

SEND TAX NOTICE TO:

REES 520, LLC
3535 Roswell Road, Suite 63
Marietta, Georgia 30062
Attention: Ricky B. Novak

STATE OF ALABAMA)

COUNTY OF SHELBY)

STATUTORY WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that in consideration of Two Million Five Hundred Twenty-Five Thousand and No/100 Dollars (\$2,525,000.00) and other good and valuable consideration paid to the undersigned, **FOUNDATION-SHELBY WEST, LLC**, an Alabama limited liability company (the "Grantor"), by **REES 520, LLC**, a Georgia limited liability company (the "Grantee"), the receipt of which is hereby acknowledged, the Grantor does hereby grant, bargain, sell and convey unto the Grantee the following described real estate situated in Shelby County, Alabama (the "Property"), to-wit:

Site 5-A, Resurvey of Sites 5A and 7A, being a resurvey of part of sites 4, 5, 6A and 7, being a resurvey of Site 6 and Lot 1-A-1-A-1, Shelby West Corporate Park, as recorded in Map Book 29, page 111, in the Probate Office of Shelby County, Alabama

Together with all the rights, tenements, hereditaments and appurtenances thereto belonging or in any way appertaining.

This conveyance is subject to:

1. Any prior reservation or conveyance, together with release of damages of minerals of every kind and character, including, but not limited to gas, oil, sand and gravel in, on and under the Property.
2. Rights of interested parties under outstanding leases, together with any related tenant escrow deposits.
3. General and special taxes or assessments for 2006 and subsequent years not yet due and payable.
4. Easement(s) as shown by recorded map.
5. Restrictions as shown by recorded map.



20060206000060870 2/3 \$18.00
Shelby Cnty Judge of Probate, AL
02/06/2006 03:35:59PM FILED/CERT

6. Restrictions or Covenants appearing of record in Instrument 2001-20649 and Instrument 1996-38767, in the Probate Office of Shelby County, Alabama.

7. Right of way granted to Alabama Power Company by instrument recorded in Instrument 20020821000398630 in the Probate Office of Shelby County, Alabama.

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

The Grantor hereby covenants and agrees with Grantee, its successors and assigns, that the Grantor, its successors and assigns, will warrant and defend the above described Property against the lawful claims (unless otherwise noted above) of all persons claiming by, through, or under the Grantor.

The Property conveyed by this Statutory Warranty Deed does not constitute the homestead of the Grantor.

[signature page to follow]

IN WITNESS WHEREOF, **FOUNDATION-SHELBY WEST, LLC** has caused this instrument to be executed by its duly authorized officer or representative, having hereby set his hand and seal, this 1st day of February, 2006.

FOUNDATION-SHELBY WEST, LLC

By: _____

Andrew L. Sink, Its Manager

STATE OF ALABAMA)

COUNTY OF JEFFERSON)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Andrew L. Sink, as Manager of **FOUNDATION-SHELBY WEST, 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, as such Manager, executed the same voluntarily on behalf of said limited liability company.

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



Notary Public

My commission expires: My Commission Expires: 7/9/2006

This instrument prepared by:

Matthew W. Grill, Esq.
Maynard, Cooper & Gale, P.C.
1901 Sixth Avenue North
2400 AmSouth/Harbert Plaza
Birmingham, Alabama 35203
(205) 254-1000