

This instrument prepared by:
Elene G. Garrison
Burr & Forman LLP
420 North 20th Street, Suite 3100
Birmingham, Alabama 35203

Send Tax Notice To:
Dunn Real Estate LLC
3900 Airport Highway
Birmingham, AL 35222
Attn: Chris Hoyt

STATE OF ALABAMA)
COUNTY OF SHELBY)

GENERAL WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS that in consideration of the sum of One Million Two Hundred Sixty Three Thousand Dollars (\$1,263,000.00), and other good and valuable consideration, to the undersigned Grantors in hand paid by the Grantee herein, the receipt and sufficiency of which is hereby acknowledged, **Gary Nichols**, a married man, and **James R. Hicks**, a married man (collectively, the "Grantors") do hereby grant, bargain, sell and convey unto **Dunn Real Estate LLC**, an Alabama limited liability company (the "Grantee"), that certain real property (the "Property") situated in Shelby County, Alabama, being more particularly described on Exhibit A attached hereto and made a part hereof.

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

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

AND the Grantors do, for themselves, their heirs, personal representatives, successors and assigns, covenant with the said Grantee and its successors and assigns, that they are lawfully seized in fee simple of the Property; that the Property is free from all encumbrances unless otherwise noted above; that they have a good right to sell and convey the same as aforesaid; that they and their heirs, personal representatives, successors and assigns will warrant and defend the same to the said Grantee and its successors and assigns forever against the lawful claims of all persons.

AND the said Grantors do further warrant unto the said Grantee that no portion of the Property conveyed hereby constitutes the homestead of either of the Grantors.

[End of Page. Signature Page Follows.]

IN WITNESS WHEREOF, the Grantors have executed this conveyance as of the 14th
day of December, 2005.

GRANTORS:

GARY NICHOLS, an individual

By:

James R. Hicks, as Attorney-in-fact

JAMES R. HICKS, an individual

STATE OF Alabama)
COUNTY OF Jefferson)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that **James R. Hicks**, an individual acting as Attorney-in-Fact for **Gary Nichols**, whose name is signed to the foregoing Warranty Deed, and who is known to me, acknowledged before me on this day that, being informed of the contents of the above and foregoing Warranty Deed, he, in his capacity as Attorney-in-Fact for Gary Nichols, executed the same voluntarily on the day the same bears date. Given under my hand and official seal of office this 14th day of December, 2005.

Quinn Carlson McCom
Notary Public
My Commission Expires: 07/30/2006

STATE OF Alabama)
COUNTY OF Jefferson)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that **James R. Hicks**, an individual, whose name is signed to the foregoing Warranty Deed, and who is known to me, acknowledged before me on this day that, being informed of the contents of the above and foregoing Warranty Deed, he executed the same voluntarily on the day the same bears date. Given under my hand and official seal of office this 14th day of December, 2005.

Quinn Carlson McCom
Notary Public
My Commission Expires: 07/30/2006

**EXHIBIT A
TO GENERAL WARRANTY DEED**

Legal Description of the Property

Beginning at the Southeast corner of the NE 1/4 of the SW 1/4 of Section 18, Township 21 South, Range 2 West, Shelby County, Alabama and run thence North 88 degrees 41 minutes 56 seconds West along the South line of said quarter-quarter 698.82 feet to a crimped pipe corner on the Easterly Right of Way line of Interstate Highway No. 65 in a curve to the left having a central angle of 01 degrees 13 minutes 19 seconds, a radius of 7,799.55 feet and an arc distance of 166.35 feet; thence run on a chord bearing of North 35 degrees 19 minutes 23 seconds West a chord distance of 166.35 feet to a concrete monument corner; thence run North 45 degrees 24 minutes 40 seconds West a distance of 60.95 feet to a concrete monument corner; thence run North 35 degrees 57 minutes 50 seconds West along the said Easterly right of way line of said Interstate Highway No. 65 a distance of 1,496.30 feet to a concrete monument corner on the North line of the Southwest quarter of said Section 18; thence run South 87 degrees 59 minutes 14 seconds East along said North line of said quarter a distance of 1,628.56 feet to an old axle corner; thence run South 01 degrees 40 minutes 11 seconds West 468.23 feet to a rebar corner; thence run South 88 degrees 31 minutes 06 seconds East 766.20 feet to a rebar corner; thence run South 02 degrees 18 minutes 32 seconds East 817.95 feet to a rebar pin corner on the North end of Airpark Industrial Road; thence run South 87 degrees 39 minutes 26 seconds West 29.62 feet to a rebar corner; thence run South 02 degrees 20 minutes 34 seconds East 16.50 feet to a rebar corner at the beginning of a cul-de-sac curve to the left having a central angle of 48 degrees 50 minutes 48 seconds and a radius of 70.0 feet; thence run South 87 degrees 39 minutes 26 seconds West along the North line of Lot 11 of Airpark Industrial Complex a distance of 631.11 feet to a rebar corner; thence run North 01 degrees 02 minutes 24 seconds West a distance of 46.07 feet to the point of the beginning.



20051219000652260 4/4 \$1283.00
Shelby Cnty Judge of Probate, AL
12/19/2005 08:16:49AM FILED/CERT

**EXHIBIT B
TO GENERAL WARRANTY DEED**

Permitted Encumbrances

1. Ad valorem taxes due October 1, 2006 and subsequent years.
2. Release of damages as recorded in Instrument 1997/1477 in the Probate Office of Shelby County, Alabama.
3. Title to all minerals within and underlying the Property not owned by the Grantors, together with all mining rights and other rights, privileges and immunities relating thereto, including release of damages as recorded in Volume 352, page 818 in the Probate Office of Shelby County, Alabama.
4. Restrictions appearing of record in Real Volume 265, page 628 and Instrument 1997/1477, in the Probate Office of Shelby County, Alabama.
5. Sewer easements and encroachment by Deshazo Crane Company of a fence and curk as set forth in Instrument 2002/2687, in the Probate Office of Shelby County, Alabama.