This Instrument Prepared By: James F. Burford, III Attorney at Law 1318 Alford Avenue Suite 101 Birmingham, Alabama 35226

Send Tax Notice To: Waxahatchee, LLC 30 Boulder Ridge Columbiana, AL 35051

WARRANTY DEED

STATE OF ALABAMA SHELBY COUNTY

KNOW ALL MEN BY THESE PRESENTS: That in consideration of and Ten and 00/100 Dollars (\$10.00) and other good and valuable considerations, to the undersigned Grantor (whether one or more), in hand paid by the Grantee herein, the receipt whereof is acknowledged, S, M & BS, LLC. herein reserred to as Grantor. (whether one or more), grant, bargain, sell and convey unto Waxahatchee, LLC, (herein referred to as Grantee, whether one or more), the following described real estate. situated in Shelby County, Alabama. to-wit:

Described on Exhibit A attached hereto and incorporated by reference herein.

SUBJECT TO: (1) Taxes due in the year 2008 and thereafter: (2) Easements, restrictions, and rights-of-way of record: (3) Mineral and mining rights not owned by the Grantor.

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

And we do for ourselves and for our heirs, executors and administrators, covenant with said Grantee. their successors and assigns, that we are lawfully seized in see simple of said premises; that they are free from all encumbrances, unless otherwise stated above: that we have a good right to sell and convey the same as aforesaid: that we will, and our heirs, executors and administrators shall warrant and defend the same to the said Grantee. his successors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the undersigned has hereunto set his hand and seal, this the day of February, 2008.

William M. Schroeder, Jr.

Its: Authorized Member

STATE OF ALABAMA JEFFERSON COUNTY

LLC ACKNOWLEDGMENT

I. the undersigned, a Notary Public, in and for said County in said State, hereby certify that William M. Schroeder, Jr. as Authorized Member of S, M & BS, LLC. whose name 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 this instrument. he, in their capacity as such member, executed the same voluntarily, for and as the act of said limited liability company.

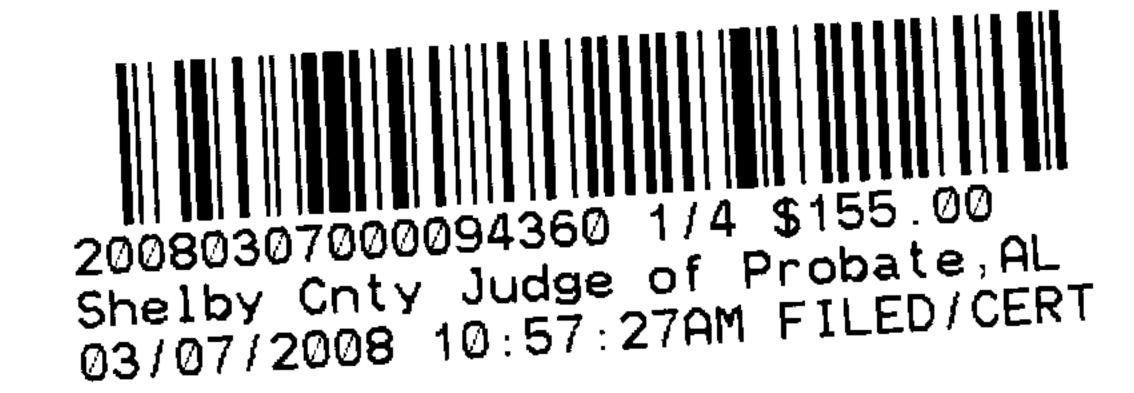
Given under my hand and official seal this day of February. 2008.

Notary Public

My Commission Expires:

My Commission Expires
11-21-09

of MyFiles (OGMANS)Str.okland; SM and ES, LLC\warranty.ded.wod



ITIBIT A page 173 First American Title Insurance Company

COMMITMENT FOR TITLE INSURANCE SCHEDULE A

(continued)

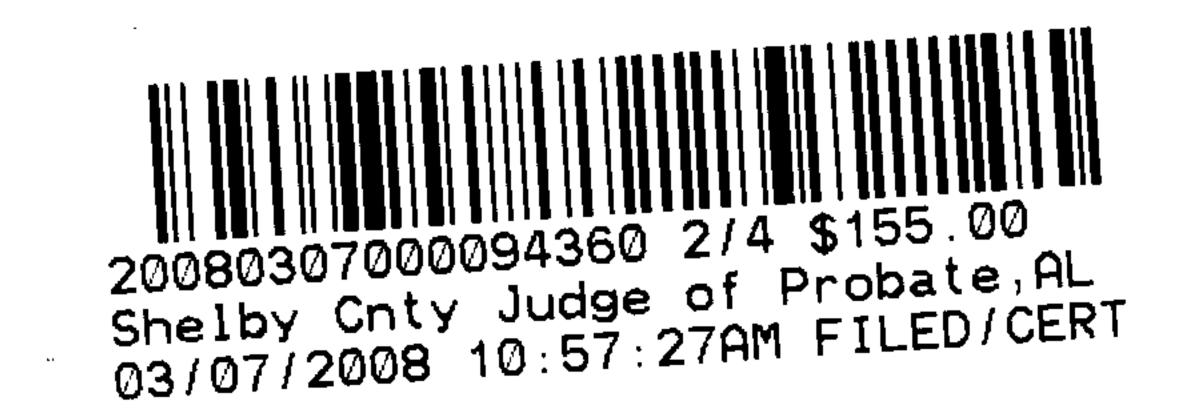
File No. 158139

LEGAL DESCRIPTION

A part of the Southwest ¼ of the Northeast ¼ of Section 15, Township 22 South, Range 1 West, in Shelby County, Alabama; being more particularly described as follows:

Commence at the Southeast corner of the Southwest 1/2 of the Northeast 1/4 of Section 15. Township 22 South, Range 1 West, Shelby County, Alabama, thence North 00 deg. 52 min. 50 sec. West a distance of 867.41 feet; thence continue along last described course a distance of 374.59 feet; thence North 52 deg. 05 mln. 50 sec. West a distance of 125.90 feet; thence North 61 deg. 09 mln. 41 sec. West a distance of 94.09 feet; thence North 12 deg. 37 min. 44 sec. East a distance of 22.15 feet; thence North 25 deg. 07 mln. 04 sec. West a distance of 75.90 feet; thence North 08 deg. 36 min. 04 sec. West a distance of 62.40 feet; thence North 01 deg. 42 min. 39 sec. East a distance of 65.64 feet; thence North 06 deg. 14 min. 13 sec. West a distance of 109.88 feet; thence North 12 deg. 17 min. 22 sec. West a distance of 96.36 feet; thence North 08 deg. 44 min. 49 sec. West a distance of 99.18 feet; thence North 00 deg. 04 min. 24 sec. East a distance of 48.11 feet; thence North 08 deg. 28 mln. 22 sec. East a distance of 91.64 feet; thence North 02 deg. 22 min. 31 sec. East a distance of 150.83 feet; thence North 06 deg. 00 mln. 20 sec. East a distance of 261.96 feet; thence North 14 deg. 30 min. 59 sec. West a distance of 94.86 feet; thence North 26 deg. 27 min. 01 sec. West a distance of 183.67 feet; thence North 37 deg. 36 min. 10 sec. West a distance of 52.90 feet; thence North 59 deg. 08 mln. 42 sec. West a distance of 56.34 feet; thence South 89 deg. 45 min. 01 sec. West a distance of 53.57 feet; thence South 74 deg. 17 min. 52 sec. West a distance of 57.65 feet; thence South 54 deg. 25 min. 48 sec. West a distance of 40.77 feet; thence South 31 deg. 18 min. 41 sec. West a distance of 163.03 feet; thence South 24 deg. 59 min. 11 sec. West a distance of 111.20 feet; thence South 14 deg. 55 min. 49 sec. West a distance of 86.31 feet; thence South 02 deg. 57 mln. 05 sec. West a distance of 47.73 feet; thence South 08 deg. 48 min. 49 sec. West a distance of 54.72 feet; thence South 00 deg. 41 min. 22 sec. West a distance of 60.27 feet; thence South 04 deg. 39 min. 48 sec. East a distance of 42.02 feet; thence South 01 deg. 41 mln. 19 sec. East a distance of 48.59 feet; thence South 05 deg. 18 min. 13 sec. West a distance of 39.94 feet; thence South 04 deg. 07 mln. 39 sec. East a distance of 119.00 feet; thence South 05 deg. 12 min. 00 sec. West a distance of 42.10 feet; thence South 00 deg. 30 min. 17 sec. West a distance of 86.62 feet; thence South 08 deg. 50 min. 33 sec. West a distance of 105.12 feet; thence South 16 deg. 46 mln. 13 sec. West a distance of 69.28 feet; thence South 12 deg. 01 min. 15 sec. West a distance of 109.39 feet; thence South 07 deg. 23 min. 01 sec. West a distance of 41.08 feet; thence South 06 deg. 30 min. 12 sec. East a distance of 64.56 feet; thence South 00 deg. 28 min. 27 sec. West a distance of 67.19 feet; thence South 03 deg. 47 min. 29 sec. East a distance of 50.62 feet; thence South 07 deg. 44 min. 07 sec. East a distance of 73.63 feet; thence South 03 deg. 13 min. 32 sec. East a distance of 64.99 feet; thence South 17 deg. 55 min. 42 sec. East a distance of 45.07 feet; thence South 09 deg. 09 min. 03 sec. East a distance of 66.09 feet; thence South 12 deg. 25 min. 40 sec. East a distance of 66.78 feet; thence South 17 deg. 12 mln. 22 sec. East a distance of 116.28 feet; thence South 19 deg. 31 min. 15 sec. East a distance of 106.77 feet; thence South 14 deg. 36 mln. 33 sec. East a distance of 76.89 feet; thence South 16 deg. 14 min. 18 sec. East a distance of 163.90 feet; thence South 22 deg. 56 min. 03 sec. East a distance of 105.26 feet; thence South 27 deg. 47 min. 35 sec. East a distance of 70.22 feet; thence

ALTA Commitment (6-17-08) Schedule A - continued



LXIBIT A pay 273 First American Title Insurance Company

COMMITMENT FOR TITLE INSURANCE SCHEDULE A (continued)

File No. 158139

South 17 deg. 20 mln. 39 sec. East a distance of 59.73 feet; thence South 39 deg. 15 min. 33 sec. East a distance of 105.72 feet; thence South 28 deg. 33 min. 03 sec. East a distance of 77.12 feet; thence South 31 deg. 01 min. 31 sec. East a distance of 56.03 feet; thence North 88 deg. 26 min. 33 sec. East a distance of 364.05 feet to the Point of Beginning; being situated in Shelby County, Alabama.

With Beneficial Rights to the Ingress and Egress Easements more particularly described as follows: A 60 foot Easement for all ingress and egress and all public utilities being 30 feet either side and adjacent to a centerline over and across a part of the Southeast 1/2 of the Northeast 1/4 of Section 15, Township 22 South, Range 1 West, Shelby County, Alabama; said centerline being more particularly described as follows: to find the point of beginning start at the Southeast corner of the Southeast 1/2 of the Northeast 1/4 and run North 2 deg. 00 mln. 18 sec. East and along the East boundary of said forty for a distance of 235.79 feet to the point of beginning of said easement centerline; thence run North 40 deg. 58 min. 09 sec. West for a distance of 77.50 feet to a point; thence run North 42 deg. 58 min. 47 sec. West for a distance of 69.84 feet to a point; thence run North 78 deg. 18 mln. 04 sec. West for a distance of 73.63 feet to a point; thence run North 89 deg. 43 min. 55 sec. West for a distance of 42.28 feet to a point; thence run South 61 deg. 32 min. 43 sec. West for a distance of 40.00 feet to a point; thence run South 46 deg. 04 mln. 16 sec. West for a distance of 62.89 feet to a point; thence run South 39 deg. 26 min. 51 sec. West for a distance of 38.55 feet to a point; thence run South 49 deg. 50 min. 32 sec. West for a distance of 73.06 feet to a point; thence run South 71 deg. 05 min. 42 sec. West for a distance of 69.28 feet to a point; thence run South 83 deg. 17 min. 36 sec. West for a distance of 157.31 feet to a point; thence run South 76 deg. 22 min. 38 sec. West for a distance of 93.03 feet to a point; thence run South 67 deg. 25 mln. 11 sec. West to a distance of 44.44 feet to a point; thence run North 53 deg. 15 min. 05 sec. West for a distance of 59.33 feet to a point; thence run North 64 deg. 57 mln. 28 sec. West for a distance of 157.23 feet to a point; thence run North 67 deg. 39 min. 14 sec. West for a distance of 128.97 feet to a point; thence run North 54 deg. 56 min. 28 sec. West for a distance of 194.57 feet to a point; thence run North 70 deg. 19 min. 08 sec. West for a distance of 54.90 feet to a point; thence run North 73 deg. 44 min. 35 sec. West for a distance of 49.95 feet to a point; thence run North 88 deg. 41 mln. 11 sec. West for a distance of 65.53 feet to the point of ending of the centerline described herein; said point lying on the West boundary of the Southeast ¼ of the Northeast ¼, 435.99 feet North of its Southwest corner; being situated in Shelby County. Alabama.

First American Title Insurance Company

COMMITMENT FOR TITLE INSURANCE SCHEDULE A

(continued)

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A 60 foot easement for ingress and egress and all public utilities being 30 foot either side and adjacent to a centerline over across parts of the West ½ of the Southwest ¼ and the Southwest ¼ of the Northwest ¼ of Section 14, Township 22 South, Range 1 West, Shelby County, Alabama, said centerline being more particularly described as follows: to find the point of beginning start at the Southwest corner of the Southwest ¼ of the Southwest ¼ and run North 1 deg. 30 mln. 59 sec. East and along the West boundary of sald forty for a distance of 739.87 feet to the centerline of Highway No. 42; thence run North 79 deg. 44 mln. 51 sec. East and along said centerline for a distance of 494.69 feet to the point of beginning of said easement centerline; thence run North 21 deg. 34 min. 10 sec. West for a distance of 85.32 feet to a point; thence run North 87 deg. 23 mln. 18 sec. West for a distance of 203.52 feet to a point; thence run North 57 deg. 13 min. 54 sec. West for a distance of 153.87 feet to a point; thence run North 11 deg. 09 min. 15 sec. West for a distance of 109.48 feet to a point; thence run North 3 deg. 21 min. 06 sec. East for a distance of 174.65 feet to a point; thence run North 16 deg. 33 mln. 21 sec. East for a distance of 137.63 feet to a point; thence run North 41 deg. 37 min. 34 sec. East for a distance of 127.23 feet to a point; thence run North 53 deg. 49 mln. 14 sec. East for a distance of 67.38 feet to a point; thence run North 58 deg. 22 mln. 20 sec. East for a distance of 172.71 feet to a point; thence run North 41 deg. 03 min. 52 sec. East for a distance of 96.75 feet to a point; thence run North 3 deg. 52 min. 54 sec: East for a distance of 162.22 feet to a point; thence run North 25 deg. 42 mln. 17 sec. West for a distance of 185.93 feet to a point; thence run North 5 deg. 04 min. 18 sec. East for a distance of 133.40 feet to a point; thence run North 1 deg. 05 min. 13 sec. East for a distance of 176.10 feet to a point; thence run North 18 deg. 37 mln. 47 sec. West for a distance of 74.23 feet to a point; thence run North 24 deg. 56 min. 13 sec. West for a distance of 117.35 feet to a point; thence run North 35 deg. 26 min. 44 sec. West for a distance of 154.74 feet to a point; thence run North 45 deg. 46 mln. 00 sec. West for a distance of 171.24 feet to a point; thence run North 40 deg. 30 min. 48 sec. . West for a distance of 111,00 feet to a point; thence run North 35 deg. 33 min. 41 sec. West for a distance of 54.12 feet to the point of ending of the centerline described herein; said point lying on the West boundary of the Southwest 1/2 of the Northwest 1/4, 235.79 feet North of Its Southwest comer; being situated in Shelby County, Alabama.