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**THIS INSTRUMENT WAS PREPARED BY:**


Thomas C. Clark, III, Esq.  
Maynard, Cooper & Gale, P.C.  
1901 Sixth Avenue North, Suite 2400  
Birmingham, Alabama 35203

**SEND TAX NOTICE TO:**

Alabaster Hotel, LLC  
3522 Vann Road, Suite 102  
Birmingham, Alabama 35235  
Attention: Mr. William Murray

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STATE OF ALABAMA )  
SHELBY COUNTY )

  
20061208000597470 1/4 \$225.00  
Shelby Cnty Judge of Probate, AL  
12/08/2006 02:32:41PM FILED/CERT

**STATUTORY WARRANTY DEED**

**KNOW ALL MEN BY THESE PRESENTS** that, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration in hand paid by **ALABASTER HOTEL, LLC**, an Alabama limited liability company (the "Grantee"), to **BALMORAL DEVELOPMENT, INC.**, an Alabama corporation, and its successors and assigns (hereinafter collectively referred to as the "Grantor"), receipt whereof is hereby acknowledged, the Grantor does hereby grant, bargain, sell and convey unto the Grantee a 50% undivided interest, as tenant in common, in that certain real property lying and being situated in Shelby County, Alabama as more particularly described on Exhibit A attached hereto and made a part hereof (the "Property").

**TO HAVE AND TO HOLD** unto the Grantee, and the Grantee's successors and assigns, forever.

It is expressly understood and agreed that this Statutory Warranty Deed is made subject to the following (the "Exceptions"):

1. Ad Valorem taxes for the current tax year.
2. Mineral and mining rights not owned by the Grantor.
3. Those certain matters more particularly set forth on Exhibit B attached hereto.

Of the total consideration recited above, \$615,000.00 was paid from the proceeds of a mortgage loan closed simultaneously herewith.

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

IN WITNESS WHEREOF, the undersigned Grantor has executed this Statutory Warranty  
Deed on the 7<sup>th</sup> day of December, 2006.

**BALMORAL DEVELOPMENT, INC.,**  
an Alabama corporation

By: [Signature]

Name: James A. Jackson

Its: President

Shelby County, AL 12/08/2006  
State of Alabama

Deed Tax: \$205.00

STATE OF ALABAMA )  
COUNTY OF Jefferson )

I, the undersigned authority, a Notary Public in and for said County in said State, hereby  
certify that James A. Jackson, whose name as President of Balmoral Development,  
Inc., an Alabama corporation, 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 said instrument, he/she,  
as such representative and with full authority, executed the same voluntarily for and as the act of said  
corporation.

Given under my hand and official seal this the 7<sup>th</sup> day of December, 2006.

[Signature]

Notary Public

AFFIX SEAL

My commission expires: 7/18/08

**Exhibit A**

(Legal Description)

Lot 3, according to the Final Plat of Balmoral Phase II, as recorded in Map Book 37, Page 137, in the Probate Office of Shelby County, Alabama.




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**Exhibit B**

**(Title Exceptions)**

1. Declaration of Covenants and Restrictions as recoded in Instrument #20041027000594700.
2. Declaration of Slope, Detention Pond and Construction Easement as recorded in Instrument #20040521000271360.
3. Right of way to Alabama Power Company as set out in instrument(s) recorded in Deed Book 48, Page 617 and Deed Book 207, Page 676.
4. Right of Way to Shelby County as recorded in Deed Book 166, Page 308 and Deed Book 166, Page 315.
5. Building lines as shown on Map recorded in map book 37, page 137.

  
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