

**Certificate of  
The City Clerk of the  
City of Hoover**

20071017000481980 1/1 \$11.00  
Shelby Cnty Judge of Probate, AL  
10/17/2007 09:07:10AM FILED/CERT

The undersigned, Linda Crump, City Clerk for the City of Hoover, Alabama hereby certifies that the following statements are true and correct to the best of my knowledge:

1. On November 19, 1990, the City of Hoover, Alabama entered into an Annexation Agreement (the "Annexation Agreement") with Daniel Oak Mountain Limited Partnership ("Daniel") providing for the annexation of, and certain development requirements applicable to, certain property located in Shelby County, Alabama, including Lot 1 of Greystone Third Sector, as more particularly described on Exhibit A (the "Subject Property");

2. On December 4, 1990, through December 12, 1990, the City of Hoover, Alabama adopted Ordinances consenting to such annexation at the petition of Daniel Corporation pursuant to the provisions of Chapter 42, Article 2, Code of Alabama, 1975, Sections 11-42-20 through 11-42-23, as amended (the "Ordinance");


3. The Annexation Agreement is recorded in the Office of the Judge of Probate of Shelby County, Alabama in Deed Book 330 at Page 163 and the Ordinances are recorded in the Office of the Judge of Probate of Shelby County, Alabama in Deed Book 321 at Pages 04, 24, 247, 734, 783, and 887;

4. As of the date of the execution and delivery of the Annexation Agreement and as of the date of the adoption of the Ordinance, neither Daniel Oak Mountain Limited Partnership nor Daniel Corporation was the owner of the Subject Property as evidenced by the Deed attached hereto as Exhibit B;

5. Thus, the Subject Property was included in error by Daniel Corporation in the legal description attached to the annexed property in the Annexation Agreement and therefore, was also included in error by the City in the legal description in the Ordinance.

6. The records of the City of Hoover, Alabama show that the Subject Property is located in Shelby County, Alabama and is not located in the City of Hoover.

Dated as of the 15<sup>th</sup> day of October, 2007.

  
City Clerk

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Shelby Cnty Judge of Probate, AL  
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**EXHIBIT A**

Lot 1, according to the Survey of Greystone, 3<sup>rd</sup> Sector, also known as Greystone Commercial Properties, as recorded in Map Book 14 page 79 in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.



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## EXHIBIT B

THIS INSTRUMENT PREPARED BY  
AND UPON RECORDING SHOULD BE  
RETURNED TO:

Stephen R. Monk, Esq.  
Daniel Corporation  
1200 Corporate Drive  
Meadow Brook Corporate Park  
Birmingham, Alabama 35242

SEND TAX NOTICE TO:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### STATUTORY WARRANTY DEED

THIS STATUTORY WARRANTY DEED is executed and delivered  
on this 14th day of October, 1990 by DANIEL OAK MOUNTAIN  
LIMITED PARTNERSHIP, an Alabama limited partnership  
("Grantor"), in favor of BROOK HILLS BAPTIST CHURCH  
("Grantee").

KNOW ALL MEN BY THESE PRESENTS, that for and in  
consideration of the sum of Ten Dollars (\$10.00), in hand  
paid by Grantee to Grantor and other good and valuable  
consideration, the receipt and sufficiency of which are  
hereby acknowledged by Grantor, Grantor does by these  
presents, GRANT, BARGAIN, SELL and CONVEY unto Grantee the  
real property (the "Property") situated in Shelby County,  
Alabama which is more particularly described as follows:

Graystone Commercial Properties, according to the  
subdivision plat recorded in Map Book 14, Page 79 in  
the Probate Office of Shelby County, Alabama, the same  
being Lots 1 and 2 and the undedicated road situated  
between Lots 1 and 2, as shown by said plat; being  
situated in Shelby County, Alabama.

The Property is conveyed subject to the following:

1. Ad valorem taxes due and payable October 1, 1991,  
and for all subsequent years thereafter.
2. Fire district dues and library district  
assessments for the current year and all subsequent  
years thereafter.
3. Mining and mineral rights not owned by Grantor.
4. All applicable zoning ordinances.
5. The Graystone Commercial Declaration of Covenant,  
Conditions and Restrictions dated October 1, 1990 and  
recorded in Real 314, Page 506 in the Probate Office  
of Shelby County, Alabama.

Box 315nd 40

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6. All easements, restrictions, reservations, agreements, rights-of-way, building setback lines and any other matters of record.

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

IN WITNESS WHEREOF, the undersigned DANIEL OAK MOUNTAIN LIMITED PARTNERSHIP has caused this Statutory Warranty Deed to be executed as of the day and year first above written.

DANIEL OAK MOUNTAIN LIMITED PARTNERSHIP, an Alabama limited partnership

By: DANIEL REALTY INVESTMENT CORPORATION - OAK MOUNTAIN, an Alabama corporation, its General Partner

By: Michael D. Fuller  
Its: Gen. V.P.

1. Fee	175.00
2. State Tax	0.00
3. Local Tax	0.00
4. Notary Fee	0.00
5. Recording Fee	0.00
6. Other	0.00
Total	175.00

STATE OF ALABAMA )

SHELBY COUNTY )

I, the undersigned, a Notary Public in and for said county, in said state, hereby certify that Michael D. Fuller whose name as Senior Vice President of DANIEL REALTY INVESTMENT CORPORATION - OAK MOUNTAIN, an Alabama corporation, as General Partner of DANIEL OAK MOUNTAIN LIMITED PARTNERSHIP, an Alabama limited partnership, 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, as such officer and with full authority, executed the same voluntarily on the day the same bears date for and as the act of such corporation in its capacity as general partner.

Given under my hand and official seal, this the 17th day of October, 17, 1990.

STATE OF ALA. SHELBY CO.  
I CERTIFY THIS  
INSTRUMENT WAS FILED

90 OCT 19 PM 1:03

William H. Shaulder Jr.  
JUDGE OF PROBATE

Shirley D. Ellis  
Notary Public  
My Commission Expires: February 26, 1996

NOT 315-41