

This instrument was prepared by:

John L. Hartman, III
P. O. Box 846
Birmingham, Alabama 35201

Send Tax Notice To:

BMCM, LLC
2512 Meadowood Circle
Birmingham, Alabama 35242

STATUTORY WARRANTY DEED



20090507000171080 1/2 \$54.00
Shelby Cnty Judge of Probate, AL
05/07/2009 12:49:44 PM FILED/CERT

STATE OF ALABAMA

COUNTY OF SHELBY

That in consideration of Two Hundred Thousand and 00/100 (\$200,000.00) to the undersigned grantor in hand paid by the grantees herein, the receipt whereof is hereby acknowledged, **D & M, LLC**, an Alabama Limited Liability Company, does hereby grant, bargain, sell and convey unto **BMCM, LLC**, (herein referred to as Grantees), the following described real estate situated in Shelby County, Alabama, to-wit:

See attached Exhibit "A"

\$160,000.00 of said purchase price recited above is being paid by a mortgage recorded TO HAVE AND TO HOLD unto the said grantees, his, her or their heirs and assigns forever. **simultaneously herewith.**

IN WITNESS WHEREOF, the said Grantor, by its Member, David Keith, who is authorized to execute this conveyance, has hereto set its signature and seal this 27th day of April, 2009.

D & M, LLC

By:

David Keith, Member

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that David Keith, whose name as Member of D & M, LLC, an Alabama Limited Liability Company, is signed to the foregoing conveyance and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he, as such officer and with full authority, executed the same voluntarily for and as the act of said limited liability company.

Given under my hand and official seal this 27th day of April, 2009.

My Commission Expires:

08-04-2009

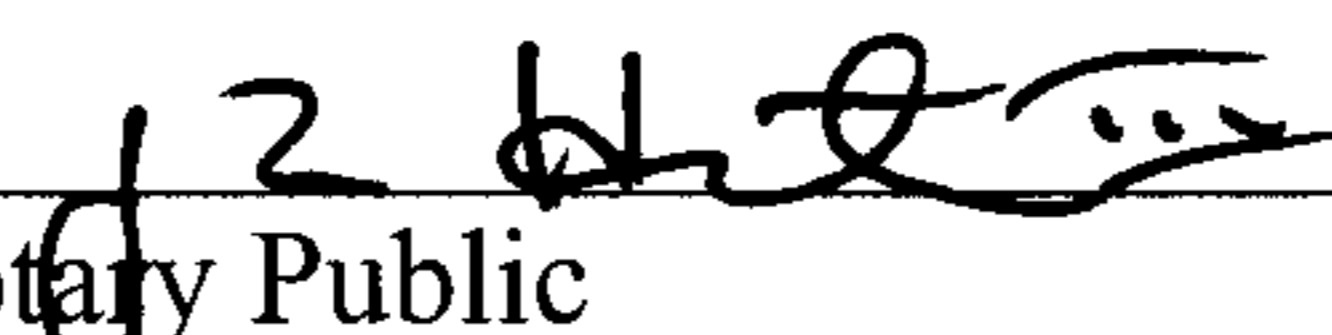

Notary Public

EXHIBIT "A"

Lot 2, according to the survey of Brook Highland Office Park as recorded in Map Book 41, Page 17, in the Probate Office of Shelby County, Alabama.

Subject to: (1) Current taxes; (2) 25-foot setback line as shown on recorded map; (3) Restrictions including no further subdivision as shown on recorded map; (4) Easement and release from damages as shown on Map Book 26, Page 80; (5) 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, are not insured herein; (6) Release of damages as recorded in Inst. No. 2000-13109; (7) Covenants, conditions, restrictions, subsurface conditions, easements and liens for assessments recorded in Inst. No. 2000-13109; (8) Right of Way granted to the Water Works and Sewer Board recorded in Inst. No. 2000-13110 and Real 194, Page 43; (9) Right-of-way granted to Alabama Power Company recorded in Real 207, Page 380; (10); Reciprocal Easement Agreement between AmSouth Bank, NA and Eddleman and Associates recorded in Real 125, Page 249 and Real 199, Page 18; (11) Declaration of watershed covenants recorded in Real 194, Page 54 and Inst. No. 1993-26958; (12) Easement for sanitary sewer line and water lines recorded in Real 194, page 1, with deed and bill of sale to Water Works Board of the City of Birmingham recorded in Real 194, Page 43; (13) Agreement concerning electric service to NCNB/Brook Highland recorded in Real 306, Page 119; and (14) Brook Highland Common Property Declaration of Covenants, Conditions and Restrictions as recorded in Real 307, Page 950 with First Supplemental Declaration recorded in Inst. No 1998-40199.