



20060510000221370 1/3 \$18.00
Shelby Cnty Judge of Probate, AL
05/10/2006 02:45:21PM FILED/CERT

Send Tax Notice To:

Pelham Industrial Enterprises, L.L.C.
~~2101 Highland Avenue, Suite 700~~
~~Birmingham, AL 35206~~

*505 N. 20th Street
Suite 700
Birmingham, AL 35205*

STATE OF ALABAMA)

SHELBY COUNTY)

STATUTORY WARRANTY DEED

THIS IS A STATUTORY WARRANTY DEED executed and delivered this 23rd day of June, 2005 by **THE INDUSTRIAL DEVELOPMENT BOARD OF THE CITY OF PELHAM**, an Alabama public corporation (hereinafter referred to as the "Grantor"), to **PELHAM INDUSTRIAL ENTERPRISES, L.L.C.**, an Alabama limited liability company (hereinafter referred to as the "Grantee").

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of the sum of One Hundred and NO/100 Dollars (\$100.00) in hand paid by Grantee to Grantor and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by Grantor, the Grantor does by these presents grant, bargain, sell and convey unto the Grantee, the following described real estate situated in the Shelby County, Alabama:

Part of Block 2 of Cahaba Valley Park North as recorded in Map Book 13 page 140, in the Office of the Judge of Probate, Shelby County, Alabama, being more particularly described as follows: Commence at the centerline intersection point of the intersection of Cahaba Valley Parkway (Sta. 47 + 73.41) and Cahaba Valley Circle (Sta. 0 + 00); thence run East along the centerline of said Cahaba Valley Parkway for 18.72 feet; thence 90 deg. 00 min. 00 sec. left and run Northerly for 30.00 feet to a point on the North right of way line of Cahaba Valley Parkway, said point being the Southeast corner of the Rainbow Technology site and the point of beginning of the property herein described; then run North along the last stated course and along the east property line of Rainbow Technology site for 345.16 feet to a point on the North boundary line of Block 2 of Cahaba Valley Park North, said point also being on the South line of a 50 foot wide Alabama Power Company right of way; thence 78 deg. 21 min. 58 sec. right and run Northeasterly along said boundary line and along the said right of way line for 636.76 feet to a point on the West right of way line of Cahaba Valley Parkway North; thence 103 deg. 17 min. 19 sec. right and run South along said right of way line for 425.19 feet to the beginning of a curve to the right, said curve subtending a central angle of 88 deg. 20 min. 43 sec. and having a radius of 50.00 feet; thence run Southwesterly along the

arc of said curve and along said right of way line for 77.09 feet to the end of said curve, and to a point on the North right of way line of Cahaba Valley Parkway; thence at tangent to said curve run West along said right of way line for 561.42 feet to the point of beginning; being situated in Shelby County, Alabama.

TOGETHER WITH all 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 premises.

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

This conveyance is subject to the following:

- (1) Those liens and encumbrances, if any, to which title to said property was subject when conveyed to Grantor;
- (2) Those liens and encumbrances created or suffered by Grantee; and
- (3) Those liens and encumbrances resulting from the failure of Grantee to perform or observe any of the agreements or covenants on its part contained in that certain Lease Agreement dated September 1, 1994 between Grantor and Grantee.

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 real estate against the lawful claims (unless otherwise noted above) of all persons claiming by, through or under the Grantor, but not further or otherwise.

IN WITNESS WHEREOF, the Grantor has caused this Statutory Warranty Deed to be executed by Michael T. Smith, Secretary of the Board of The Industrial Development Board of the City of Pelham, who is duly authorized hereunto, on this 23rd day of June, 2005.

**THE INDUSTRIAL DEVELOPMENT
BOARD OF THE CITY OF PELHAM**

By: Michael T. Smith

Its: Secretary

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I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that Michael T. Smith, whose name as Secretary of the Board of The Industrial Development Board of the City of Pelham, a public corporation, is signed to the foregoing Statutory Warranty Deed and who is known to me, acknowledged before me on this day that, being informed of the contents of the Statutory Warranty Deed, he, in his capacity as such officer and with full authority, executed the same voluntarily for and as the act of said corporation on the day the same bears date.

Given under my hand this the 23rd day of June, 2005.

Dinah V. Scott
Notary Public
My Commission Expires: Aug 22, 2009

THIS INSTRUMENT PREPARED BY:

Kelly Worman
Baker, Donelson, Bearman, Caldwell & Berkowitz, P.C.
420 North 20th Street, Suite 1600
Birmingham, Alabama 35203-5202