

20090721000280120 1/5 \$24.00
Shelby Cnty Judge of Probate, AL
07/21/2009 12:24:32 PM FILED/CERT

THIS INSTRUMENT PREPARED
WITHOUT THE BENEFIT OF A TITLE SEARCH BY:
Baker, Donelson, Bearman, Caldwell & Berkowitz, P.C.
420 North 20th Street, Suite 1600
Birmingham, Alabama 35203-5202

SEND TAX NOTICE TO:
Bent River, LLC
c/o HPH Properties, LLC
2236 Cahaba Valley Drive, Suite 100
Birmingham, Alabama 35242

STATE OF ALABAMA)

\$ 10,000.00

SHELBY COUNTY)

STATUTORY WARRANTY DEED

THIS IS A STATUTORY WARRANTY DEED executed and delivered this 15th day of JULY, 2009, by MULTI-VEST, INC., an Alabama corporation, and WELLINGTON DEVELOPMENT CORPORATION, an Alabama corporation (collectively, "Grantors"), to BENT RIVER, LLC, an Alabama limited liability company ("Grantee").

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of the sum of Ten and 00/100 Dollars (\$10.00) in hand paid by Grantee to Grantors, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by Grantors, Grantors do by these presents grant, bargain, sell and convey unto Grantee the following described real estate situated in Shelby County, Alabama (the "Property"):

SEE EXHIBIT A

TOGETHER WITH all improvements and appurtenances thereto belonging or in anywise appertaining and all right, title and interest of Grantors in and to any and all roads, alleys and ways bounding the Property.

This conveyance is subject to the following:

1. Ad valorem taxes for tax year 2009 and subsequent years;
2. All other matters of record affecting the Property as shown in the Office of the Judge of Probate of Shelby County, Alabama, together with any deficiencies in quantity of land, discrepancies as to boundary lines, overlaps, etc., which would be disclosed by a true and accurate survey of the Property.

TO HAVE AND TO HOLD, to the said Grantee, its successors and assigns forever.

And each Grantor, and its respective successors and assigns, hereby covenants with Grantee, its successors and assigns, that each Grantor and its respective successors and assigns,

★ ALL OF THE PURCHASE PRICE WAS PAID FROM THE PROCEEDS
OF A MORTGAGE AMMENDMENT CLOSED SIMULTANEOUSLY.



20090721000280120 2/5 \$24.00
Shelby Cnty Judge of Probate, AL
07/21/2009 12:24:32 PM FILED/CERT

shall warrant and defend the same to Grantee, its successors and assigns, forever, against the lawful claims of all persons claiming under or through Grantors, or any of them, but not further or otherwise.

IN WITNESS WHEREOF, Grantors have executed this Statutory Warranty Deed as of the date first written above.

GRANTORS:

MULTI-VEST, INC.


By: *Charles G. Kessler Jr.*
Name: Charles G. Kessler Jr.
Its: President

WELLINGTON DEVELOPMENT CORPORATION

By: *Charles G. Kessler Jr.*
Name: Charles G. Kessler Jr.
Its: President

(Notary acknowledgements appear on the following pages.)

STATE OF ALABAMA)
JEFFERSON COUNTY)


20090721000280120 3/5 \$24.00
Shelby Cnty Judge of Probate, AL
07/21/2009 12:24:32 PM FILED/CERT

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Charles G. Kessler Jr., whose name as President of **MULTI-VEST, INC.**, an Alabama corporation, is signed to the foregoing Statutory Warranty Deed and who is known to me, acknowledged before me on this day that, being informed of the contents of the Statutory Warranty Deed, he/she, in such capacity and with full authority, executed the same voluntarily for and as the act of said corporation on the day the same bears date.

Given under my hand this the 15th day of July, 2009.

[NOTARIAL SEAL]


Notary Public

My Commission Expires: 2-10-2011

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Charles G. Kessler Jr., whose name as President of **WELLINGTON DEVELOPMENT CORPORATION**, an Alabama corporation, is signed to the foregoing Statutory Warranty Deed and who is known to me, acknowledged before me on this day that, being informed of the contents of the Statutory Warranty Deed, he/she, in such capacity and with full authority, executed the same voluntarily for and as the act of said corporation on the day the same bears date.

Given under my hand this the 15th day of July, 2009.

[NOTARIAL SEAL]


Notary Public

My Commission Expires: 2-10-2011

(Notary acknowledgements continue on the following page.)



20090721000280120 4/5 \$24.00
Shelby Cnty Judge of Probate, AL
07/21/2009 12:24:32 PM FILED/CERT

EXHIBIT A

THE PROPERTY

To be known as Area D on Final Plat for Bent River Phase IV. Currently known as:

A part of the Northwest $\frac{1}{4}$ of Section 20, Township 19 South, Range 2 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the Northwest corner of Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 20, Township 19 South, Range 2 West, Shelby County, Alabama; thence South 88 degrees 38 minutes 10 seconds East along the North line of said Section 20 a distance of 122.50 feet to a point on the Right of Way for U.S. Interstate 65; thence South 17 degrees 01 minute 24 seconds East along said right of way a distance of 125.63 feet; thence South 17 degrees 01 minute 24 seconds East a distance of 620.32 feet; thence South 12 degrees 29 minutes 11 seconds East along said right of way a distance of 290.64 feet to the point of beginning; thence South 72 degrees 28 minutes 58 seconds East a distance of 70.26 feet; thence South 31 degrees 07 minutes 06 seconds East a distance of 533.11 feet; thence South 46 degrees 33 minutes 05 seconds East a distance of 529.16 feet; thence South 21 degrees 58 minutes 19 seconds East a distance of 65.98 feet; thence South 05 degrees 15 minutes 04 seconds East a distance of 79.87 feet; thence South 52 degrees 40 minutes 52 seconds East a distance of 99.15 feet; thence North 83 degrees 51 minutes 50 seconds East a distance of 88.10 feet; thence North 48 degrees 15 minutes 23 seconds East a distance of 169.00 feet; thence North 70 degrees 37 minutes 00 seconds West a distance of 80.00 feet; thence North 19 degrees 23 minutes 00 seconds East a distance of 65.00 feet; thence North 70 degrees 37 minutes 00 seconds West a distance of 26.59 feet; thence North 39 degrees 31 minutes 04 seconds West a distance of 25.00 feet; thence North 50 degrees 28 minutes 56 seconds East a distance of 81.27 feet; thence North 29 degrees 43 minutes 04 seconds East a distance of 60.04 feet; thence North 09 degrees 38 minutes 27 seconds East a distance of 63.09 feet; thence North 27 degrees 39 minutes 10 seconds East a distance of 558.87 feet; thence North 10 degrees 37 minutes 35 seconds East a distance of 83.67 feet; thence North 03 degrees 21 minutes 47 seconds East a distance of 83.08 feet; thence North 07 degrees 13 minutes 47 seconds West a distance of 83.08 feet; thence North 17 degrees 49 minutes 21 seconds West a distance of 83.08 feet; thence North 27 degrees 45 minutes 10 seconds West a distance of 76.52 feet; thence North 30 degrees 41 minutes 51 seconds West a distance of 180.00 feet; thence North 02 degrees 23 minutes 15 seconds East a distance of 82.10 feet; thence North 24 degrees 52 minutes 31 seconds West a distance of 60.71 feet; thence North 15 degrees 04 minutes 29 seconds West a distance of 45.83 feet; thence North 27 degrees 23 minutes 45 seconds East a distance of 60.49 feet; thence North 20 degrees 18 minutes 18 seconds East a distance of 139.00 feet; thence South 42 degrees 36 minutes 40 seconds East a distance of 210.49 feet to the centerline of the Cahaba River; thence South 02 degrees 20 minutes 41 seconds East along centerline of said river a distance of 102.06 feet; thence South 04 degrees 25 minutes 27 seconds East along the centerline of said river a distance of 300.50 feet; thence South 26 degrees 34 minutes 53 seconds East along the centerline of said river a distance of 302.34 feet; thence South 18 degrees 08 minutes 16 seconds East along the centerline of said river a distance of 242.45 feet; thence South 22 degrees



20090721000280120 5/5 \$24.00
Shelby Cnty Judge of Probate, AL
07/21/2009 12:24:32 PM FILED/CERT

09 minutes 01 second West along the centerline of said river a distance of 175.08 feet; thence South 47 degrees 51 minutes 27 seconds West along the centerline of said river a distance of 103.45 feet; thence South 39 degrees 46 minutes 47 seconds West along the centerline of said river a distance of 299.63 feet; thence South 20 degrees 29 minutes 37 seconds West along the centerline of said river a distance of 195.32 feet; thence South 12 degrees 59 minutes 35 seconds West along the centerline of said river a distance of 96.25 feet; thence South 23 degrees 16 minutes 43 seconds West along the centerline of said river a distance of 97.04 feet; thence South 37 degrees 55 minutes 03 seconds West along the centerline of said river a distance of 92.17 feet; thence South 59 degrees 16 minutes 20 seconds West along the centerline of said river a distance of 86.48 feet; thence South 74 degrees 00 minutes 49 seconds West along the centerline of said river a distance of 190.97 feet; thence North 85 degrees 47 minutes 49 seconds West along the centerline of said river a distance of 114.43 feet; thence North 34 degrees 15 minutes 46 seconds West along the centerline of said river a distance of 705.38 feet; thence North 42 degrees 51 minutes 18 seconds West along the centerline of said river a distance of 50.28 feet; thence North 28 degrees 58 minutes 39 seconds West along the centerline of said river a distance of 273.83 feet; thence North 39 degrees 58 minutes 18 seconds West along the centerline of said river a distance of 59.87 feet; thence North 29 degrees 49 minutes 41 seconds West along the centerline of said river a distance of 236.56 feet; thence North 02 degrees 58 minutes 00 seconds West along the centerline of said river a distance of 87.68 feet; thence North 09 degrees 32 minutes 41 seconds West along the centerline of said river a distance of 35.00 feet to the right of way for U.S. Interstate Highway 65; thence North 25 degrees 40 minutes 26 seconds East along said right of way a distance of 45.33 feet to the Point of Beginning.