

Send Tax Notice To:  
George and Beverly Carter  
164 Windsor Lane  
Pelham, Alabama 35124

*This instrument was prepared by:*  
Laurie Boston Sharp,  
ATTORNEY AT LAW, LLC  
P. O. Box 567  
Birmingham, AL 35007

**Statutory Warranty Deed**

STATE OF ALABAMA )

**KNOW ALL MEN BY THESE PRESENTS,**

COUNTY OF SHELBY )

THAT IN CONSIDERATION OF EIGHT HUNDRED FIFTY THOUSAND and NO/100 DOLLARS (\$850,000.00) paid to the undersigned Grantor, in hand paid by the Grantee herein, the receipt of which is hereby acknowledged, **CARTER EXCAVATION, LLC**, an Alabama limited liability (herein referred to as Grantor), does grant, bargain, sell and convey unto **GEORGE CARTER and wife, BEVERLY B. CARTER, as joint tenants with right of survivorship**, (herein collectively referred to as Grantee), the following described real estate (herein referred to as the Property), situated in the State of Alabama, County of Shelby, to-wit:

NEW PARCEL A, as shown on the re-survey of Wellington Office Plaza, as recorded in Map Book 34, Page 76 in the Probate Office of Shelby County, Alabama.

THIS INSTRUMENT IS EXECUTED AS REQUIRED BY THE ARTICLES OF ORGANIZATION AND OPERATING AGREEMENT OF GRANTOR AND SAME HAVE NOT BEEN MODIFIED OR AMENDED.

**The above Property is conveyed subject to:**

1. ad valorem and similar taxes for 2006 and subsequent years;
2. Permits granted to Alabama Power Company recorded in Deed Book 217, page 131 and Deed Book 127, Page 411 in the Probate Office of Shelby County, Alabama;
3. Restrictions as contained in Instrument #1999-44429 in the Probate Office;
4. Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges, and immunities relating thereto, together with any release of liability for injury or damage to persons or property as a result of the exercise of such rights, including but not limited to gas, oil, sand and gravel, in, on and under subject property;
5. Easement to Southern Bell Telephone and Telegraph recorded in Deed Book 353, Page 768;
6. Rights of others in and to use of easement as referred to in instrument # 2004-29117 and Instrument # 1999-44429; and

20060206000060580 2/2 \$864.00  
Shelby Cnty Judge of Probate, AL  
02/06/2006 02:40:08PM FILED/CERT

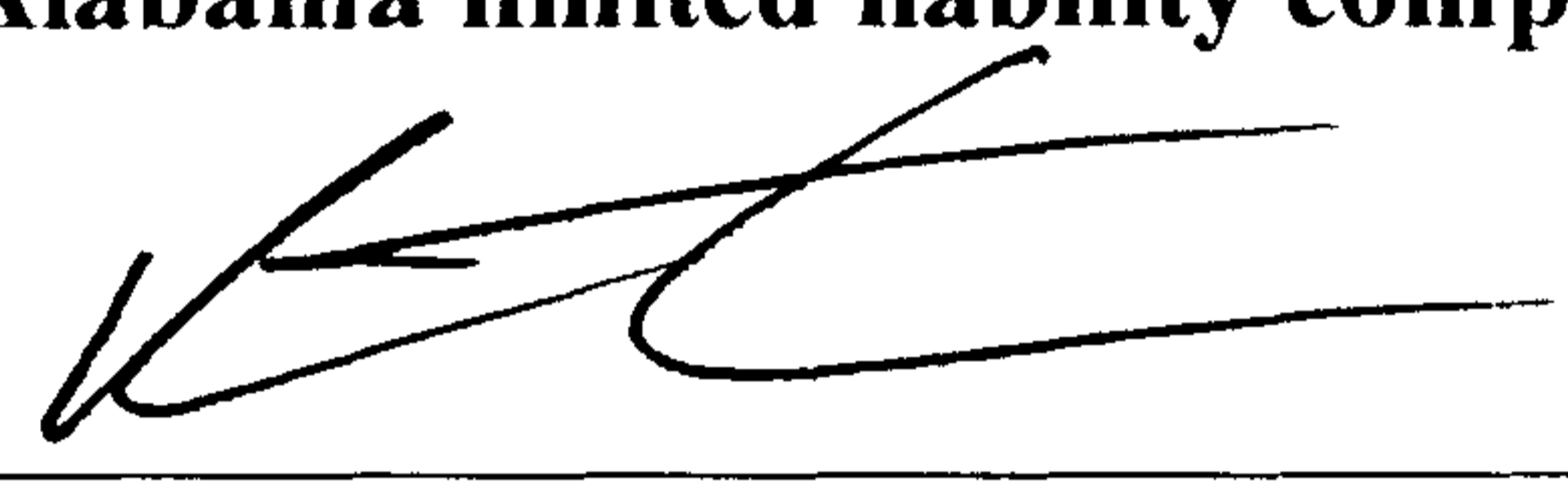
- 7. Storm, water and sewer drain easement recorded in Instrument # 1995-27588;
- 8. Easements for ingress and egress as shown on recorded map(s).
- 9. Any and all matters of record; and
- 10. All matters that would be revealed by a current and accurate physical survey of the subject property.

**TO HAVE AND TO HOLD** unto the said Grantees as joint tenants with rights of survivorship, their heirs and assigns forever; it being the intention of the parties to this conveyance that (unless the joint tenancy hereby created is severed or terminated during the joint lives of the Grantees herein) in the event one Grantee survives the other, the entire interest in fee simple shall be owned by the surviving Grantee, and if one does not survive the other, then the heirs and assigns of the Grantees shall take as tenants in common.

Grantor makes no warranty or covenant respecting the nature of the quality of the title to the property hereby conveyed other than that the Grantor has neither permitted nor suffered any lien, encumbrance or adverse claim to the property described herein since the date of acquisition thereof by the Grantor.

1<sup>st</sup> IN WITNESS WHEREOF, the undersigned said Grantor, has executed this conveyance on this the 1<sup>st</sup> day of February, 2006.

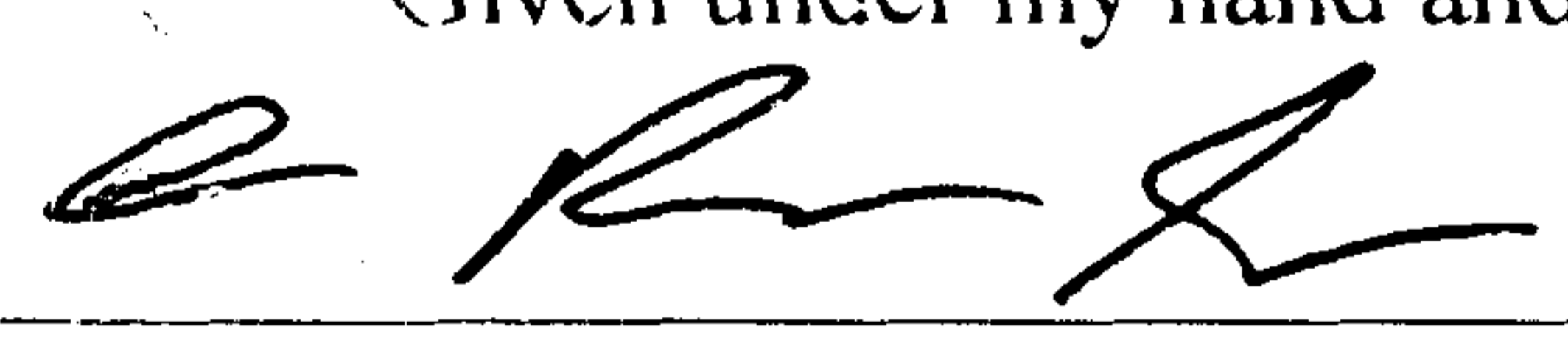
**CARTER EXCAVATION, LLC,**  
**an Alabama limited liability company**

By:   
Kenneth R. Carter  
Its: Sole Member

STATE OF ALABAMA            )  
COUNTY OF SHELBY        )

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that **KENNETH R. CARTER**, whose names as Sole Member of Carter Excavation, LLC, an Alabama limited liability company, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance, he, in his capacity as such member and with full authority, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 1<sup>st</sup> day of February, 2006.

  
NOTARY PUBLIC  
My commission expires: 5-13-2008

Shelby County, AL 02/06/2006  
State of Alabama  
Deed Tax: \$850.00