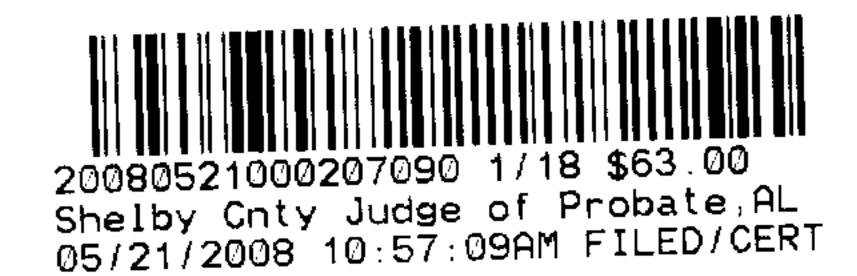
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This Instrument Prepared By:

Alton B. Parker, Jr. Spain & Gillon, LLC 2117 Second Avenue North Birmingham, AL 35203

20080520000685180 Bk: LR200806 Pg:12714 Jefferson County, Alabama O5/20/2008 O2:16:02 PM D Judge of Probate- Alan L. King



20080923001316630 Bk: LR200810 Pg:23040 Jefferson County, Alabama nI certify this instrument filed or 09/23/2008 02:59:37 PM D Judge of Probate- Alan L. King

QUITCLAIM DEED, TERMINATION AND RELEASE AGREEMENT

STATE OF ALABAMA JEFFERSON COUNTY

WHEREAS, on May 28, 1971, Bill L. Harbert and Edwin M. Dixon as Trustees (the "Trustees") under that certain Declaration of Trust dated September 18, 1968, which Declaration of Trust is recorded at Real 144, Page 761 with the Probate Office of Jefferson County, Alabama, Birmingham Division and in Book 265, Page 447 in the Probate Office of Shelby County, Alabama (the "Trust"), conveyed to Chace Lake Country Club, Inc. (the "Grantee"), certain real property situated partly in Jefferson County and partly in Shelby County pursuant to that instrument recorded at Real 714, Page 535 with the Probate Office of Jefferson County, Alabama, Birmingham Division and in Deed Book 317, Page 645 in the Probate Office of Shelby County, Alabama (the "Deed"), which Deed contained certain restrictions limitations, reservations, conditions, rights of first of refusal and rights to repurchase contained in paragraph 1(a), 1(b), 1(c), 2(a), 2(b), 2(c), 2(d), 2(e), 3, 4, and 5 of said Deed, granting certain rights to Chace Lake Properties, Ltd. (the "Partnership") and reserving certain rights to the Trust; and,

WHEREAS, on May 26, 1971, the Trustees conveyed to Grantee an Easement for ingress and egress set forth in instrument recorded in Real Volume 714, Page 458 in the Probate Office of Jefferson County, Alabama, Birmingham Division and in Deed Book 268, Page 171 in the Probate Office of Shelby County, Alabama (the "Easement"), which Easement contained certain conditions and agreements in paragraphs 2, 3, and 4 of said Easement; and,

WHEREAS, The Trustees and Grantee entered into that certain agreement regarding water rights as set forth in Real Volume 714, Page 464 in the Probate Office of Jefferson County, Alabama, as later amended and restated (the "Water Rights Agreement"), which Water Rights Agreement conveyed certain water rights to the Trustees; and,

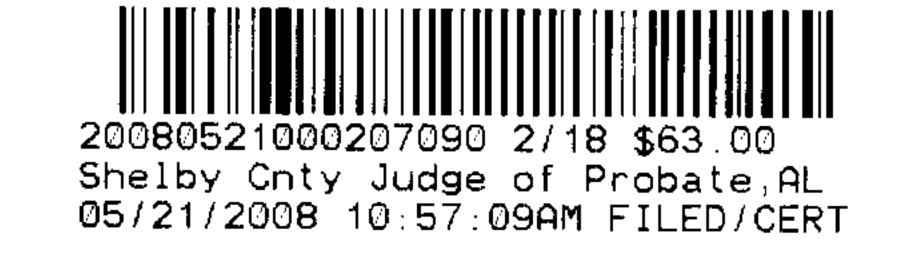
WHEREAS, the Trust terminated by its terms on September 18, 1984, with The Marital Trust #2 Under the Will of John M. Harbert III, Item V, Bill L. Harbert, Edwin M. Dixon, Still Hunter, John Bingham, the William H. Rossman Marital Trust [A or B] under the Last Will and Testament of William H. Rossman, Donald L. Cook and Theodore F. Randolph being the successors to the rights of beneficiaries of the Trust (the "Beneficiaries"); and,

WHEREAS, the Partnership terminated by its terms on September 19, 1984, with The Marital Trust #2 Under the Will of John M. Harbert III, Item V, Bill L. Harbert, Edwin M. Dixon and Still Hunter, continuing as General Partners of the Partnership for purposes of winding up its affairs (the "General Partners"), and John Bingham, the William H. Rossman Marital Trust [A or B] under the Last Will and Testament of William H. Rossman, Donald L. Cook and Theodore F. Randolph being the successors to the rights and interests of the Special Partners of the Partnership (the "Special Partners") (the General Partners and the Special Partners collectively sometimes referred to as the "Partners"); and,

WHEREAS, paragraph 1(c) of the Deed provides that the covenants and restrictions contained in paragraph 1(a), 1(b), 1(c), in the Deed may be modified or rescinded by a vote of all the General Partners of the Partnership, and the Beneficiaries are the holders of all remaining rights restrictions limitations,



Shelby Cnty Judge of Probate, AL 09/24/2008 01:34:49PM FILED/CERT



reservations, conditions, rights of first of refusal and rights to repurchase contained in the Deed and the Easement and may hold remaining rights in the Water Rights Agreement as amended and restated; and,

; ;

WHEREAS, the General Partners of the Partnership have voted to rescind the covenants and restrictions contained in paragraph 1(a), 1(b), 1(c), in the Deed, and pursuant to that certain Agreement by and among the Trustees, the Beneficiaries, the Partners and Porter White Real Estate Company, Inc., dated June 24, 2003, in which the Partnership was erroneously once referred to as "Chace Lake Partners, Ltd.," the Trustees, the Beneficiaries and the Partners wish to grant, convey and quitclaim to Grantee all right title and interest in and to the real property described on the attached Exhibit "A," including the rescission of all restrictions thereon which may exist by virtue of the Deed, the Easement, the Water Rights Agreement, or any other document, except by virtue of membership in Grantee; and,

WHEREAS, in partial consideration of the releases and conveyances herein, the Grantee has agreed to terminate release and rescind the restrictions imposed on the Trust pursuant to paragraph 6 of the Deed.

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS, that in consideration of the sum of Ten Dollars (\$10.00), cash in hand paid, together with other good and valuable consideration, the receipt of all of which is hereby acknowledged, The Marital Trust #2 Under the Will of John M. Harbert III, Item V, Bill L. Harbert, Edwin M. Dixon, Still Hunter, John Bingham, the William H. Rossman Marital Trust [A or B] under the Last Will and Testament of William H. Rossman, Donald L. Cook and Theodore F. Randolph, as Trustees or Beneficiaries of the Trust and Partners in the Partnership (each a "Grantor" and together the "Grantors") do each hereby:

- 1. Grant, convey and quitclaim unto Chace Lake Country Club, Inc. (herein referred to as the "Grantee") all of such Grantor's right, title and interest in and to that certain real estate situated in Jefferson County, Alabama and partly in Shelby County, Alabama described on Exhibit "A" hereto;
- 2. Terminate, rescind, waive and release, to the full extent of each Grantor's right, title and interest, the specific provisions of paragraphs 1(a), 1(b), 1(c), 2(a), 2(b), 2(c), 2(d), 2(e), 3, 4, and 5 of that certain Deed recorded at Real 714, Page 535 with the Probate Office of Jefferson County, Alabama, Birmingham Division and in Deed Book 317, Page 645 in the Probate Office of Shelby County, Alabama;
- 3. Represent and warrant that such Grantor has not previously assigned, encumbered or otherwise transferred any of the rights, titles or interests herein released, rescinded, terminated or conveyed.

TO HAVE AND TO HOLD to the said Grantee forever.

FURTHER KNOW BY ALL MEN THESE PRESENTS, that in consideration the sum of Ten Dollars (\$10.00), cash in hand paid, together with other good and valuable consideration, the receipt of all of which is hereby acknowledged, Grantee, does hereby release remise and convey unto the Grantors all right, title and interest conferred upon Grantee, and the restrictions placed upon Grantors, in paragraph 6 of that certain Deed recorded at Real 714, Page 535 with the Probate Office of Jefferson County, Alabama, Birmingham Division and in Deed Book 317, Page 645 in the Probate Office of Shelby County, Alabama.

TO HAVE AND TO HOLD to the said Grantors forever.

In witness whereof, we the undersigned have set our hands and seals this the $\frac{2000}{400}$ day of

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2

The Marital Trust #2 under the Will of John M.

Harbert, III Item V

Name: Marguerite H. Gray Its: Co-Trustee a Notary Public in and for said County in said State, hereby certify that Marguerite H. Gray, whose name as Co-Trustee of The Marital Trust #2 under the Will of John M. Harbert, III Item V, 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 the instrument, she, as such Co-Trustee, and with full authority, executed the same voluntarily for and as the act of said trust. Given under my hand and seal, this 15 day of Muy Jean NOTARY PUBLIC (SEAL) My Commission Expires: MY COMMISSION EXPIRES DECEMBER 26, 2013 CHACE LAKE PROPERTIES, LTD. By: The Marital Trust #2 under the Will of John M. Harbert, III Item V Its: General Partner Name: Marguerite H. Gray Its: Co-Trustee STATE OF _____ COUNTY I, _______, a Notary Public in and for said County in said State, hereby certify that Marguerite H. Gray, whose name as Co-Trustee of The Marital Trust #2 under the Will of John M. Harbert, III Item V, in its capacity as General Partner of Chace Lake Properties, Ltd. 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 the instrument, she, as such Co-Trustee, and with full authority, executed the same voluntarily for and as the act of said trust. Given under my hand and seal, this __ day of _____, 2008. NOTARY PUBLIC (SEAL) My Commission Expires:_

The Marital Trust #2 under the Will of John M. Harbert, III Item V

	By: Marque Vones-tarve
	Name: Marguerite Jones Harbert
	Its: Co-Trustee
STATE OF Walance)
Jefferson COUNTY	
1. Hay Dec	, a Notary Public in and for said
•	at Marguerite Jones Harbert, whose name as Co-Trustee of The Marital
	larbert, III Item V, is signed to the foregoing instrument, and who is
·	e on this day that, being informed of the contents of the instrument, she, or
Given under my hand and seal	, this [7] day of
	Han D. Lucas
	NOTARY PUBLIC
(SEAL)	My Commission Expires: 3/8///
	CHACE LAKE PROPERTIES, LTD.
	By: The Marital Trust #2 under the Will of John M.
	Harbert, III Item V
	Its: General Partner
	By:
	Name: Marguerite Jones Harbert
	Its: Co-Trustee
STATE OF	
COUNTY)
	, a Notary Public in and for said
County in said State, hereby certify that	at Marguerite Jones Harbert, whose name as Co-Trustee of The Marital
	Harbert, III Item V, in its capacity as General Partner of Chace Lake
	oing instrument, and who is known to me, acknowledged before me on tents of the instrument, she, as such Co-Trustee, and with full authority,
executed the same voluntarily for and a	
Given under my hand and seal	, this day of, 2008.
	NOTARY PUBLIC
(SEAL)	My Commission Expires:

Harbert, III	Item V				
	ne: Raymond J. Harbert Co-Trustee				
STATE OF Alabama) Jeffesson COUNTY)					
#2 under the Will of John M. Harbert, III Item V, is si	a Notary Public in and for said larbert, whose name as Co-Trustee of The Marital Trust igned to the foregoing instrument, and who is known to informed of the contents of the instrument, he, as such voluntarily for and as the act of said trust.				
Given under my hand and seal, this 21 day of My, 2008.					
(SEAL)	NOTARY PUBLIC My Commission Expires: 6/6/2008				
CHACE LA	KE PROPERTIES, LTD.				
Hart	The Marital Trust #2 under the Will of John M. bert, III Item V General Partner				
	ne: Raymond J. Harbert Co-Trustee				
STATE OF OUNTY)					
I,	, a Notary Public in and for said				
#2 under the Will of John M. Harbert, III Item V, in it Ltd. is signed to the foregoing instrument, and who is	Iarbert, whose name as Co-Trustee of The Marital Trust is capacity as General Partner of Chace Lake Properties, known to me, acknowledged before me on this day that, is such Co-Trustee, and with full authority, executed the				
Given under my hand and seal, this day of	, 2008.				
	NOTARY PUBLIC				
(SEAL)	My Commission Expires:				

The Marital Trust #2 under the Will of John M.

_, a Notary Public in and for said County in said State, hereby certify that Edwin M. Dixon, 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 said instrument, executed the same voluntarily on the date the same bears. Given under my hand and seal, this $\frac{6 \text{ lb}}{\text{day of}}$ $\frac{\text{May}}{\text{May}}$ NOTARY PUBLIC My Commission Expires: / (SEAL) CHACE LAKE PROPERTIES, LTD. Its: General Partner STATE OF COUNTY ____, a Notary Public in and for said County in said State, hereby certify that Edwin M. Dixon whose name as General Partner of Chace Lake Properties, Ltd. 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 General Partner and with full authority, executed the same voluntarily for and as the act of said partnership.

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NOTARY PUBLIC

My Commission Expires: 1

Given under my hand and seal, this $\frac{6}{2}$ day of $\frac{20}{2}$

(SEAL)

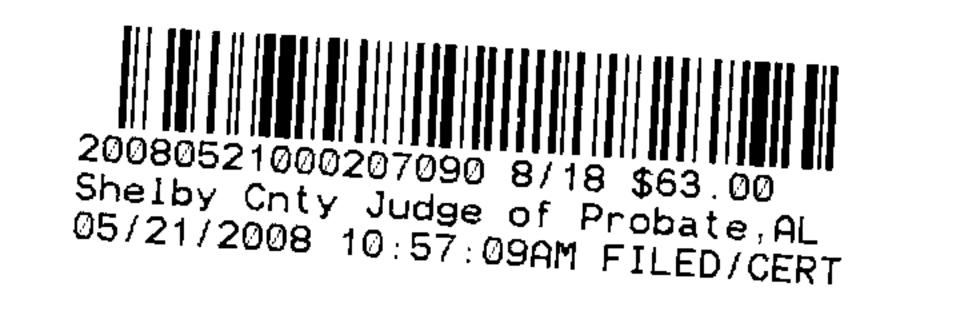
Edwin M. Dixon, as Trustee under a Declaration of Trust dated September 18, 1968.

STATE OF COUNTY

I, Elfrical Delo , a Notary Public in and for said County in said State, hereby certify that Edwin M. Dixon, as Trustee under a Declaration of Trust dated September 18, 1968, 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 the instrument, he, acting as said trustee, and with full authority, executed the same on the date the same bears.

Given under my hand and seal, this day of May , 2008.

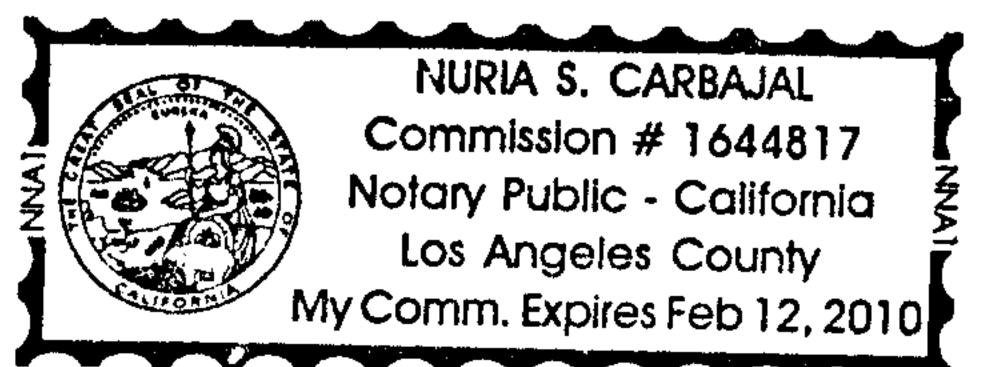
Chiecle Rollo Rollo NOTARY PUBLIC My Commission Expires: 10/2/08

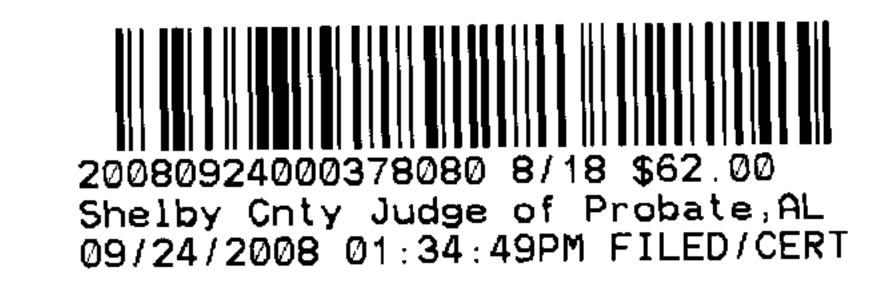


Bill- 1 Lut

Bill L. Harbert, by Bill L. Harbert, Jr. under General Durable Power of Attorney dated March 16, 2005.

General Durable Power of Attorney dated March 16, 2005.
I, Notary Public in and for said County in said State, hereby certify that Bill L. Harbert, Jr., under power of attorney for Bill L. Harbert, 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 said instrument, executed the same voluntarily on the date the same bears.
Oiven under my hand and seal, this day of May, 2008. NURIA S. CARBAJAL Commission # 1644817 Notary Public - California Los Angeles County My Comm. Expires Feb 12, 2010 NURIA S. CARBAJAL NOTARY PUBLIC My Commission Expires: Feb 12, 2010
CHACE LAKE PROPERTIES, LTD.
By: Bill L. Harbert, by Bill L. Harbert, Jr. under General Durable Power of Attorney dated March 16, 2005. Its: General Partner
I, Mund S Caban , a Notary Public in and for said County in said State, hereby certify that Bill L. Harbert, Jr., under power of attorney for Bill L. Harbert, whose name as General Partner of Chace Lake Properties, Ltd. 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 General Partner and with full authority, executed the same voluntarily for and as the act of said partnership.
Given under my hand and seal, this the day of May 2008, NOTARY PUBLIC My Commission Expires: Feb. 12,2010
(SEAL) My Commission Expires: <u>V 代わ</u> バロンし





Still Hunter

STATE OF Clabaca) Jeffersoucounty) I, Elfriede) Rollo said State, hereby certify that Still Hunter, when which we have acknowledged before me on this executed the same voluntarily on the date the same	nose name is signed to the foregoing instrument, and who is day that, being informed of the contents of said instrument,
Given under my hand and seal, this <u>Mandand</u>	Edriede D'Rollo
(SEAL)	NOTARY PUBLIC My Commission Expires: 10/2/03
CHA	By: Still Hunter Its: General Partner
signed to the foregoing instrument, and who is	se name as General Partner of Chace Lake Properties, Ltd. is known to me, acknowledged before me on this day that, being, as such General Partner and with full authority, executed the
Given under my hand and seal, this 6/4	day of May, 2008. Elfriede D Rollo
(SEAL)	NOTARY PUBLIC My Commission Expires: 10/2/03

John Bingham

____, a Notary Public in and for said County in said State, hereby tertify that John Bingham, 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 said instrument, executed the same voluntarily on the date the same bears.

Elfrédle D Rollo

NOTARY PUBLIC

My Commission Expires: 10/2/08 (SEAL)

William H. Rossman Marital Trust [A or B] under the Last Will and Testament of William H. Rossman

Name: Evelyn O. Rossman

Title: Co-Trustee

Commission,

(SEAL)

____, a Notary Public in and for said County in said State, hereby certify that Évelyn O. Rossman, whose name as Co-Trustee of the William H. Rossman Marital Trust [A or B] under the Last Will and Testament of William H. Rossman, 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 the instrument, she, as such Co-Trustee, and with full authority, executed the same voluntarily for and as the act of said trust.

Given under my hand and seal, this 6 day of 100

My Commission Expires: Quy 16 2009

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William H. Rossman Marital Trust [A or B] under the Last Will and Testament of William H. Rossman

Name: William H. Rossman, Jr.
Title: Co-Trustee

STATE OF Seorgia)

SWINNETT COUNTY)

(SEAL)

I, Bonnie Dills, a Notary Public in and for said County in said State, hereby certify that William H. Rossman, Jr. whose name as Co-Trustee of the William H. Rossman Marital Trust [A or B] under the Last Will and Testament of William H. Rossman, 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 the instrument, he, as such Co-Trustee, and with full authority, executed the same voluntarily for and as the act of said.

Given under my hand and seal, this $\frac{1}{2}$ day of $\frac{100}{2}$, 2008

NOTARY PUBLIC

My Commission Expires:

BCNNIE DILLS

NOTARY PUBLIC

Gwinnett County, Georgia

My Commission Expires March 24, 2019

Soma Ch Conte Donald L. Cook

STATE OF Alabama
)

Sefferson COUNTY
)

(SEAL)

I, Ellriede D Rollo, a Notary Public in and for said County in said State, hereby/certify that Donald L. Cook, 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 said instrument, executed the same voluntarily on the date the same bears.

Given under my hand and seal, this 6 Rday of May

NOTARY PUBLIC
My Commission Expires: 10/2/05

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William H. Rossman Marital Trust [A or B] under the Last Will and Testament of William H. Rossman

By: Donald Roseman Name: Donald Rossman

Title: Co-Trustee

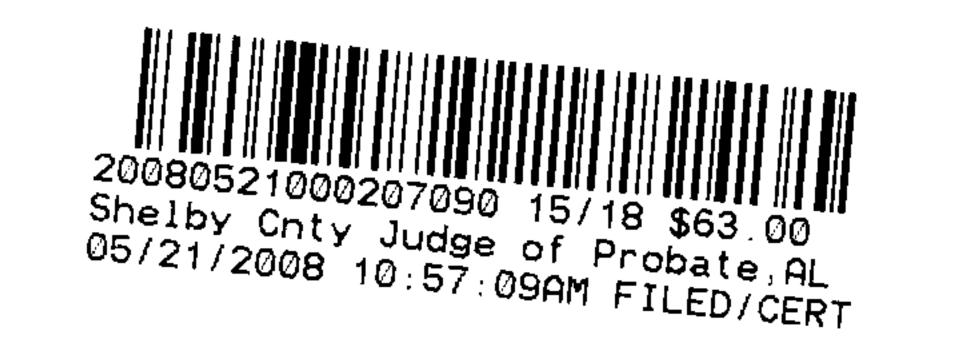
(SEAL)

JUANHA ___, a Notary Public in and for said County in said State, hereby certify that Donald Rossman, whose name as Co-Trustee of the William H. Rossman Marital Trust [A or B] under the Last Will and Testament of William H. Rossman, 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 the instrument, he, as such Co-Trustee, and with full authority, executed the same voluntarily for and as the act of said trust.

Given under my hand and seal, this 6 day of 7/1000

My Commission Expires: Ceeg 16 2009

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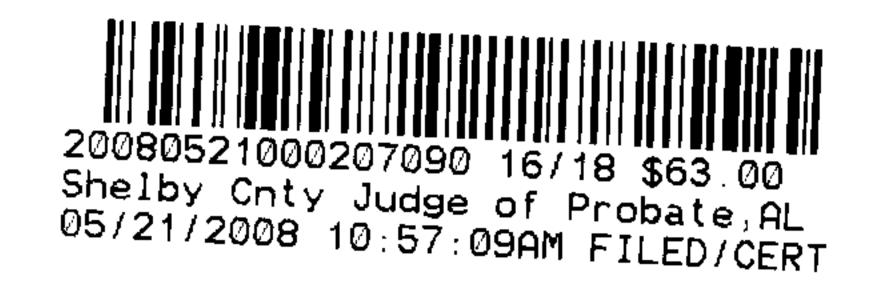


Theodore F. Randolph

I, Elfrecle D Rollow, a Notary Public in and for said County in said State, hereby tertify that Theodore F. Randolph, 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 said instrument, executed the same voluntarily on the date the same bears.

Given under my hand and seal, this haday of May, 2008.

Elfrede D Rollow NOTARY PUBLIC My Commission Expires: 10/2/05



CHACE LAKE COUNTRY CLUB, INC.

By:_			ann	1
Nam	e: D	anie	l Lazenby	7
CC 1 . 1	-			

Title: President

STATE OF ALABAMA **JEFFERSON COUNTY**

(SEAL)

_, a Notary Public in and for said County in said State, hereby certify that Daniel Lazenby, whose name as President of Chace Lake Country Club, Inc., 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 the instrument, he, as such President, and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and seal, this $\frac{1}{9}$ day of $\frac{1}{1}$

NOTARY PUBLIC
My Commission Expires: 12/14/2009

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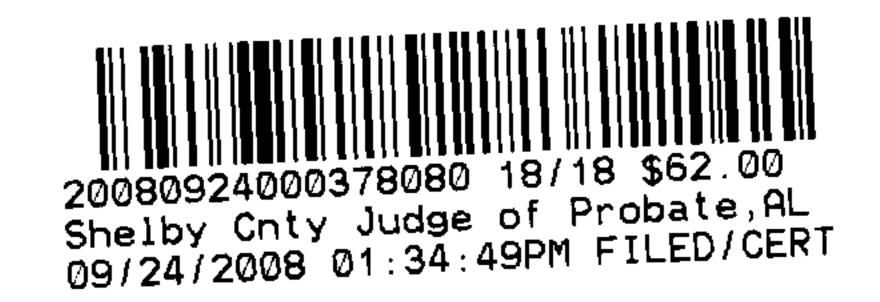
Shelby Cnty Judge of Probate, AL

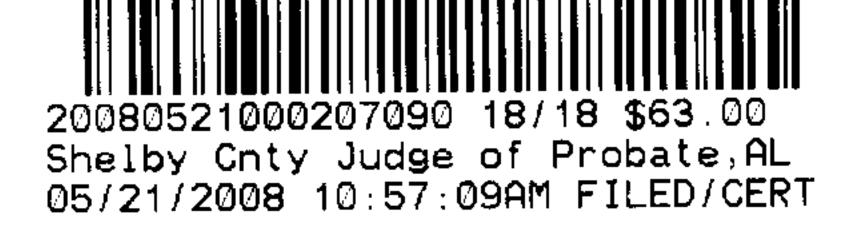
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Bill L. Harbert, by Anne Harbert Moulton under General Durable Power of Attorney dated March 16, 2005. I, Notary Public in and for said County in said State, hereby certify that Anne Harbert Moulton, under power of attorney for Bill L. Harbert, whose 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 said instrument, executed the same voluntarily on the date the same bears. Given under my hand and seal, this $\pm \frac{1}{1}$ day of $\pm \frac{1}{1}$ NURIA S. CARBAJAL NOTARY PUBLIC NOTARY PUBLIC

My Commission Expires: 12/2000 Commission # 1644817 Notary Public - California Los Angeles County My Comm. Expires Feb 12, 2010 CHACE LAKE PROPERTIES, LTD. By: Bill L. Harbert, by Anne Harbert Moulton under General Durable Power of Attorney dated March 16, 2005. Its: General Partner , a Notary Public in and for said County in said State, hereby certify that Anne Harbert Moulton, under power of attorney for Bill L. Harbert, whose name as General Partner of Chace Lake Properties, Ltd. 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 General Partner and with full authority, executed the same voluntarily for and as the act of said partnership. Given under my hand and seal, this $\frac{1}{1}$ day of $\frac{1}{1}$ My Commission Expires: +00.12/2010 (SEAL) NURIA S. CARBAJAL Commission # 1644817 Notary Public - California Los Angeles County My Comm. Expires Feb 12, 2010 20080924000378080 17/18 \$62.00

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Bill L. Harbert, by Elizabeth Schooling Harbert Cornay under General Durable Power of Attorney dated March 16, 2005. , a Notary Public in and for said County in said State, hereby certify that Elizabeth Schooling-Harbert Cornay, under power of attorney for Bill L. Harbert, 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 said instrument, executed the same voluntarily on the date the same bears. Given under my hand and seal, this $\frac{1}{1}$ day of $\frac{1}{1}$ NURIA S. CARBAJAL Commission # 1644817 My Commission Expires Feb. 22011 Notary Public - California Los Angeles County My Comm. Expires Feb 12, 2010 CHACE LAKE PROPERTIES, LTD. Bk: LR200810 Pg:23040 Jefferson County, Alabama Elexabeth to torne 09/23/2008 02:59:37 PM D Fee - \$44.50 By: Bill L'Harbert, by Elizabeth Schooling Harbert Cornay Total of Fees and Taxes-\$44.50 under General Durable Power of Attorney dated March 16, **JCOCKRELL** 2005. Its: General Partner , a Notary Public in and for said County in said State, hereby certify that Elizabeth Schboling Harbert Cornay, under power of attorney for Bill L. Harbert, whose name as General Partner of Chace Lake Properties, Ltd. 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 General Partner and with full authority, executed the same voluntarily for and as the act of said partnership. Given under my hand and seal, this ___day of __

(SEAL)

NURIA S. CARBAJAL

Commission # 1644817

Notary Public - California

Los Angeles County

My Comm. Expires Feb 12, 2010

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Fee - \$47.00
Deed Tax -\$.50

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NOTARY PUBLIC

My Commission Expires! The