of said 1/4 1/4 a distance of 367.37 feet, more or less, to a found open top iron; thence S 88° 30' 50" W and along a line a distance of 1350.08 feet, more or less; thence N 5° 51' 0" E and along a line a distance of 91.93 feet, more or less, to a point; thence N 7° 1' 28" E and continuing along said line a distance of 451.28 feet more or less, to a point on the south R/W line of a Dirt Road with a R/W of unknown width thence S 89° 28' 10" E and along said R/W a distance of 668.23 feet, more or less, to a point; thence S 88° 25' 30" E and continuing along said R/W line a distance of 619.11 feet, more or less, to a set iron pin on the 1/4 1/4 line of Section 4; thence S 0° 0' 0" W and along said 1/4 1/4 line a distance of 113.74 feet, more or less, to the point and place of Beginning.

EXHIBIT "B"
TO STATUTORY WARRANTY DEED

Permitted Exceptions

1. Ad valorem taxes due October 1, 2006, and ad valorem taxes for all subsequent years which are not yet due and payable.
2. All covenants, conditions, easements and restrictions of record.
3. Right of way for public road as recorded in Book 286, Page 338.
4. Right of way granted to the State of Alabama recorded in Book 198, Page 63.
5. Right of way granted to Shelby County, recorded in Deed Book 49, Page 274.
6. Mineral and mining rights not owned by Grantor.

Shelby County, AL 11/02/2005
State of Alabama
Deed Tax: \$2000.00