

20080804000312760 1/7 \$919.00
Shelby Cnty Judge of Probate, AL
08/04/2008 02:15:19PM FILED/CERT

Send tax notice to:
FSQC-AL, LLC
c/o Five Star Quality Care, Inc.
400 Centre Street
Newton, Massachusetts 02458

This instrument prepared by:
J. Keith Windle
Bradley Arant Rose & White LLP
One Federal Place
1819 Fifth Avenue North
Birmingham, Alabama 35203-2104

STATE OF ALABAMA)

:

SHELBY COUNTY)

STATUTORY WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of Eight Hundred Ninety Thousand Dollars (\$890,000) and other good and valuable consideration in hand paid to Paragon Properties, LLC, a Delaware limited liability company ("Grantor") by FSQC-AL, LLC, a Maryland limited liability company ("Grantee"), the receipt and sufficiency of which are hereby acknowledged, Grantor does hereby grant, bargain, sell, and convey unto Grantee, subject to the matters hereinafter set forth, the following described real estate (the "Property") situated in Shelby County, Alabama, to-wit:

See Exhibit A attached hereto

TO HAVE AND TO HOLD unto Grantee, its successors and assigns forever; subject, however, to the following:

See Exhibit B attached hereto

IN WITNESS WHEREOF, Grantor has caused these presents to be executed for and in its corporate name by its duly authorized officer on or as of the 1st day of August, 2008.

PARAGON PROPERTIES, LLC,
a Delaware limited liability company

By: Gordon C Smith
Its: Authorized Manager

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, the undersigned, a notary public in and for said county in said state, hereby certify that Gordon Smith, whose name as Authorized Manager of Paragon Properties, LLC, a Delaware 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 officer and with full authority, executed the same voluntarily for and as the act of said Company.

Given under my hand and official seal this 31st day of July, 2008.

Sharilyn Dunagan Gans
Notary Public

[NOTARIAL SEAL]

My commission expires:

NOTARY PUBLIC STATE OF ALABAMA - LARGE
MY COMMISSION EXPIRES: Aug 1, 2010
BONDED THRU NOTARY PUBLIC UNDERWRITERS

EXHIBIT A TO STATUTORY WARRANTY DEED

Legal Description

[See attached]



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Land with improvements
Valleydale Road
Birmingham, Alabama

Legal Description

Parcel #1 (Arrington Engineering survey dated April 2, 2007, as last revised April ___, 2007):

A PART OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 15, TOWNSHIP 19 SOUTH, RANGE 2 WEST, AND THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 16, TOWNSHIP 19 SOUTH, RANGE 2 WEST, SHELBY COUNTY, ALABAMA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 16, TOWNSHIP 19 SOUTH, RANGE 2 WEST, SHELBY COUNTY, ALABAMA; THENCE TURN AN ANGLE OF 45°33'30" (survey 45°33'20") RIGHT FROM THE SECTION LINE SOUTHERLY AND THENCE RUN SOUTHWESTERLY 444.44 FEET; THENCE TURN 96°38'08" LEFT AND RUN SOUTHEASTERLY FOR 328.74 FEET; THENCE TURN 65°51'05" RIGHT AND RUN SOUTHWESTERLY FOR 219.96 FEET; THENCE TURN 42°35'40" LEFT AND RUN SOUTHEASTERLY FOR 155.17 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF VALLEYDALE ROAD; THENCE TURN 90°22'40" LEFT AND RUN NORTHEASTERLY ALONG SAID NORTH RIGHT OF WAY LINE FOR 68.56 FEET TO THE POINT OF BEGINNING; THENCE TURN 61°57'43" LEFT AND RUN NORTHERLY FOR 136.07 FEET; THENCE TURN 22°20'09" RIGHT AND RUN NORTHEASTERLY FOR 116.03 FEET; THENCE TURN 39°37'34" RIGHT AND RUN NORTHEASTERLY FOR 348.13 FEET; THENCE TURN 73°40'47" RIGHT AND RUN SOUTHEASTERLY FOR 136.64 FEET; THENCE TURN 16°00'42" RIGHT AND RUN SOUTHEASTERLY FOR 64.16 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF VALLEYDALE ROAD; THENCE TURN 90°02'39" RIGHT AND RUN SOUTHWESTERLY ALONG SAID ROAD RIGHT OF WAY FOR 145.56 FEET; THENCE TURN 60°30'38" RIGHT AND RUN NORTHWESTERLY FOR 144.93 FEET; THENCE TURN 31°46'37" LEFT AND RUN NORTHWESTERLY FOR 96.34 FEET; THENCE TURN 38°13'20" LEFT AND RUN SOUTHWESTERLY FOR 106.17 FEET; THENCE TURN 52°12'32" LEFT AND RUN SOUTHERLY FOR 172.08 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF VALLEYDALE ROAD; THENCE TURN 61°57'43" RIGHT AND RUN SOUTHWESTERLY ALONG SAID ROAD RIGHT OF WAY FOR 52.51 FEET TO THE POINT OF BEGINNING.

**PARCEL #3 DESCRIPTION: (PARCEL I PER TITLE COMMITMENT OF
FIVE STAR QUALITY CARE-AL LLC. FILE NO.:OLO111 -88956)**

A PART OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4. SECTION 15, TOWNSHIP 19 SOUTH, RANGE 2 WEST, SHELBY COUNTY, ALABAMA MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 19 SOUTH, RANGE 2 WEST, SHELBY COUNTY ALABAMA; THENCE TURN AN ANGLE OF 45 DEGREES 33 MINUTES 20 SECONDS TO THE RIGHT FROM THE SECTION LINE SOUTHERLY AND RUN SOUTHWESTERLY 371.78 FEET TO A POINT; THENCE TURN AN ANGLE OF 103 DEGREES 49 MINUTES TO THE LEFT AND RUN 594.56 FEET TO THE POINT OF BEGINNING OF THE PROPERTY BEING DESCRIBED; THENCE CONTINUE ALONG LAST DESCRIBED COURSE A DISTANCE OF 145.02 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF VALLEYDALE ROAD; THENCE TURN AN ANGLE OF 120 DEGREES 02 MINUTES 40 SECONDS TO THE RIGHT AND RUN SOUTHWESTERLY ALONG SAID RIGHT OF WAY LINE 342.53 FEET TO A POINT; THENCE TURN AN ANGLE OF 117 DEGREES 41 MINUTES 30 SECONDS TO THE RIGHT AND RUN 172.88 FEET TO A POINT; THENCE TURN AN ANGLE OF 52 DEGREES 17 MINUTES 20 SECONDS TO THE RIGHT AND RUN 106.22 FEET TO A POINT; THENCE TURN AND ANGLE OF 38 DEGREES 11 MINUTES 20 SECONDS TO THE RIGHT AND RUN 96.40 FEET TO POINT OF BEGINNING. SITUATED IN SHELBY COUN1Y, ALABAMA.



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EXHIBIT B TO STATUTORY WARRANTY DEED

Exceptions to Title

[See attached]

**Land and Improvements
Valleydale Road**

EXCEPTIONS

1. Any prior reservation or conveyance and any rights in connection therewith of minerals of every kind and character, including, but not limited to, gas, oil, coal, sand, and gravel in, on, and under the Property.
2. 2008 ad valorem taxes which are not currently due and payable, and subsequent years' ad valorem taxes
3. Rights of tenants, as tenants only, with no purchase options or rights of first refusal, under existing leases or occupancy agreements affecting the Property.
4. Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto, including release of damages, as recorded in Deed Book 296, Page 141, et seq., and Deed Book 356, Page 645 et seq.
5. Right-of-way granted Alabama Power Company recorded in Deed Book 129, Page 561, et seq., and Deed Book 179, Page 370 et seq., and Instrument No. 1999-44332.
6. Riparian and other rights created by the fact that Insured Property contains a lake shared with adjacent property. (Parcel #1)

Shelby County, AL 08/04/2008
State of Alabama

Deed Tax: \$890.00