

Value \$68,000.00

Send Tax Notice to:
KG Master Partners, Ltd.
C/O Arruth Associates, Inc.
5718 Westheimer, Suite 2100
Houston, Texas 77057

STATUTORY WARRANTY DEED AND RELEASE OF EASEMENT AND EASEMENT AGREEMENT



20080215000064120 1/6 \$94.00
Shelby Cnty Judge of Probate, AL
02/15/2008 04:13:42PM FILED/CERT

THE STATE OF ALABAMA §
 §
COUNTY OF SHELBY §

This Statutory Warranty Deed and Release of Easement and Easement Agreement is executed and delivered effective as of June 13, 2007, by and among **CHARLOTTE NC I LIMITED PARTNERSHIP**, a Texas limited partnership ("Grantor"), **KG MASTER PARTNERS, LTD.**, a Texas limited partnership ("Grantee") and **CRYSTAL TREE I LIMITED PARTNERSHIP**, a Texas limited partnership ("Crystal Tree").

KNOW ALL PERSONS BY THESE PRESENTS:

That in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) cash and other good and valuable consideration in hand paid by Grantee to Grantor, the receipt and sufficiency of which is hereby expressly acknowledged and confessed by Grantor, Grantor has GRANTED, BARGAINED, SOLD and CONVEY, and by these presents does hereby GRANT, BARGAIN, SELL and CONVEY unto Grantee those two certain tracts of real property described on Exhibit "A" attached hereto and made a part hereof for all purposes (hereinafter called the "Property") TOGETHER WITH all appurtenances thereto belonging or in any way appertaining and all right, title and interest of Grantor in and to any and all roads, alleys and ways bounding the Property.

This conveyance is made by Grantor and accepted by Grantee subject to (i) any and all restrictions, covenants, conditions, liens, encumbrances, reservations, easements and other exceptions to title, if any, relating to the Property and shown of record in Shelby County, Alabama, (ii) all zoning laws, regulations and ordinances of municipal and/or other governmental or quasi-governmental authorities, if any, relating to the Property, and (iii) all matters which would be revealed by a physical inspection and/or current survey of the Property.

To have and to hold the Property, together with all and singular the rights and appurtenances thereto in anywise belonging, unto Grantee and Grantee's successors and assigns forever; and Grantor does hereby bind itself and its successors to WARRANT AND FOREVER DEFEND all and singular the Property unto Grantee and its successors

Land - 40

and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof by, through or under Grantor, but not further or otherwise.

In addition to the foregoing, Crystal Tree joins in the execution hereof to quitclaim and convey to Grantee, and forever release and terminate for itself and its successors and assigns, any and all rights, titles, easement and interests it may own or hold in and to the Property, including any maintenance and/or other agreements made in connection therewith, whether by virtue of (or otherwise) that certain Statutory Warranty Deed and Reservation of Easement with Easement Agreement dated September 15, 1998 and recorded under Instrument No. 1998-36492 in the Office of the Judge of Probate of Shelby County, Alabama (the "Deed and Easement"), including without limitation, the Easement and the Gravel Road (both as defined in the Deed and Easement) and any rights, titles, easement and interests in and to the Easement and the Gravel Road. The parties hereto acknowledge and agree that the foregoing quitclaim, conveyance, release and termination is operative as to the Property ONLY and does not affect whatsoever any rights, titles, easements and interest Crystal Tree owns or holds now and/or may own or hold in the future with respect to the Kenley Property (as defined in the Deed and Easement).

IN WITNESS WHEREOF, the parties hereto have executed this Statutory Warranty Deed and Release of Easement and Easement Agreement on the day and year first written above.

"Grantor"

Charlotte NC I Limited Partnership

By: Charlotte NC Corporation,
General Partner

By: 
Alan E. Ferris, President

"Grantee"

KG Master Partners, Ltd.

By: KG Master Corporation,
General Partner

By: 
Alan E. Ferris, President

"Crystal Tree"

Crystal Tree I Limited Partnership

By: Crystal Tree Corporation,
General Partner

By: 
Alan E. Ferris, President

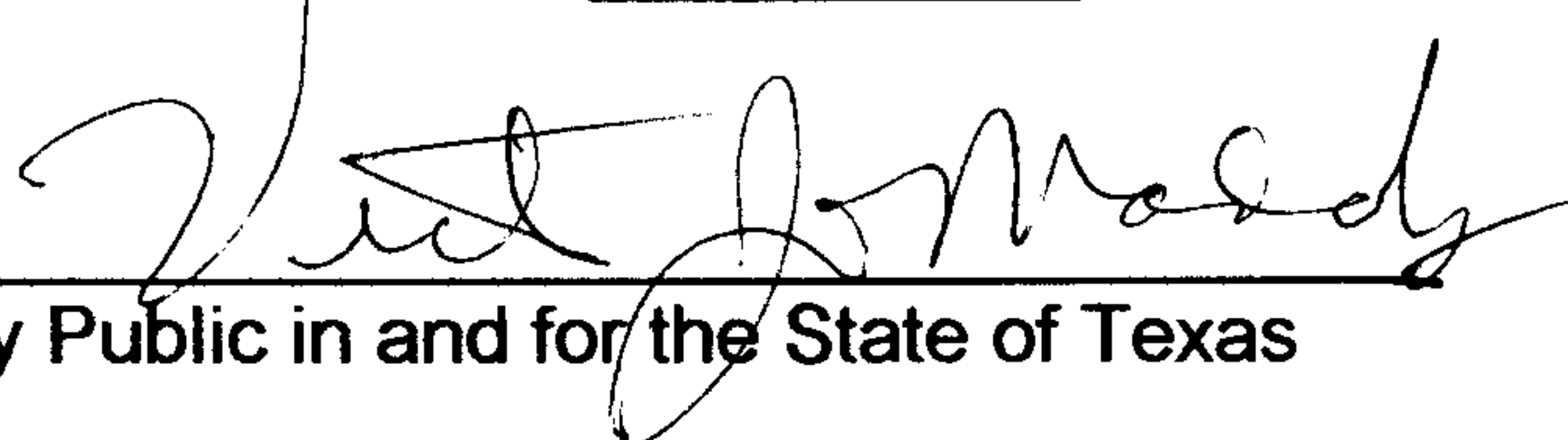
STATE OF TEXAS §

COUNTY OF HARRIS §

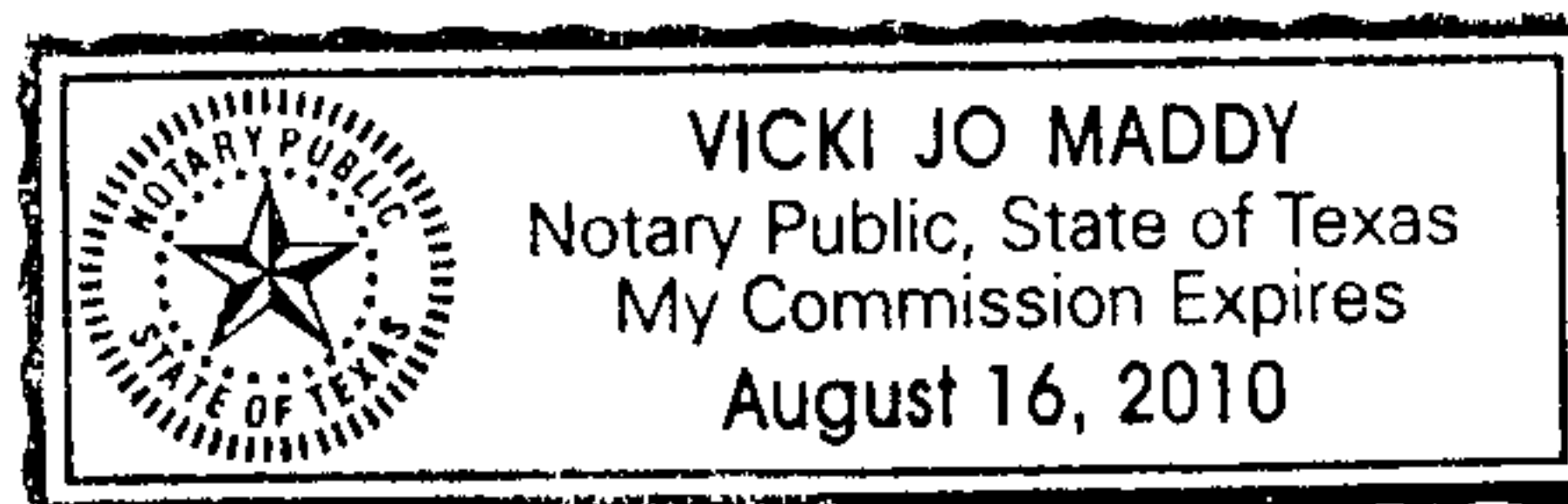
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BEFORE ME, the undersigned authority, on this day personally appeared Alan E. Ferris, President of Charlotte NC Corporation, a Texas corporation and general partner of Charlotte NC I Limited Partnership, a Texas limited partnership, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, in the capacity therein stated, and as the act and deed of said partnership.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 5/10, 2007.


Notary Public in and for the State of Texas

[NOTARY SEAL]

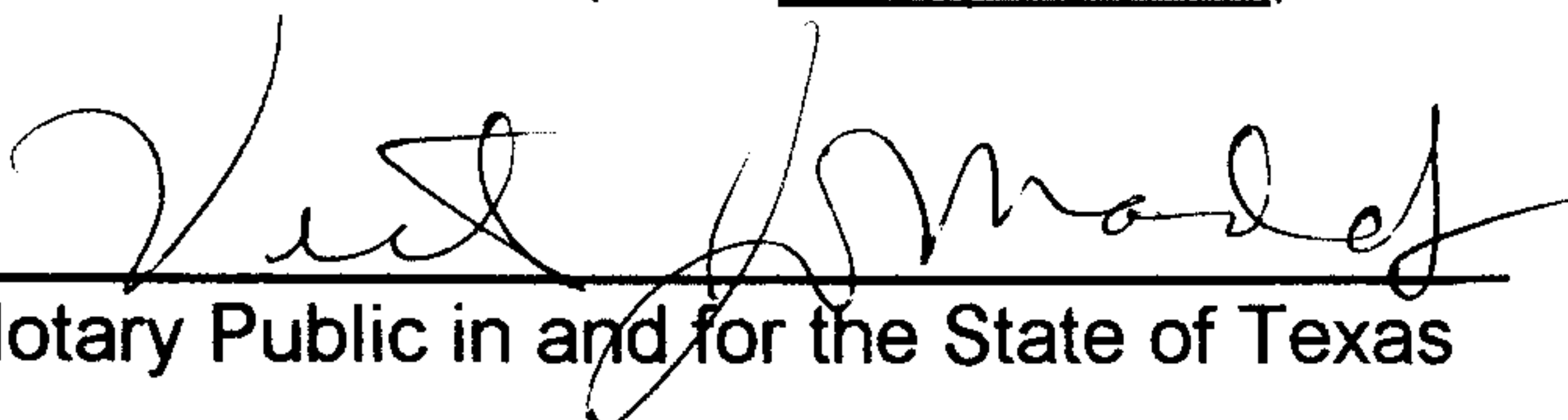


STATE OF TEXAS §

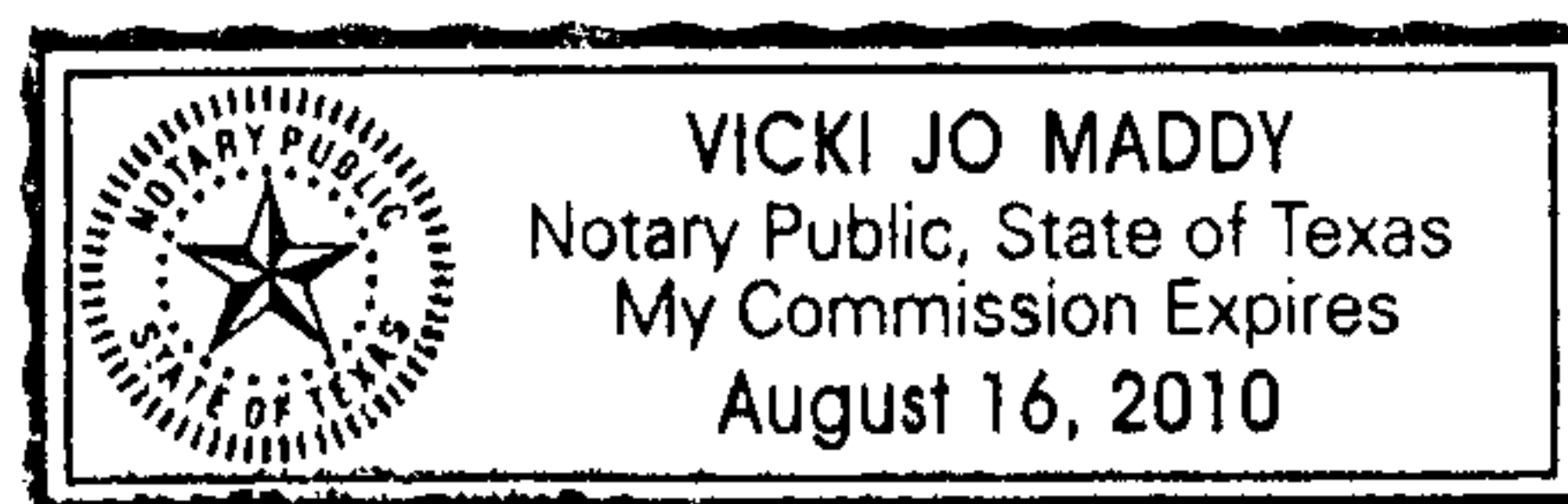
COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared Alan E. Ferris, President of Crystal Tree Corporation, a Texas corporation and general partner of Crystal Tree I Limited Partnership, a Texas limited partnership, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, in the capacity therein stated, and as the act and deed of said partnership.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 5/10, 2007.


Notary Public in and for the State of Texas

[NOTARY SEAL]





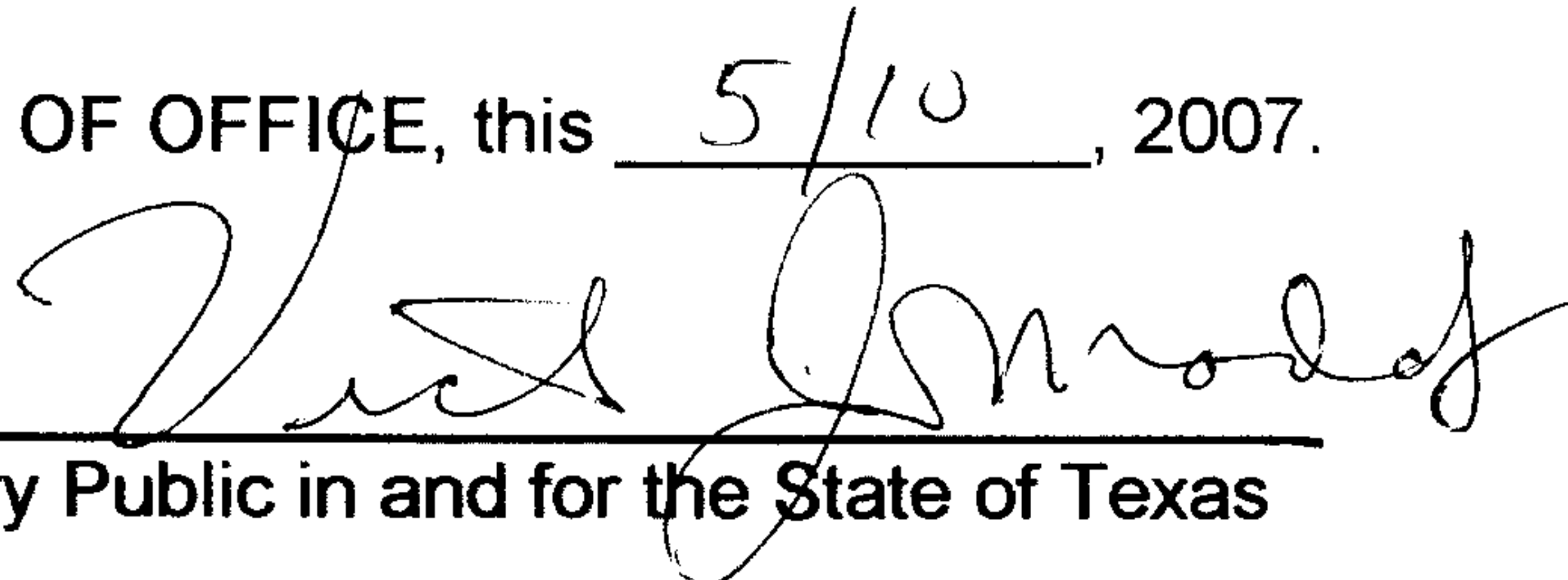
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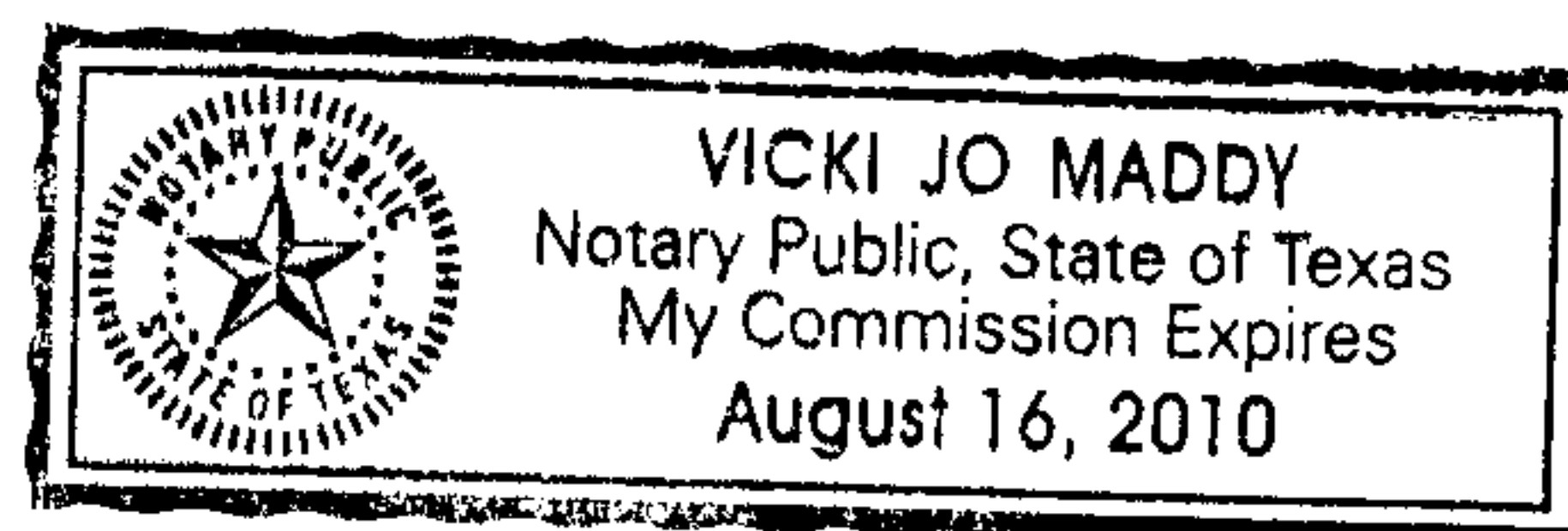
BEFORE ME, the undersigned authority, on this day personally appeared Alan E. Ferris, President of KG Master Corporation, a Texas corporation and general partner of KG Master Partners, Ltd., a Texas limited partnership, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, in the capacity therein stated, and as the act and deed of said partnership.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 5/10, 2007.



Notary Public in and for the State of Texas

[NOTARY SEAL]



LOT 3 OUT OF THE KENLEY SURVEY, A PLAT RECORDED IN MAP BOOK 24, PAGE 90, OFFICE OF THE JUDGE OF PROBATE OF SHELBY COUNTY, ALABAMA, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

A parcel of land situated in the N.E.1/4 of the N.W.1/4 and the N.W.1/4 of the N.E.1/4 of Section 36, and the S.W.1/4 of the S.E.1/4 of Section 25, all in Township 18 South, Range 2 West, Shelby County, Alabama, being more particularly described as follows:

Begin at the Northeast corner of the N.E.1/4 of the N.W.1/4 of Section 36, Township 18 South, Range 2 West and run in a Westerly a direction along the North line of said 1/4-1/4 section distance of 658.08 feet to a point; thence 91°59'05" to the left in a Southerly direction a distance of 223.32 feet to a point; thence 88°03'07" to the left in an Easterly direction a distance of 600.00 feet to a point; thence 90°00' to the right in a Southerly direction a distance of 145.81 feet to a point; thence 90°00' to the left in an Easterly direction a distance of 63.44 feet to a point; thence 00°00'13" to the left in an Easterly direction a distance of 207.65 feet to a point; thence 107°23'05" to the left in a Northwesterly direction a distance of 33.17 feet to a point; thence 37°27' to the right in a Northeasterly direction a distance of 135.37 feet to a point; thence 89°18'30" to the right in a Southeasterly direction a distance of 119.33 feet to a point; thence 80°18' to the left in a Northeasterly direction a distance of 14 feet, more or less, to a point on the edge of a lake; thence in a generally Northwesterly direction along the edge of the lake, a distance of 620 feet, more or less, to a point; thence in a Westerly direction a distance of 83 feet, more or less, to a point on the West line of the S.W.1/4 of the S.E.1/4 of Section 25, Township 18 South, Range 2 West; thence 90°00' to the left in a Southerly direction along the West line of said 1/4-1/4 section a distance of 163.54 feet to the POINT OF BEGINNING.

Contains 6.6 acres, more or less.



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Begin at the Southwest corner of the N.E.1/4 of the S.E.1/4 of Section 25, Township 18 South, Range 2 West and run in an Easterly direction along the South line of said 1/4-1/4 section a distance of 907.79 feet to the Southwesterly right-of-way line of Cahaba Beach Road; thence $\sim 159^{\circ}31'46''$ to the left in a Northwesterly direction along the Southwesterly right-of-way line of said road a distance of 142.98 feet to a point on a line that is 50.00 feet North of and parallel to the South line of said 1/4-1/4 section; thence $20^{\circ}28'14''$ to the left in a Westerly direction along a line that is 50.00 feet North of and parallel to the South line of said 1/4-1/4 section a distance of 565.77 feet to a point; thence $90^{\circ}00'$ to the right in a Northerly direction a distance of 10.00 feet to a point on a line that is 60.00 feet North of and parallel to the South line of said 1/4-1/4 section; thence $90^{\circ}00'$ to the left in a Westerly direction along a line that is 60.00 feet North of and parallel to the South line of said 1/4-1/4 section a distance of 150.00 feet to a point; thence $90^{\circ}00'$ to the left in a Southerly direction a distance of 10.00 feet to a point on a line that is 50.00 feet North of and parallel to the South line of said 1/4-1/4 section; thence $90^{\circ}00'$ to the right in a Westerly direction along a line that is 50.00 feet North of and parallel to the South line of said 1/4-1/4 section a distance of 60.00 feet to a point on the West line of said 1/4-1/4 section; thence $92^{\circ}12'30''$ to the left in a Southerly direction along the West line of said 1/4-1/4 section a distance of 50.04 feet to the POINT OF BEGINNING; being situated in Shelby County, Alabama.

Shelby County, AL 02/15/2008
State of Alabama
Deed Tax: \$68.00