

Deed Tax: \$3050.00

20090102000000900 1/7 \$3079.00
Shelby Cnty Judge of Probate, AL
01/02/2009 12:12:30PM FILED/CERT

Mail Tax Notice To:

Waterstone Development LLC
Attention: Tobi Gilkey
9190 Shiptown Road
Empire, Alabama 35063

3,050,006
D.A.D

**Prepared by and after
recording return to:**

William C. Byrd, II
Bradley Arant Rose & White LLP
One Federal Place, 4th Floor
1819 Fifth Avenue North
Birmingham, AL 35203-2104

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED is made this 10th day of December, 2008, by **MCKENZIE MANOR, LLC**, an Alabama limited liability company (the "Grantor"), whose address is 223 B 1st Street North, Alabaster, Alabama 35007 to **WATERSTONE DEVELOPMENT LLC**, an Alabama limited liability company (the "Grantee"), whose address is 9190 Shiptown Road, Empire, Alabama 35063 (the "Grantee"):

WITNESSETH:

That the Grantor, for and in consideration of the sum of \$10.00 and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee, as tenants in common, all that certain land situated in Shelby County, Alabama, more particularly described in Exhibit "A" attached hereto and by this reference made a part hereof (the "Property"), subject to all easements, restrictions and other matters of record.

TOGETHER, with all the improvements, tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the Property, along with all hereditaments, appurtenances, improvements, buildings on the Property, and all other estates, easements and interests that appertain to or run with the Property, over to Grantee, as tenants in common.

Grantor warrants and covenants with Grantee that Grantor is lawfully seized and possessed of the Property; that Grantor has full power, authority and right to make this conveyance pursuant to this Special Warranty Deed; that the title thereto is clear, free and unencumbered except as specifically set forth in Exhibit "B" which is attached hereto and incorporated herein by this reference; and that Grantor shall forever warrant and defend said title against the lawful claims of all persons claiming by, through or under Grantor, but not otherwise.

IN WITNESS WHEREOF, Grantor has caused these presents to be executed in its name, by its proper members thereunto duly authorized, the day and year first above written.

GRANTOR

MCKENZIE MANOR, LLC,
an Alabama limited liability company

By: Stephen Stricklin
Stephen Stricklin
Its Member

By: Steven Allen
Steven Allen
Its Member

STATE OF ALABAMA)

Shelby COUNTY)

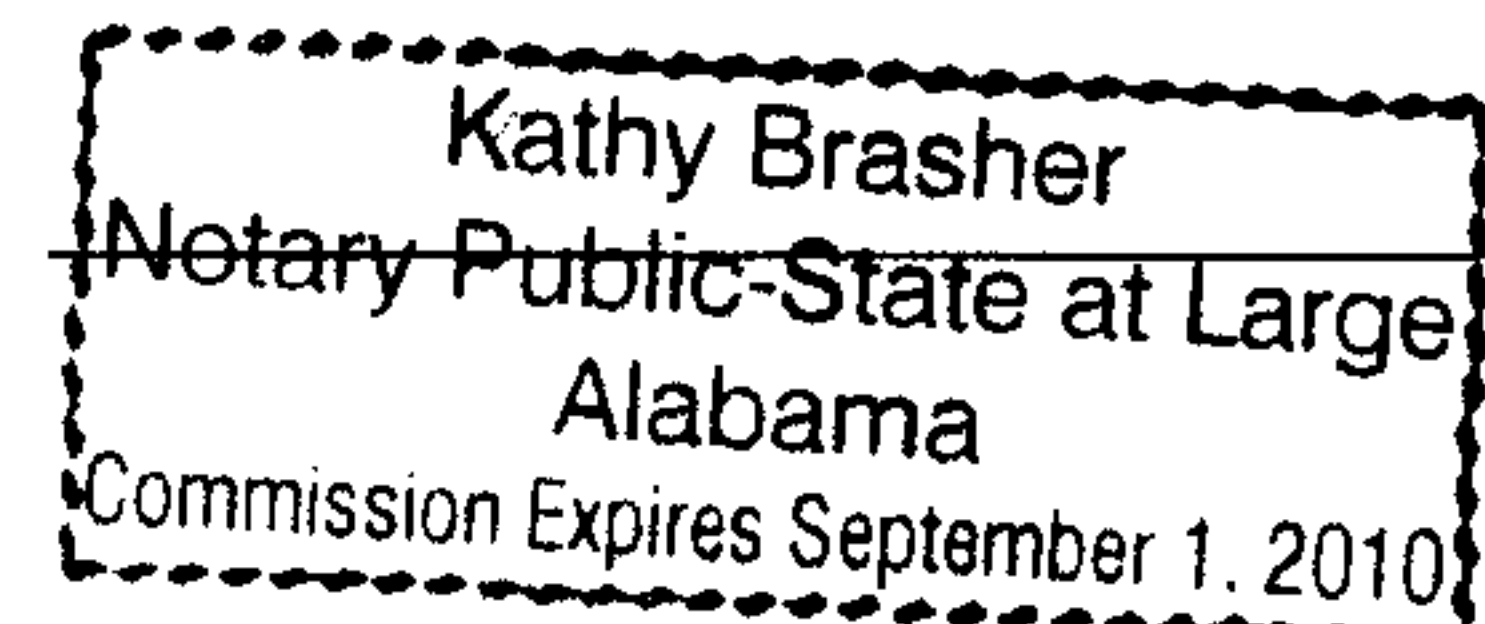
I, the undersigned, a notary public in and for said county in said state, hereby certify that Stephen Stricklin and Steven Allen, whose name as Members of McKenzie Manor, LLC, an Alabama limited liability company, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of said instrument, they, as such Members and with full authority, executed the same voluntarily for and as the act of said company.

Given under my hand and official seal this 30th day of Dec, 2008.

Kathy Brasher
Notary Public

[NOTARIAL SEAL]

My commission expires:



STATE OF ALABAMA

Shelby COUNTY

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I, the undersigned, a notary public in and for said county in said state, hereby certify that Stephen Stricklin and ~~Steven Allen~~, whose name as Members of McKenzie Manor, LLC, an 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, they, as such Members and with full authority, executed the same voluntarily for and as the act of said company.

Given under my hand and official seal this 30 day of December, 2008.


Kelli Foster
Notary Public

[NOTARIAL SEAL]

My commission expires:

Kelli Foster
Notary Public
My Commision Expires
1/18/2009

EXHIBIT "A"


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PARCEL I:

The following described property situated in Shelby County, Alabama, to-wit:

Commence at the NW corner of the SW 1/4 of the NE 1/4 of Section 6, Township 22 South, Range 2 West; thence turn Eastwardly along the North line for a distance of 853.88 feet for the point of beginning; thence continue along last described course for a distance of 271.30 feet; thence turn an angle to the right of 84°42'14" for a distance of 1347.12 feet to the South line of said 1/4 1/4; thence turn an angle to the right of 95°27'20" along said South line for a distance of 277.50 feet; thence turn an angle to the right of 84°48'15" for a distance of 1345.81 feet to the point of beginning.

Less and except any part of subject property lying within a road right of way.

PARCEL II:

A parcel of land situated in the SW 1/4 of the NE 1/4 of Section 6, Township 22 South, Range 2 West, Shelby County, Alabama, and being more particularly described as follows:

Commence at the NE corner of the SE 1/4 of the NE 1/4 of said Section 6; thence North 87°20'08" West a distance of 1319.15 feet to the Point of Beginning; thence South 01°39'30" East a distance of 742.37 feet; thence North 87°12'15" West a distance of 275.23 feet; thence North 01°17'04" West a distance of 741.39 feet; thence South 87°20'08" East a distance of 270.33 feet to the Point of Beginning.

Less and except any part of subject property lying within a road right of way.

PARCEL III:

A parcel of land situated in the SE 1/4 of the NE 1/4 of Section 6, Township 22 South, Range 2 West, Shelby County, Alabama, and being more particularly described as follows:

Begin at the NE corner of the SE 1/4 of the NE 1/4 of said Section 6; thence North 87°20'08" West a distance of 1319.15 feet; thence South 01°39'30" East a distance of 742.37 feet; thence South 01°58'59" East a distance of 586.36 feet; thence South 87°38'13" East a distance of 1216.85 feet; thence North 01°49'04" West a distance of 150.00 feet; thence South 87°38'13" East a distance of 100.00 feet; thence North 01°43'22" West a distance of 201.27 feet; thence North 01°48'38" West a distance of 166.11 feet; thence North 01°42'08" West a distance of 804.26 feet to the Point of Beginning.

Less and except any part of subject property lying within a road right of way.

PARCEL IV:

Part of Section 6, Township 22 South, Range 2 West, Shelby County, Alabama, being more particularly described as follows:

From an existing 3 inch open top iron pipe found to be the most Southerly corner of Lot 4, the round table, as recorded in the Office of the Judge of Probate, Shelby County, Alabama, in Map Book 7, page 38, and looking in a Northerly direction along the West line of said Lot 4 at the NW corner of said Lot 4, turn an angle to the left of $85^{\circ}54'13''$ and run in a Westerly direction for a distance of 1316.72 feet to a point on the North right of way line of Shelby County Highway No. 22 (being 40 feet from the center of said road) and being marked by an existing iron rebar set by Weygand and being the point of beginning; thence run in a Westerly direction along the North right of way line of said Shelby County Highway No. 22 for a distance of 279.01 feet to an existing iron rebar set by Wheeler; thence turn an angle to the right of $85^{\circ}30'27''$ and run in a Northerly direction for a distance of 585.62 feet to an existing iron rebar set by Weygand; thence turn an angle to the right of $94^{\circ}26'12''$ and run in an Easterly direction for a distance of 275.19 feet to an existing iron rebar set by Weygand and being 1.6 feet West of an existing fence; thence turn an angle to the right of $85^{\circ}11'36''$ and run in a Southerly direction for a distance of 586.20 feet, more or less, to the Point of Beginning.

LESS AND EXCEPT:

A parcel of land located in the South 1/2 of the NE 1/4 of Section 6, Township 22 South, Range 2 West, being more particularly described as follows:

Commence at the NW corner of the SW 1/4 of the NE 1/4 of Section 6, Township 22 South, Range 2 West; thence in an Easterly direction along the North line of said 1/4 - 1/4 section a distance of 853.88 feet to the Northeast corner of Lot 2 of Heavenly Family Subdivision as recorded in Map Book 29, page 90, in the Office of the Judge of Probate in Shelby County, Alabama; thence a deflection angle right from the last described course of $86^{\circ}07'59''$ in a Southerly direction along the Easterly lines of Lots 1 and 2 of said Heavenly Family Subdivision a distance of 1325.98 feet to a point on the North right of way line of Shelby County Highway Number 22; thence an angle to the right from the last described course of $94^{\circ}03'23''$ in an Easterly direction and along said right of way line a distance of 278.19 feet; thence an angle to the right from the last described course of $85^{\circ}30'21''$ in a Northerly direction a distance of 372.26 feet; thence an interior angle to the left from the last described course of $89^{\circ}33'44''$ in an Easterly direction a distance of 5.35 feet to the Point of Beginning; thence an exterior angle to the right from the last described course of $90^{\circ}00'00''$ in a Northerly direction a distance of 90.45 feet; thence an interior angle to the left from the last described course of $105^{\circ}06'44''$ in a Northeasterly direction a distance of 190.34 feet; thence an interior angle to the left from the last described course of $90^{\circ}00'00''$ in a Southeasterly direction a distance of 47.65 feet to the beginning of a curve to the left having a radius of 50.00 feet and a central angle of $35^{\circ}55'38''$; thence in a Southeasterly direction along said curve and tangent to last

described course an arc distance of 31.35 feet; thence an interior angle to the left from the chord of last described curve of $107^{\circ}57'49''$ in a Southwesterly direction a distance of 142.98 feet; thence an interior angle to the left from the last described course of $109^{\circ}43'26''$ in a Northwesterly direction a distance of 130.39 feet to the Point of Beginning.

Less and except any portion of subject property lying within a road right of way.

Exhibit "B"

1. All taxes for the year 2008 and subsequent years, not yet due and payable.
2. Agreement as recorded in Instrument 20060223000068610, in the Probate Office of Shelby County, Alabama.
3. Easement to BellSouth Telecommunications, as recorded in Instrument 20060815000396430, in the Probate Office of Shelby County, Alabama.
4. Easement recorded in Instrument 20040106000009970, in the Probate Office of Shelby County, Alabama.