

**SEND TAX NOTICES TO:**

UNFINISHED BUILDING, LLC  
3104 Blue Lake Drive, Suite 200,  
Birmingham, AL, 35243

**WARRANTY DEED**

STATE OF ALABAMA  
COUNTY OF SHELBY

**KNOW ALL MEN BY THESE PRESENTS**, that in consideration of the sum of One Million Twenty Thousand and 00/100 Dollars (\$1,020,000.00) to the undersigned grantors, in hand paid by the grantee herein, the receipt of which is hereby acknowledged, **KOPP ENTERPRISES, LLC** (herein referred to as "Grantor"), hereby grants bargains, sells, and conveys unto **UNFINISHED BUILDING, LLC**, an Alabama limited liability company (herein referred to as "Grantees") the real estate described on Exhibit "A" attached hereto and situated in Shelby County, Alabama.

[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** does for itself, and its successors and assigns, covenant with said Grantee, its successors and assigns, that Grantor is lawfully seized in fee simple of the premises, that they are free from all encumbrances, unless otherwise noted on Exhibit "A", that Grantor has good right to sell and convey the same as aforesaid, and that Grantor will and its successors and assigns shall warrant and defend same to said Grantee, its successors and assigns forever, against the lawful claims of all persons.

**IN WITNESS WHEREOF**, the Grantor has signed and sealed this Deed on the 6 day of May, 2008.

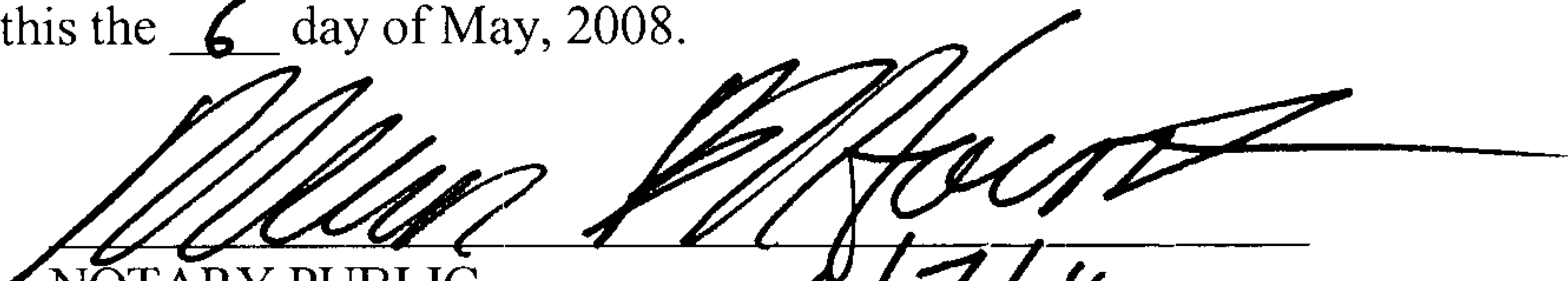
**KOPP ENTERPRISES, LLC**

BY Frank M. Kopp  
Frank M. Kopp (Member and Manager)

STATE OF ALABAMA  
JEFFERSON COUNTY

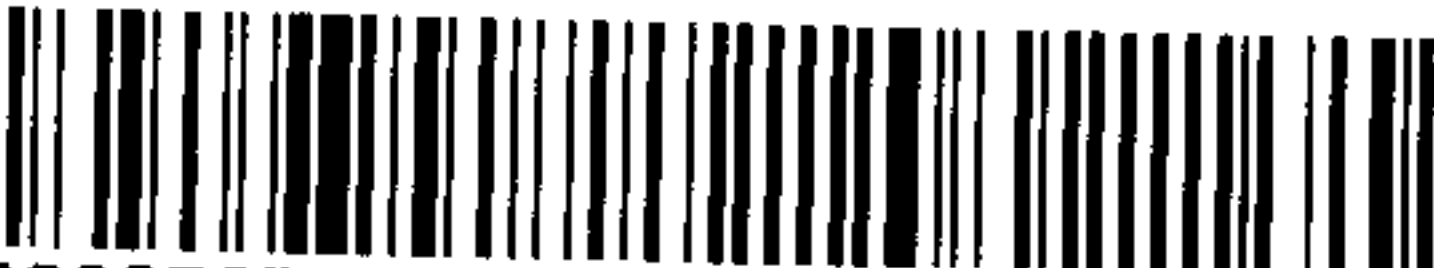
I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Frank M. Kopp, whose name as member and manager of KOPP ENTERPRISES, LLC, a limited liability company, is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of said instrument, he, as such member and manager, and with full authority, executed the same voluntarily, as an act of said company, acting in its capacity as aforesaid.

Given under my hand and official seal, this the 6 day of May, 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

  
20080507000187730 2/3 \$18.00  
Shelby Cnty Judge of Probate, AL  
05/07/2008 12:23:48PM FILED/CERT

## EXHIBIT "A"

Lot 3, according to the Survey of Dinsmore Resurvey, as recorded in Map Book 26, Page 94, 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) easements and building lines as shown on recorded map;
- iii) right of way granted to Alabama Power Company recorded in Volume 251, Page 508; Volume 251, page 506; Volume 130, page 302 and Volume 251, page 508;
- iv) declaration of easement for joint access, drainage pipe, sewer pipe, and construction/maintenance/repair of retaining wall as set forth in Inst. No 1997-27813 and Inst No. 1997-29355;
- v) declaration of easement and restrictions and joint maintenance agreement as recorded in Inst. No. 1998-20066;
- vi) restrictive covenants and conditions contained in lease to IHOP Properties, Inc as recorded in Inst. No. 1998-20067 and Inst. No. 2000-21562; and
- vii) coal, oil, gas and mineral and mining rights which are not owned by Grantor.



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