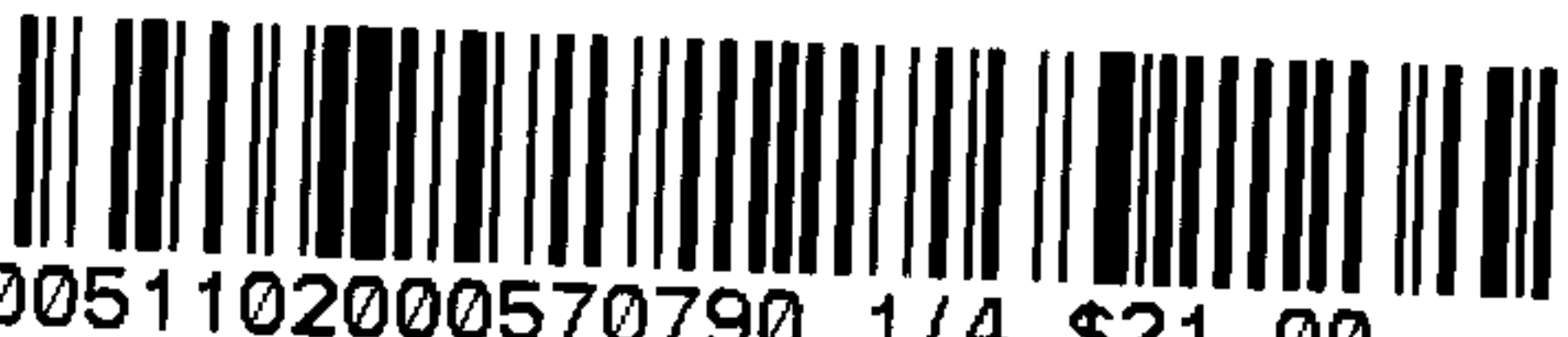


This instrument was prepared by:  
Calvert C. Sullins, Esq.  
Burr & Forman LLP  
420 North 20th Street, Suite 3100  
Birmingham, Alabama 35203

  
20051102000570790 1/4 \$21.00  
Shelby Cnty Judge of Probate, AL  
11/02/2005 03:10:42PM FILED/CERT

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, **CALERA COMMONS LLC**, an Alabama limited liability company ("Grantor"), in hand paid by **INDUSTRIAL DEVELOPMENT BOARD OF THE CITY OF CALERA** ("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 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 November, 2005.

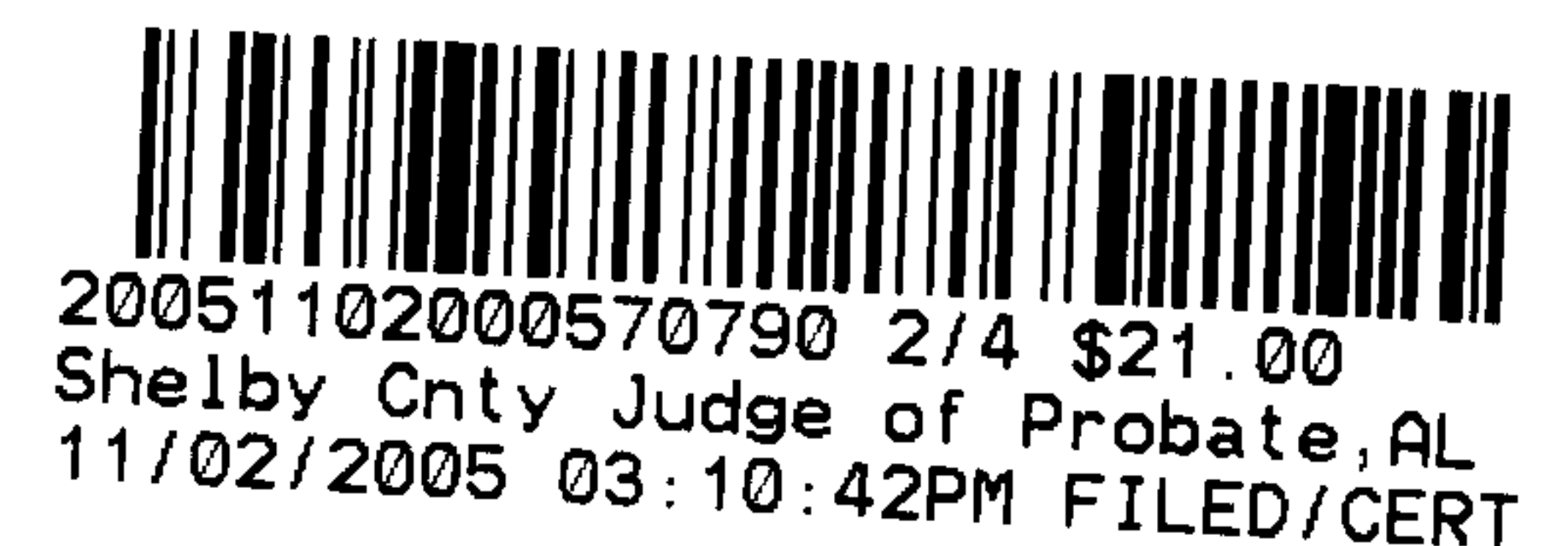
**GRANTOR:**

CALERA COMMONS LLC, an Alabama  
limited liability company

By: [Signature]  
Christopher Hoyt  
Its Manager

STATE OF ALABAMA )

COUNTY OF Jefferson )



I, Edward Chotian, a Notary Public in and for said County in said State, hereby certify that Christopher Hoyt, whose name as Manager of CALERA COMMONS 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 such instrument, he, as such manager and with full authority, executed the same voluntarily for and as the act of said limited liability company.

Given under my hand and seal, this 31<sup>st</sup> day of October, 2005.


[Signature]  
NOTARY PUBLIC

[SEAL]

My Commission Expires: 5/14/06



EXHIBIT "A"  
TO STATUTORY WARRANTY DEED

  
20051102000570790 3/4 \$21.00  
Shelby Cnty Judge of Probate, AL  
11/02/2005 03:10:42PM FILED/CERT


Property Description

Commence at the Northwest corner of Section 33, Township 21 South, Range 2 West; thence run South 60° 17' East a distance of 1759.60 feet (Meas. 1759.32) to a point on the West right of way line of U.S. Hwy No. 31, and the Point of Beginning; thence turn an angle of 43° 12' (Meas. 43° 26' 04") to the right to the chord of a right of way curve and run along said right of way curve a chord distance of 814.46 feet; thence turn an angle of 2° 51' (Meas. 2° 48' 52") to the right and continue along said right of way a distance of 32.15 feet; thence turn an angle of 97° 01' 45" to the right and run a distance of 316.28 feet; thence turn an angle of 1° 12' 36" to the right and run a distance of 807.37 feet; thence turn an angle of 0° 41' 21" to the left and run a distance of 144.16 feet; thence turn an angle of 87° 19' to the right and run a distance of 386.04 feet; thence turn an angle of 87° 19' 00" to the right and run a distance of 110.69 feet; thence turn an angle of 91° 50' to the left and run a distance of 197.82 feet; thence turn an angle of 84° 38' to the right and run a distance of 1074.98 feet (Meas. 1075.41 feet) to the West right of way of U.S. Hwy No. 31 and the Point of Beginning. Situated in the Northwest quarter of Section 33, Township 21 South, Range 2 West, Shelby County, Alabama.

Less and Except the following:

Commence at the Northwest corner of Section 33, Township 21 South, Range 2 West; thence run South 60° 17' East a distance of 1759.60 feet (Meas. 1759.32) to a point on the West right of way line of US Highway No. 31; thence turn an angle of 43° 12' (Meas. 43° 26' 04") to the right to the chord of a right of way curve and run along said right of way curve a chord distance of 814.46 feet; thence turn an angle of 2° 51' (Meas. 2° 48' 52") to the right and continue along said right of way a distance of 32.15 feet; thence turn an angle of 97° 01' 45" to the right and run a distance of 316.28 feet to the Point of beginning; thence turn an angle of 1° 12' 36" to the right and run a distance of 807.37 feet; thence turn an angle of 0° 41' 21" to the left and run a distance of 144.16 feet; thence turn an angle of 87° 19' 00" to the right and run a distance of 9.72 feet; thence turn 94° 03' 09" to the right and run a distance of 151.35 feet; thence turn 00° 16' 27" to the left and run a distance of 482.69 feet; thence turn 00° 00' 26" to the right and run a distance of 318.08 feet to the point of beginning. Situated in the Northwest quarter of Section 33, Township 21 South, Range 2 West, Shelby County, Alabama.

EXHIBIT "B"  
TO STATUTORY WARRANTY DEED

  
20051102000570790 4/4 \$21.00  
Shelby Cnty Judge of Probate, AL  
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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. Transmission line permit to Alabama Power Company as recorded in Deed Book 99, page 464; Deed Volume 142, page 245.
4. Right of way in favor of Southern Natural Gas Corporation, as recorded in Deed Volume 90, page 309.
5. Mineral and mining rights not owned by Grantor.