

Send Tax Notice To:

Polo Farms Investments, LLC
1904 Indian Lake Dr., Suite 100
Birmingham, AL 35244

STATE OF ALABAMA)
)
COUNTY OF SHELBY)


20061024000523550 1/4 \$21.00
Shelby Cnty Judge of Probate, AL
10/24/2006 10:21:15AM FILED/CERT

STATUTORY WARRANTY DEED

THIS IS A STATUTORY WARRANTY DEED executed and delivered as of this 16th day of October, 2006, by **WILLIAM O. HOLCOMBE** and **THOMAS C. HOLCOMBE**, married men (hereinafter collectively referred to as the "Grantors"), to **POLO FARMS INVESTMENTS, LLC**, an Alabama limited liability company (hereinafter referred to as the "Grantee").

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of the sum of Two Million Six Hundred Seventy Nine Thousand Two Hundred Fifty Dollars (\$2,679,250.00) in hand paid by the Grantee to the Grantors, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by the Grantors, the Grantors do by these presents grant, bargain, sell and convey unto the Grantee, the real estate situated in Shelby County, Alabama (the "Property"), as more particularly described on **Exhibit A** attached hereto.

TOGETHER WITH all appurtenances and improvements thereto belonging or in anywise appertaining and all right, title and interest of Grantors in and to any and all roads, rights of ways, and alleys bounding said premises.

This conveyance is subject to the following:

- (1) Taxes for the year 2007 and subsequent years, not yet due and payable.
- (2) All covenants, conditions, restrictions, easements and other matters of record, if any, and encroachments, overlaps, boundary line disputes, or other matters which would be disclosed by an accurate survey of the Property.
- (3) Title to all minerals within and underlying the Property not owned by Grantors.

Grantors hereby covenant and agrees with Grantee, its successors and assigns, that Grantors will warrant and defend the Property against the lawful claims (unless otherwise noted above) of all persons claiming by, through, or under Grantors, but not further or otherwise.

Grantors warrant that the Property does not constitute the homestead of either of the Grantors or their respective spouses.

IN WITNESS WHEREOF, the Grantors have caused this Statutory Warranty Deed to be executed on the date first written above.

GRANTORS:

William O. Holcombe
William O. Holcombe

Thomas C. Holcombe
Thomas C. Holcombe

[notary acknowledgements appear on following page]

STATE OF Virginia)
COUNTY OF Fairfax)

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that William O. Holcombe, whose name 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 executed the same voluntarily on the day the same bears date.

Given under my hand this the 13th day of October, 2006.

Nancy J. Odum
Notary Public
My Commission Expires: 31st March 2008

STATE OF NEW JERSEY)
COUNTY OF MIDDLESEX)

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that Thomas C. Holcombe, whose name 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 executed the same voluntarily on the day the same bears date.

Given under my hand this the 14 day of October, 2006.

Bernadine Wilson
BERNADINE WILSON
NOTARY PUBLIC OF NEW JERSEY
Notary Public My Commission Expires 12/21/2009
My Commission Expires: _____

THIS INSTRUMENT PREPARED BY:

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

EXHIBIT A
Property Description

Begin at the Southeast corner of Section 23, Township 19 South, Range 1 West, and run North along the East line of said Section 495 feet; thence turn left and run West in a straight line parallel with the South line of said Section 2,640 feet; thence turn left and run South in a straight line parallel with the East line of said Section 495 feet; thence turn left and run East along the South line of said Section 2,640 feet to the point of beginning. Situated in Shelby County, Alabama.

Less and except all coal, iron ore, oil, gas, and any and all other mineral and mining rights.

Also, the N 1/2 of NE 1/4, Section 26, Township 19 South, Range 1 West, Shelby County, Alabama, lying North of Old Highway 280.

LESS AND EXCEPT that portion previously conveyed by Deed Book 255, Page 622.

LESS AND EXCEPT 210 feet by 420 feet lying in the SE corner of said property.

LESS AND EXCEPT that portion covered by tax assessment Parcel I.D. #58-09-7-26-0-001-005.

Also, begin at a point on the Northern boundary of the SW 1/4 of the said NE 1/4 of Section 26, Township 19 South, Range 1 West, which point is 23.29 feet West of the NE corner of said 1/4 - 1/4 Section; thence run Easterly along the Northern boundary of said 1/4 - 1/4 Section and along the Northern boundary of the SE 1/4 of the NE 1/4 of said Section a distance of 275.29 feet, more or less, to the Northern right of way line of U. S. Highway No. 280; thence turn to the right and run Southwesterly along the Northern right of way line of said Highway 280 a distance of 300 feet to a point; thence turn to the right and run Northerly parallel with the Eastern boundary of the SW 1/4 of the NE 1/4 a distance of 91.84 feet to the point of beginning.