

THIS INSTRUMENT PREPARED BY:

Kent A.Upton
1638 Panarama Lane
Birmingham, Alabama 35216

SEND TAX NOTICE TO:

DAY LLC
P.O. Box 336
Birmingham, AL 35201

\$140,000.00

WARRANTY DEED

STATE OF ALABAMA)
SHELBY COUNTY)
PRESENTS:

KNOW ALL MEN BY THESE

That in consideration of Ten dollars (\$ 10.00 DOLLARS)
and other good and valuable consideration to the undersigned grantor (whether one or more), in
hand paid by the grantee herein, the receipt whereof is acknowledged, I, or we,

Kent A. Upton, a married man

(herein referred to as grantor) does hereby grant, bargain, sell and convey unto

DAY, LLC

(herein referred to as grantee, whether one or more), all of their undivided interest in the following
described real estate situated in Shelby County, Alabama to-wit:

State of Alabama
Shelby County

September 10, 2007

BEGIN AT THE NE CONER OF THE NE 1/4-NE 1/4 OF SAID SECTION 21, THENCE S 3DEG-55'-25" W, ALONG THE
EAST LINE OF SAID 1/4 - 1/4 SECTION A DISTANCE OF 1547.45'; THENCE N 86DEG-26'-35" W ALONG THE SOUTH
LINE OF SAID 1/4 - 1/4 SECTION A DISTANCE OF 1293.02'; THENCE SOUTH 5DEG-41'-12" W, ALONG THE EAST
LINE OF THE OF THE SW 1/4 -NE 1/4 OF SAID SECTION 21 A DISTANCE OF 1285.58'; THENCE N 81DEG-51'-04" W
ALONG THE SOUTH LINE OF SAID 1/4- 1/4 SECTION A DISTANCE OF 1284.38'; THENCE CONTINUE ALONG LAST
DESCRIBED COURSE A DISTANCE OF 150.00'; THENCE N 33DEG-40'-03" E A DISTANCE OF 1262.99'; THENCE N
52DEG-53'-54" E A DISTANCE OF 108.55'; THENCE N 43DEG-24'-47" E A DISTANCE OF 145.02'; THENCE N
59DEG-15'-48" E A DISTANCE OF 100.50'; THENCE N 24DEG-20'-03" E A DISTANCE OF 192.10'; THENCE N 43
DEG-28'-37" E A DISTANCE OF 152.13'; THENCE N 0DEG-44'-57" W A DISTANCE OF 85.02'; THENCE N 47DEG-
34'-45" E A DISTANCE OF 150.83'; THENCE N 44DEG-46'-45" E A DISTANCE OF 206.90'; THENCE S 85DEG-20'-
57" E A DISTANCE OF 187.01' THENCE S 85DEG-44'-50" E A DISTANCE OF 648.12'; THENCE N 43DEG-31'-18" E
A DISTANCE OF 1016.82' TO THE POINT OF BEGINNING. SAID PARCEL OF LAND CONTAINS 70.05 ACRES,
MORE OR LESS.

EASEMENT:

A 15' NON-EXCLUSIVE INGRESS/EGRESS, DRAINAGE & UTILITIES EASEMENT LYING 7.5' EITHER SIDE OF AND
PARALLEL TO THE FOLLOWING DESCRIBED CENTER LINE:

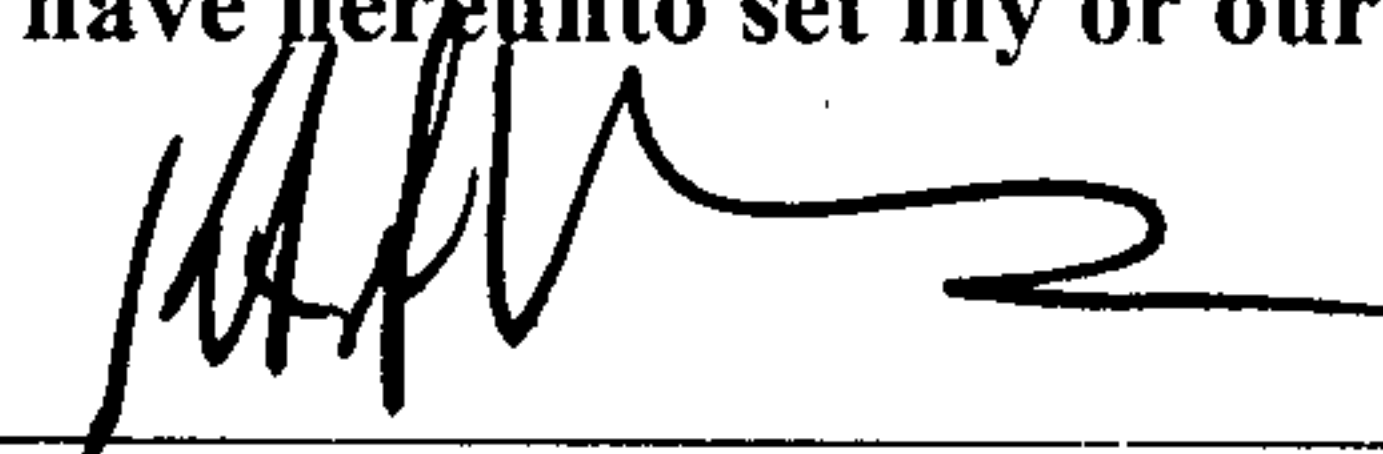
COMMENCE AT THE SW CORNER OF THE SW 1/4-NE 1/4 OF SECTION 21, TOENSHIP 20 SOUTH, RANGE 2 WEST;
THENCE N 81DEG-51'-04" W A DISTANCE OF 150.00'; THENCE N 33DEG-40'-03" E A DISTANCE OF 88.73' TO
THE POINT OF BEGINNING; THENCE N 70DEG-56'-37" W A DISTANCE OF 53.07' ALONG THE SAID CENTERLINE
TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 275.00' A CENTRAL ANGLE OF 49DEG-
07'-17" AND SUBTENDED BY A CHORD WHICH BEARS N 46DEG-22'-59" W A CHORD DISTANCE OF
228.61'; THENCE ALONG THE ARC OF SAID CURVE AND ALONG SAID CENTERLINE A DISTANCE OF 235.77' TO
THE BEGINNING OF A COMPOUND CURVE TO THE LEFT HAVING A RADIUS OF 750.00' A CENTRAL ANGLE OF
39DEG-07'-57" AND SUBTENDED BY A CHORD WHICH BEARS N 41DEG-23'-19" W A CHORD DISTANCE OF
502.34'; THENCE ALONG THE ARC OF SAID CURVE AND ALONG SAID CENTERLINE A DISTANCE OF 512.24';
THENCE N 60DEG-57'-18" W A DISTANCE OF 62.29' MORE OR LESS TO ITS INTERSECTION WITH THE
CENTERLINE OF A 15' EASEMENT AS RECORDED IN INSTRUMENT #1996-06788 IN THE OFFICE OF THE JUDGE,
SHELBY COUNTY, ALABAMA.

SUBJECT TO EASEMENT OF COLONIAL PIPELINE.

TO HAVE AND TO HOLD Unto the said grantee, his, her or their heirs and assigns,
forever.

And I (we) do for myself (ourselves) and for my (our) heirs, executors, and administrators
covenant with the said grantee, the heirs and assigns, that I am (we are) lawfully seized in fee simple
of said premises: that they are free from all encumbrances, unless otherwise noted above; that I (we)
have a good right to sell and convey the same as aforesaid; that I (we) will and my (our) heirs,
executors and administrators shall warrant and defend the same to the said grantee, their heirs and
assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, I or we have hereunto set my or our hand(s) and seal(s), this _
_ day of _____ 2007.


Kent A. Upton

(Seal)

STATE OF ALABAMA)
ACKNOWLEDGMENT
SHELBY COUNTY)

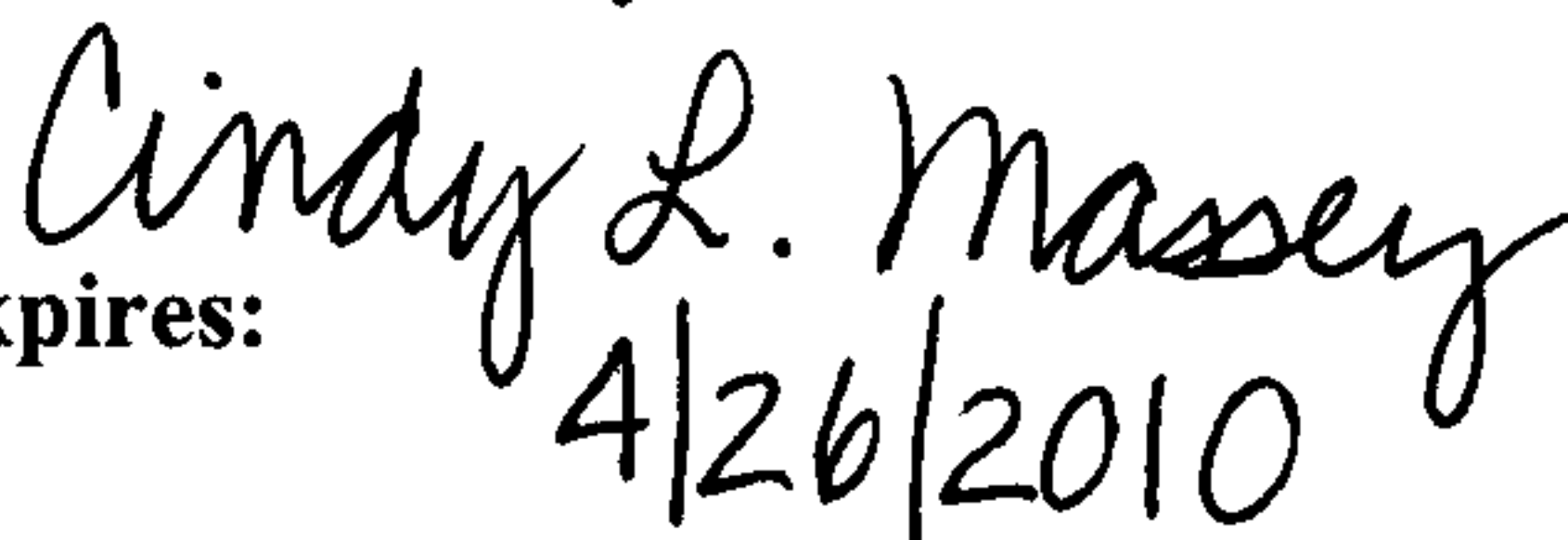
GENERAL

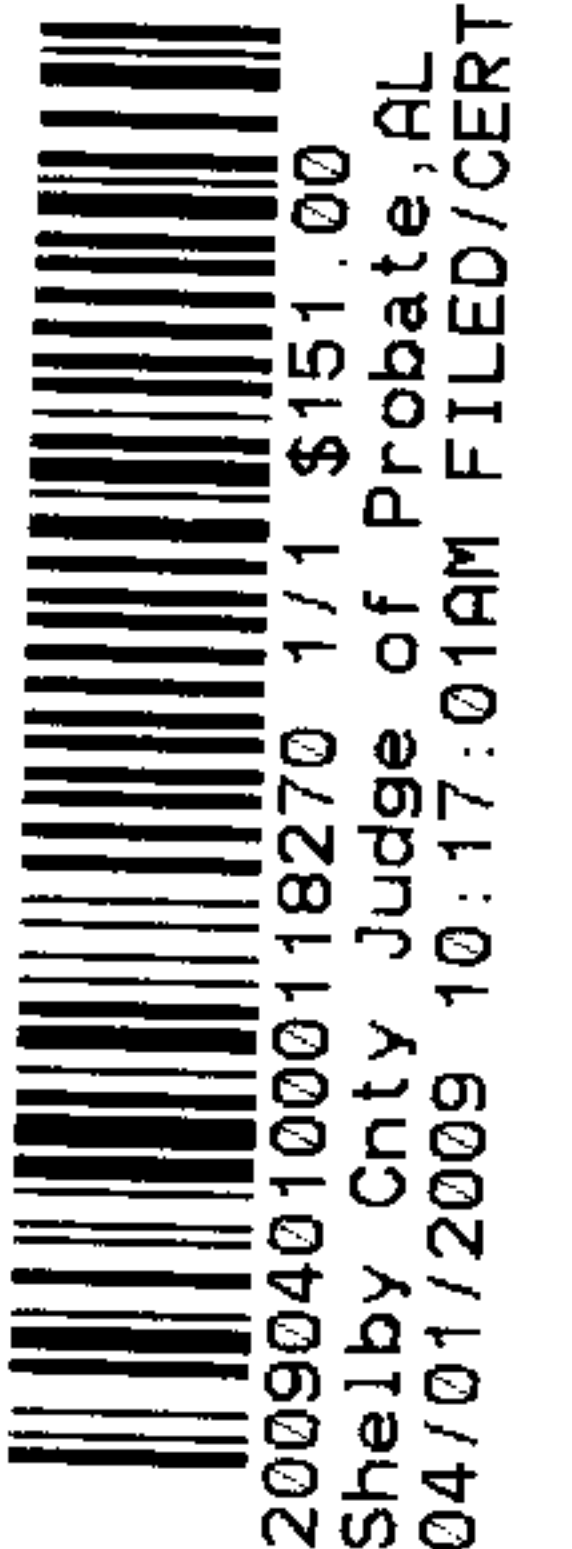
I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that
Kent A. Upton whose name is signed to the foregoing conveyance, and who are known to me,
acknowledged before me on this day, that, being informed of the contents of the conveyance, he
executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 7th day of September 2007

Notary Public

My Commission Expires:


4/26/2010



Shelby County, AL 04/01/2009
State of Alabama
Deed Tax: \$140.00