

SEND TAX NOTICES TO:

BUCK, LTD
3477 Indian Lake Way,
Pelham, Al, 35124

STATUTORY WARRANTY DEED

STATE OF ALABAMA
COUNTY OF SHELBY

KNOW ALL MEN BY THESE PRESENTS, that in consideration of the sum of Two Million Two Hundred Two Thousand Five Hundred and 00/100 Dollars (\$2,202,500.00) to the undersigned grantors, in hand paid by the grantee herein, the receipt of which is hereby acknowledged, **FORESIGHT DEVELOPMENT, L.L.C. (also known as FORESIGHT DEVELOPMENT LLC)** (herein referred to as "Grantor"), hereby grants, bargains, sells, and conveys unto **BUCK, LTD.**, an Alabama limited partnership (herein referred to as "Grantee"), the real estate situated in Shelby County, Alabama, and described on Exhibit "A" attached hereto.


[A portion of the purchase price recited above was paid from a mortgage loan closed simultaneously herewith.]

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

AND THE GRANTOR will warrant and forever defend the right and title to the above described property unto the Grantee against the claims of Grantor and all others claiming by or under Grantor.

IN WITNESS WHEREOF, the Grantor has signed and sealed this Deed on the 25 day of March, 2008.

**FORESIGHT DEVELOPMENT, L.L.C. (also known as
FORESIGHT DEVELOPMENT LLC)**

BY: 
Paul J. Spina, Jr. (Its Member)

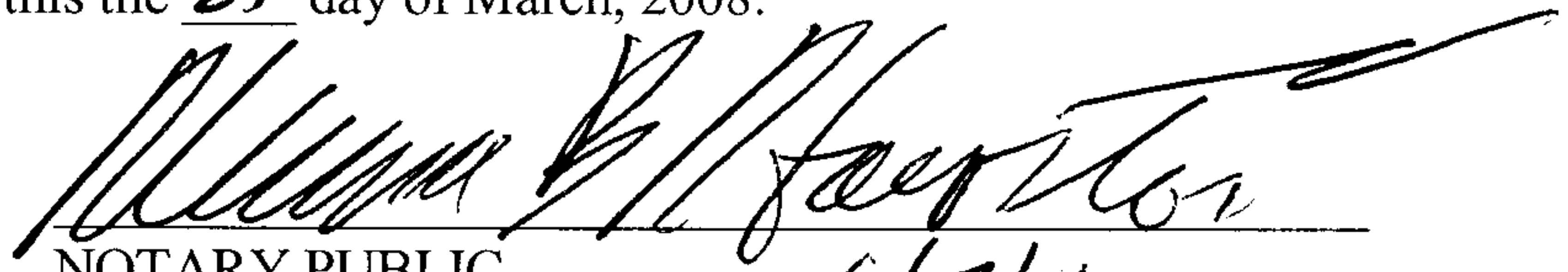
BY: 
Bobby L. Bynum (Its Member)

20080326000121680 2/5 \$1223.00
Shelby Cnty Judge of Probate, AL
03/26/2008 12:40:31PM FILED/CERT

STATE OF ALABAMA
JEFFERSON COUNTY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Paul J. Spina, Jr. and Bobby L. Bynum, whose names as members of FORESIGHT DEVELOPMENT, L.L.C. (also known as FORESIGHT DEVELOPMENT LLC), a 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 said instrument, they, as such members, and with full authority, executed the same voluntarily, as an act of said company, acting in their capacity as aforesaid.

Given under my hand and official seal, this the 25 day of March, 2008.



NOTARY PUBLIC
My Commission Expires: 6/7/11

THIS INSTRUMENT PREPARED BY AND AFTER
RECORDATION SHOULD BE RETURNED TO:
William B. Hairston III
Engel, Hairston, & Johanson P.C.
P.O. Box 11405
Birmingham, AL 35202
(205) 328-4600



20080326000121680 3/5 \$1223.00
Shelby Cnty Judge of Probate, AL
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EXHIBIT "A"

PARCEL I:

Lots 10 and 11, according to the Final Plat of Hayesbury Commercial Park, Phase I, as recorded in Map Book 30, page 71, in the Probate Office of Shelby County, Alabama.

PARCEL II:

Lot 3, according to the Survey of Lot 3 Hayes Commercial Park, as recorded in Map Book 33, page 120, in the Probate Office of Shelby County, Alabama.

PARCEL III:

TRACT 1:

A parcel of land situated in Lot 2 of Valley Dale Estates, as recorded in Map Book 4, page 90 in the Office of the Judge of Probate of Shelby County, Alabama, being more particularly described as follows:

Commence at the Northwest corner of said Lot 2; thence run in a Southeasterly direction along the North line of said Lot 2 for a distance of 83.04 feet to the point of beginning; thence continue along last described course for a distance of 296.05 feet; thence turn a deflection angle of 01 degree 22 minutes 15 seconds to the left and run in a Southeasterly direction along said Northern line for a distance of 449.87 feet to a point on the Western most right of way line of Alabama Highway No. 261 (80 foot right of way); thence turn a deflection angle of 95 degrees 37 minutes 15 seconds to the right and run in a Southwesterly direction along said right of way line for a distance of 145.59 feet; thence leaving said right of way line turn a deflection angle of 90 degrees 20 minutes 50 seconds to the right and run in a Northwesterly direction for a distance of 294.34 feet; thence turn a deflection angle of 90 degrees 08 minutes 12 seconds to the left and run in a Southwesterly direction for a distance of 295.78 feet; thence turn a deflection angle of 89 degrees 59 minutes 19 seconds to the left and run in a Southeasterly direction for a distance of 295.42 feet to a point on the said right of way line; thence turn a deflection angle of 89 degrees 46 minutes 41 seconds to the right and run in a Southwesterly direction along said right of way line for a distance of 574.77 feet to the point of beginning of a curve to the left, said curve having a radius of 1068.41 feet a central angle of 10 degrees 50 minutes 04 seconds a chord distance of 201.73 feet; thence run in a Southwesterly direction along the arc of said curve and along said right of way line for a distance of 202.03 feet to the intersection of the said Western right of way line of Alabama Highway 261 and the Eastern most right of way line of Indian Lake Way (30 feet right of way); thence turn a deflection angle right from chord of said curve 148 degrees 58 minutes 37 seconds and run in a Northerly direction along said Eastern most right of way

line for a distance of 975.26 feet; thence leaving said right of way line turn a deflection angle of 90 degrees 00 minutes 00 seconds to the right and run in an Easterly direction for a distance of 125.00 feet; thence turn a deflection angle of 89 degrees 52 minutes 01 seconds to the left and run in a Northerly direction for a distance of 119.93 feet; thence turn a deflection angle of 90 degrees 03 minutes 42 seconds to the left and run in a Westerly direction for a distance of 125.00 feet to a point on the said right of way line; thence turn a deflection angle of 90 degrees 00 minutes 00 seconds to the right and run in a Northerly direction along said right of way for a distance of 234.53 feet; thence leaving said right of way line turn a deflection angle of 89 degrees 19 minutes 02 seconds to the right and run in an Easterly direction a distance of 70.28 feet; thence turn a deflection angle of 89 degrees 19 minutes 10 seconds to the left and run in a Northerly direction for a distance of 47.29 feet; to the Point of Beginning.

TRACT 2:

A parcel of land situated in Lot 2 of Valley Dale Estates as recorded in Map Book 4 page 90 in the Office of the Judge of Probate of Shelby County, Alabama, being more particularly described as follows:

Commence at the Northwest corner of said Lot 2, said point also being on the Eastern most right of way line of Indian Lake Way (30 foot right of way); thence run in a Southerly direction along the said right of way line for a distance of 326.90 feet to the point of beginning; thence continue along the last described course for a distance of 120.08 feet; thence leaving said right of way line turn a deflection angle of 90 degrees 00 minutes 00 seconds to the left and run in a Easterly direction for a distance of 125.00 feet; thence turn a deflection angle of 89 degrees 52 minutes 01 seconds to the left and run in a Northerly direction for a distance of 119.93 feet; thence turn a deflection angle of 90 degrees 03 minutes 42 seconds to the left and run in a Westerly direction for a distance of 125.10 feet to the point of beginning

TRACT 3:

A parcel of land situated in Lot 2 of Valley Dale Estates as recorded in Map Book 4, page 90 in the Office of the Judge of Probate of Shelby County, Alabama, being more particularly described as follows: Commence at the Northeast corner of the said Lot 2, said point also being on the Western most right of way line of Alabama Highway 261 (80 foot right of way); thence run in a Southwesterly direction along said right of way line for a distance of 145.59 feet; thence continue along the last described course for a distance of 295.14 feet; thence leaving said right of way line turn a deflection angle of 90 degrees 13 minutes 19 seconds to the right and run in a Northeasterly direction for a distance of 295.42 feet; thence turn a deflection angle of 89 degrees 59 minutes 19 seconds to the right and run in a Northeasterly direction for a distance of 295.78 feet; thence turn a deflection angle of 90 degrees 08 minutes 12 seconds to the right and run in a

Southeasterly direction for a distance of 294.34 feet; to the point of beginning.

ALL OF THE ABOVE TRACTS 1, 2 AND 3 MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Lot 2, according to the Survey of Valley Dale Estates, as recorded in Map Book 4, page 90 in the Probate Office of Shelby County, Alabama.

LESS AND EXCEPT FROM PARCEL III:

A parcel of land situated in the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 36, Township 19 South, Range 3 West, Huntsville Meridian, Shelby County, Alabama and also being a part of Lot 2, Valley Dale Estates, as recorded in Map Book 4, page 90 in the Office of the Judge of Probate and being more particularly described as follows: Begin at the Northwest corner of said Lot 2, Valley Dale Estates, and run South 57 degrees 40 minutes 07 seconds East along the Northeasterly line of said Lot 2, for a distance of 2.10 feet; thence angle right and run South 00 degrees 08 minutes 27 seconds West for a distance of 47.60 feet; thence angle right and run South 89 degrees 31 minutes 08 seconds West for a distance of 70.00 feet; thence angle right and run North 00 degrees 11 minutes 57 seconds East along the Westerly line of said Lot 2, said line also being the Westerly line of said SE $\frac{1}{4}$ of NW $\frac{1}{4}$ and also being the Easterly line of Indian Lake Way, for a distance of 91.86 feet to the point of beginning.

All being situated in Shelby County, Alabama.

ALSO LESS AND EXCEPT FROM PARCEL III:

The Final Plat of Hayesbury Commercial Park, Phase I, as recorded in Map Book 30, Page 71, in the Probate Office of Shelby County, Alabama.

ALSO LESS AND EXCEPT FROM PARCEL III:

The Final Plat of Lot 3, Hayesbury Commercial Park as recorded in Map Book 33, Page 120, in the Probate Office of Shelby County, Alabama.

SUBJECT TO: i) taxes and assessments for the year 2008, a lien but not yet payable; ii) restrictions as shown by recorded map (commercial); iii) easements as shown by recorded map; iv) easement to the City of Pelham recorded in Real 143, page 358 and Real 143, page 382; v) agreement with Nextel South Corp. recorded in Instrument 2000-45231; vi) license agreement with Nextel South Corp. recorded in Instrument 2002-362490; vii) right of way granted to Alabama Power Company by instrument recorded in Volume 1010, page 550, Volume 197, page 359, Volume 101, page 550, and Volume 217, page 88; viii) mineral and mining rights and rights incident thereto recorded in Deed Volume 203, page 438; and ix) restrictions appearing of record in Instrument 20021021000517410.