

20080804000312790 1/6 \$6276.00  
Shelby Cnty Judge of Probate, AL  
08/04/2008 02:19:47PM FILED/CERT

Send tax notice to:  
SNH Somerford Properties Trust  
c/o Senior Housing Properties Trust  
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 Six Million Two Hundred Fifty Thousand Dollars (\$6,250,000) and other good and valuable consideration in hand paid to The Cottage at Riverchase, LLC, an Alabama limited liability company ("Grantor") by SNH Somerford Properties Trust, a Maryland real estate investment trust ("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 15 day of August, 2008.

THE COTTAGE AT RIVERCHASE, LLC,  
an Alabama limited liability company

By: London L Smith  
Its: authorized manager

20080804000312790 2/6 \$6276.00  
Shelby Cnty Judge of Probate, AL  
08/04/2008 02:19:47PM FILED/CERT

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 The Cottage at Riverchase, LLC and Alabama 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.

Charly Dunagan Lass  
Notary Public

[NOTARIAL SEAL]

My commission expires: **NOTARY PUBLIC STATE OF ALABAMA AT LARGE**  
**MY COMMISSION EXPIRES: Aug 1, 2010**  
~~BONDED THROUGH NOTARY PUBLIC UNDERWRITERS~~

**EXHIBIT A TO STATUTORY WARRANTY DEED**

Legal Description

[See attached]



20080804000312790 4/6 \$6276.00  
Shelby Cnty Judge of Probate, AL  
08/04/2008 02:19:47PM FILED/CERT

Ashton Gables in Riverchase  
2184 Parkway Lake Drive  
Birmingham, AL 35244

Legal Description

**The following described real property situation in the City of Hoover, Shelby County, Alabama, to wit:**

**Lot 3-B, Resurvey of Lots 2-B and 3, Revised Map of Wyatt's Subdivision No. 2, as recorded in Map Book 27, Page 45 in the Office of the Judge of Probate Shelby County, Alabama**



20080804000312790 5/6 \$6276.00  
Shelby Cnty Judge of Probate, AL  
08/04/2008 02:19:47PM FILED/CERT

**EXHIBIT B TO STATUTORY WARRANTY DEED**

Exceptions to Title

[See attached]



## Ashton Gables in Riverchase

### EXCEPTIONS

1. Rights of tenants, as tenants only, with no purchase options or rights of first refusal, under existing leases or occupancy agreements affecting the Property.
2. 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.
3. 2008 ad valorem taxes which are not currently due and payable, and subsequent years' ad valorem taxes.
4. Restrictions and easements appearing of record in Deed Book 330, Page 449, et seq.
5. 20 foot easement and right of way granted the City of Hoover recorded in Real Volume 62, Page 64, et seq. and as shown on Map Book 27, Page 45 and Map Book 24, Page 6, as shown on that ALTA/ACSM survey by Gonzalez-Strength & Associates, Inc. dated April 2, 2007, and last revised April 25, 2007.
6. Agreement and restrictions between The Harbert-Equitable Joint Venture and Blue Cross-Blue Shield as recorded in Miscellaneous Book 19, Page 690, et seq.
7. Easements along Parkway Lake Drive, dedicated by map recorded in Map Book 8, Page 131, as shown on that ALTA/ACSM survey by Gonzalez-Strength & Associates, Inc., dated April 2, 2007, and last revised April 25, 2007.
8. Declaration of Protective Covenant, Agreements, Easements, Charges and Liens for Riverchase (Business) as recorded in Miscellaneous Book 19, Page 633, et seq.
9. Easement approximately 30 feet in width over the rear 15 feet of said parcel for public utilities, sanitary sewers, storm sewers, storm ditches as shown on recorded Map Book 27, Page 45 and Map Book 24, Page 6, as shown on that ALTA/ACSM survey by Gonzalez-Strength & Associates, Inc., dated April 2, 2007, and last revised April 25, 2007.
10. A 15 foot easement running east to west through the rear of said parcel for public utilities, sanitary sewers, storm sewers, storm ditches as shown on recorded Map Book 27, Page 45, et seq., and Map Book 24, Page 6, as shown on that ALTA/ACSM survey by Gonzalez-Strength & Associates, Inc., dated April 2, 2007, and last revised April 25, 2007.
11. A 30 foot slope easement along Parkway Lake Drive for public utilities, sanitary sewers, storm sewers, storm ditches as shown on recorded Map Book 27, Page 45, and Map Book 24, Page 6, as shown on that ALTA/ACSM survey by Gonzalez-Strength & Associates, Inc., dated April 2, 2007, and last revised April 25, 2007.
12. Conditions as set forth in the Notes shown on Map recorded in Map Book 27, Page 45.
13. The following matters revealed by that ALTA/ACSM survey by Gonzales-Strength & Associates, Inc., dated April 2, 2007, and last revised April 25, 2007:
  - a. Encroachment of concrete pad varying from 7.8 feet to 9.7 feet near the southwestern corner of insured property.