

STATE OF ALABAMA

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**GENERAL WARRANTY DEED**

SHELBY COUNTY

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**KNOW ALL MEN BY THESE PRESENTS** that in consideration of twenty nine thousand, five hundred and sixty dollars and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged to the undersigned grantor (whether or more), in hand paid by the grantee herein, the receipt whereof is acknowledged, **Summer Properties, LLC**, an Alabama limited liability company (herein referred to as "Grantor"), grants, bargains, sells and conveys unto **Fall Properties, LLC** (herein referred to as "Grantee") as to an undivided 33% of Grantor's 75% interest, the following described real estate, situated in Shelby County, Alabama to wit:

See Exhibit A attached hereto and incorporated herein by reference.

**TOGETHER WITH** all improvements thereon and appurtenances thereto belonging or in anywise appertaining, and all right, title and interest of Grantor in and to any and all roads, alleys and ways bounding said property.

Subject to and except for:

1. Ad valorem taxes for the current tax year, a lien but not yet due and payable.
2. Minerals and mining rights not owned by the Grantor.
3. Easement(s)/Right(s) of Way granted Alabama Power Company as recorded in Deed Book 288, page 118.
4. A loan in the original principal amount of \$595,000, dated as of November 18, 2004 in favor of First Commercial Bank with Grantor and Winter Properties, LLC and evidenced by that certain Mortgage and Security Agreement recorded in the office of the Judge of Probate of Shelby County, Alabama at Instrument #20041113000637640

**TO HAVE AND TO HOLD** to the said Grantees, their successors and assigns forever.

And we do for ourselves and for our successors and assigns covenant with the said Grantees, their successors and assigns, that we are lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that we have a good right to sell and convey the same as aforesaid; that we will and our heirs, executors and administrators shall warrant and defend the same to the said Grantees, their successors and assigns forever against the lawful claims of all persons.

**IN WITNESS WHEREOF**, Wendy White as a member of Summer Properties, LLC has hereunto set his hand and seal, this 14<sup>th</sup> day of February, 2006.

**Summer Properties, LLC**

By: Wendy White  
**Wendy White**  
**Member**

**STATE OF ALABAMA     )**  
**COUNTY OF SHELBY    )**

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Wendy White, whose name as the member of Summer Properties, LLC, 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 the instrument, he, as such member and with full authority, executed the same voluntarily for and as the act of said limited liability company.

Given under my hand this 14 day of February, 2006.

Michael Goodrich, II  
Notary Public  
My Commission Expires: 12-26-07

THIS INSTRUMENT PREPARED BY:  
T. Michael Goodrich, II, Esquire  
Goodrich Law Firm, LLC  
15 Richard Arrington Jr. Blvd N.  
Suite 301  
Birmingham, AL 35203  
(205) 328-9445

SEND TAX NOTICE TO:  
Summer Properties LLC  
111 Hinds Street  
Birmingham, Alabama 35214



## EXHIBIT A

### LEGAL DESCRIPTION OF PROPERTY

Begin at the Southeast corner of the West half of the Southeast quarter of Section 4, Township 24 North, Range 12 East; thence run Northerly along the East boundary of said half-quarter section 1037.48 feet to intersection with the Northwest right of way boundary of Alabama Highway 25; said intersection being the point of beginning. Thence continue Northerly along said East boundary 997.03 feet to intersection with the centerline of a railroad; said intersection being in the arc of a curve turning left, having a radius of 1910.08 feet, being subtended by a central angle of  $25^{\circ} 26'$  and having a chord of 841.41 feet in length, said chord forming an angle of  $120^{\circ} 03'$  to the left from said East boundary; thence run Southwesterly along the arc of said curve 847.87 feet to intersection with the centerline of an old road. (The next 8 courses are along the centerline of said old road). Thence turn  $56^{\circ} 45'$  left and run Southerly 180.78 feet; thence turn  $10^{\circ} 44'$  and run Southwesterly 237.2 feet; thence turn  $55^{\circ} 15'$  left and run Southeasterly 126.94 feet; thence turn  $15^{\circ} 04'$  left and run Southeasterly 127 feet; thence turn  $00^{\circ} 39'$  left and run Southeasterly 129.53 feet; thence turn  $37^{\circ} 20'$  left and run Easterly 170.96 feet; thence turn  $46^{\circ} 01'$  right and run Southeasterly 116.91 feet; thence turn  $34^{\circ} 24'$  right and run Southerly 43.07 feet to intersection with said Northwest right of way boundary of Alabama Highway 25; thence  $113^{\circ} 46'$  left and run Northeasterly along said right of way boundary 20 feet; thence turn  $86^{\circ} 31'$  left and run Northwesterly 210 feet; thence turn  $86^{\circ} 31'$  right and run Northeasterly 210 feet; thence turn  $93^{\circ} 29'$  right and run Southeasterly 210 feet to intersection with said Northwest right of way boundary; thence turn  $93^{\circ} 29'$  left and run Northeasterly along said Northwest right of way boundary 60 feet to the point of beginning.