THIS INSTRUMENT PREPARED BY: James J. Odom, Jr. P.O. Box 11244 Birmingham, AL 35202-1244

SEND TAX NOTICE TO: Vulcan Holdings, L.L.C. P. O. Box 100 Shannon, AL 35142

STATE OF ALABAMA COUNTY OF SHELBY 20060915000459680 1/2 \$154.50 Shelby Cnty Judge of Probate, AL 09/15/2006 11:00:07AM FILED/CERT

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS THAT in consideration of Seven Hundred One Thousand Four Hundred Sixty-Seven and No/100 Dollars (\$701,467.00), and other good and valuable consideration, paid to the undersigned grantor, Southern Landmark Development, LLC, an Alabama limited liability company ("Grantor"), by Vulcan Holdings, L.L.C. ("Grantee"), the receipt and sufficiency whereof are hereby acknowledged, Grantor does by these presents, grant, bargain, sell and convey unto the Grantee the following described real estate situated in Shelby County, Alabama (the "Premises"), to-wit:

Lot 1A, according to a Resurvey of Lots 1 through 5, Marlywood, as recorded in Map Book 37, at Page 71, in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

SUBJECT TO: (1) Current taxes; (2) Transmission Line Permits to Alabama Power Company as shown by instruments recorded in Deed Book 228, at Page 178, Deed Book 234, at Page 421, Deed Book 130, at Page 171, and Deed Book 130, at Page 169, in the Probate Office; (3) Rights of Way granted to Shelby County by instruments recorded in Deed Book 234, at Page 219, Deed Book 156, at Page 53, Deed Book 154, at Page 518, Inst. No. 1998-50207, Deed Book 154, at Page 522, Deed Book 271, at Page 744, and Deed Book 154, at Page 513, in the Probate Office: (4) Easements to Plantation Pipeline as shown by Instrument recorded in Deed Book 257, at Page 288, Deed Book 112, at Page 346, Deed Book 112, at Page 305, Deed Book 180, at Page 192, Deed Book 113, at Page 61, Deed Book 213, at Page 155, and Deed Book 179, at Page 438, in the Probate Office; (5) Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto, including those set out in Deed Book 43, at Page 315, and Deed Book 45, at Page 34, in the Probate Office; (6) Easements to Southern Natural Gas as shown by instrument recorded in Deed Book 213, at Page 126, and Deed Book 88, at Page 551, in the Probate Office; (7) Restrictions, limitations, conditions and other provisions as set out in Map Book 23, at Page 70, and Map Book 37, at Page 71, in the Probate Office; (8) Rights or claims of parties in possession under any unrecorded leases; (9) Easements as shown by recorded plats in Map Book 23, at Page 70, and Map Book 37, at Page 71, in the Probate Office; (10) The following matters as shown on the survey by R. C. Farmer and Associates, Inc. dated August 21, 2006: (a) encroachments of curbs, brick building, concrete pad with dumpster, car wash and concrete area into easement(s); (b) 20 foot ingress and egress easement on the northerly side; (c) Encroachment of concrer and curbs off of the land on the southwesterly side; (d) Encroachment of sign(s) off of the land on the southwesterly side; (e) Encroachment of fence(s) onto and/or off of the land on the easterly side.

This deed is executed in compliance with the requirements of Grantor's Operating Agreement, which, as of this date has not been modified or amended.

\$561,174.00 of the purchase price recited above was paid from the proceeds of a mortgage loan closed simultaneously herewith.

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

And Grantor does for itself, its successors and assigns, covenant with Grantee, its successors and assigns, that it is lawfully seized in fee simple of the Premises; that the Premises are free from all encumbrances, except as noted above; that Grantor has a good right to sell and convey the Premises as aforesaid; that Grantor will, and its successors and assigns shall, warrant and defend the same to the Grantee, its successors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the undersigned has executed this conveyance on this the

13⁴ day of September, 2006.

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WITNESS:

Southern Landmark Development, LLC

By:

Michael L. Wood, as its Manager

By:

Roy L. Martin, as its Manager

STATE OF ALABAMA COUNTY OF SHELBY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Michael L. Wood and Roy L. Martin, whose names as Managers of Southern Landmark Development, LLC, an Alabama limited liability company, are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance, they, as such Managers and with full authority, executed the same voluntarily for and as the act of said limited liability company.

Notary Public

Given under my hand and seal this $\frac{1}{2}$ day of September, 2006.

My Commission Expires:

Shelby County, AL 09/15/2006 State of Alabama

Deed Tax:\$140.50