

7,750,000

Send tax notice to:  
Calera 3280, LLC  
P.O. Box 36519  
Birmingham, AL 35236

*This instrument prepared by:*  
*J. David Drescher*  
*Bradley Arant Rose & White LLP*  
*1819 5<sup>th</sup> Avenue North*  
*Birmingham, AL 35203*

STATE OF ALABAMA

)

:

SHELBY COUNTY

)



20070619000288250 1/2 \$15.00  
Shelby Cnty Judge of Probate, AL  
06/19/2007 04:09:02PM FILED/CERT

## STATUTORY WARRANTY DEED

### KNOW ALL MEN BY THESE PRESENTS:

That in consideration of Ten Million Seven Hundred Fifty Thousand and No/100 Dollars (\$10,750,000.00) in hand paid to **SHELBY COMMERCE PARK LLC**, an Alabama limited liability company ("Grantor") by **CALERA 3280, LLC**, a Delaware limited liability company ("Grantee"), the receipt and sufficiency of which are hereby acknowledged, Grantor does hereby grant, bargain, sell, and convey unto Grantee an undivided fifty percent (50.00%) interest, subject to the matters hereinafter set forth, in and to the following property located in Shelby County, Alabama:

Lot 1 of Shelby Commerce Park according to the plat thereof recorded in Map Book 31, Page 138, Probate Records of Shelby County, Alabama.

**TO HAVE AND TO HOLD** unto Grantee, its successors and assigns forever; subject, however, to the following (i) ad valorem taxes for the year 2007 and subsequent years, not yet due and payable; (ii) those matters set out in the plat of Insured Property recorded in Map Book 31, Page 138; (iii) Easement by and between Shelby Commerce Park LLC, and Alabama Power Company, dated July 17, 2002, and recorded August 21, 2002, as Instrument No. 2002-398890; (iv) Declaration of Easements by Shelby Commerce Park LLC and joined by O'Brien LLC and Dixon LLC dated November 8, 2005, and recorded November 14, 2005, as Instrument No. 20051114000593080; and (v) Conditional Declaration of Easements by Shelby Commerce Park LLC, Dixon LLC, and O'Brien LLC recorded June 11, 2007, as Instrument No. 20070611000271480, which Conditional Declaration of Easements was corrected, as to the utility easement contained in Exhibit B thereto, by that certain Scrivener's Affidavit dated June 12, 2007, and recorded June 13, 2007, as Instrument No. 20070613000277120.

[Signature Page Follows]

IN WITNESS WHEREOF, Grantor has caused these presents to be executed for and in its company name by its duly authorized member on or as of the 19<sup>th</sup> day of June, 2007.

SHELBY COMMERCE PARK LLC

By: *Michael Graham*

Its: Authorized Member

STATE OF ALABAMA )

)

:

COUNTY OF SHELBY )

I, the undersigned, a notary public in and for said county in said state, hereby certify that *Michael Graham*, whose name as Authorized Member of Shelby Commerce Park LLC, an Alabama limited liability company, 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 company.

Given under my hand and official seal this the 19<sup>th</sup> day of June, 2007.

*Margaret F. Solado*  
Notary Public

[NOTARIAL SEAL]

My commission expires: 9-10-2010