



20091228000470940 1/5 \$24.00
Shelby Cnty Judge of Probate, AL
12/28/2009 03:42:02 PM FILED/CERT

SEND TAX NOTICE TO:

James W. Howard, Jr.
Atlanta Hardwood Corporation
5596 Riverview Road
Mableton, GA 30126

STATE OF ALABAMA)
)
COUNTY OF SHELBY)

STATUTORY WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that in consideration of Two Million Four Hundred Thirty Two Thousand and No/100 Dollars (\$2,432,000.00), received in the manner hereinafter described by **HOWARD STOLZ HOWARD LIMITED PARTNERSHIP**, a Georgia limited partnership (the "Grantor"), from **HOWARD BROTHERS INVESTMENTS, LLLP**, a Georgia limited liability limited partnership (the "Grantee"), the Grantor does hereby grant and convey unto the Grantee the following described real estate situated in Shelby County, Alabama (the "Property"), to-wit:

Site 5-A, Resurvey of Sites 5A and 7A, being a resurvey of part of sites 4, 5, 6A and 7, being a resurvey of Site 6 and Lot 1-A-1-A-1, Shelby West Corporate Park, as recorded in Map Book 29, page 111, in the Probate Office of Shelby County, Alabama.

Together with all the rights, tenements, hereditaments and appurtenances thereto belonging or in any way appertaining.

This conveyance is subject to:

1. Any prior reservation or conveyance, together with release of damages of minerals of every kind and character, including, but not limited to gas, oil, sand and gravel in, on and under the Property.



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2. Rights of interested parties under outstanding leases, together with any related tenant escrow deposits.
3. General and special taxes or assessments for 2009 and subsequent years not yet due and payable.
4. Easement(s) as shown by recorded map.
5. Restrictions as shown by recorded map.
6. Restrictions or Covenants appearing of record in Instrument 2001-20649 and Instrument No. 1996-38767, in the Probate Office of Shelby County, Alabama.
7. Right of way granted to Alabama Power Company by instrument recorded in Instrument 20020821000398630 in the Probate Office of Shelby County, Alabama.

This Deed is being executed and delivered pursuant to that certain Contribution Agreement ("Contribution Agreement") dated as of December 1, 2009, among the Grantor, Howard Brothers Investments, LLLP, Howard Brothers Management Company LLC, James W. Howard, Jr., and Julia M. Kassis, as Trustee of the Irrevocable Trust F/B/O Certain Descendants of James Walton Howard, Sr., and Ora Louise Gray Howard, Created by John Winston Howard, Grantor, dated July 16, 1993. As contemplated by the Contribution Agreement, the Property is being conveyed to the Grantee as a contribution to the capital of the Grantee in exchange for a limited partnership interest in the Grantee having the value specified above as the consideration for this Deed.

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

The Grantor hereby covenants and agrees with Grantee, its successors and assigns, that the Grantor, its successors and assigns, will warrant and defend the above described Property against the lawful claims (unless otherwise noted above) of all persons claiming by, through, or under the Grantor.

The Property conveyed by this Statutory Warranty Deed does not constitute the homestead of the Grantor.

[SIGNATURE PAGES TO FOLLOW]



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IN WITNESS WHEREOF, **HOWARD STOLZ HOWARD LIMITED PARTNERSHIP**, has caused this instrument to be executed by its duly authorized general partners, having hereby set their hands and seals, this 1st day of December, 2009.

GRANTOR:


HOWARD STOLZ HOWARD LIMITED PARTNERSHIP, a Georgia limited partnership

By: James Walton Howard, Jr. (SEAL)
James Walton Howard, Jr.,
General Partner

By: Anne Howard Stolz (SEAL)
Anne Howard Stolz,
General Partner

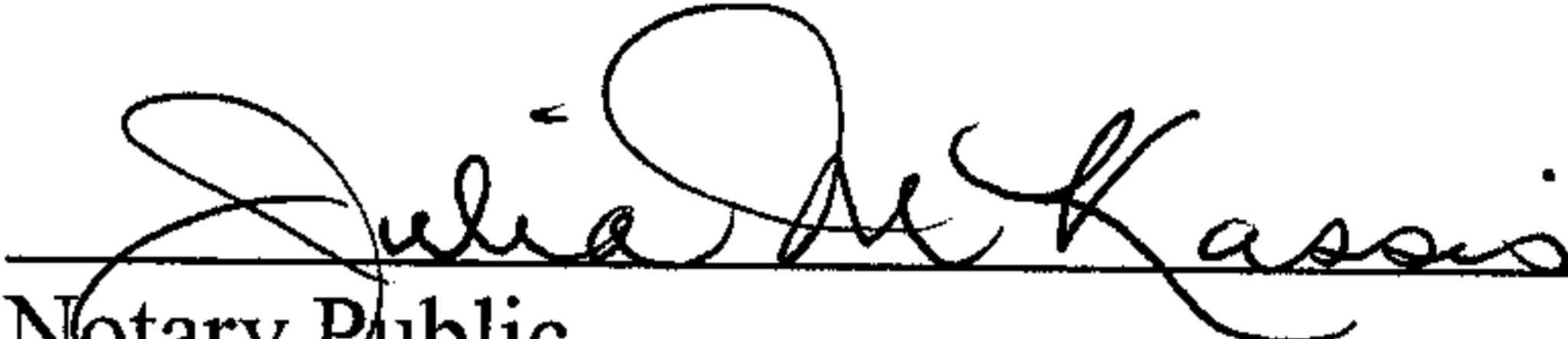
(BEING ALL THE GENERAL PARTNERS
THEREOF)

STATE OF Georgia)
)
COUNTY OF Fulton)


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I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that JAMES WALTON HOWARD, JR., as General Partner of **HOWARD STOLZ HOWARD LIMITED PARTNERSHIP**, a Georgia limited partnership, 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 she/he, as such General Partner, executed the same voluntarily on behalf of said limited partnership.

Given under my hand and official seal this 1st day of December, 2009.




Notary Public

My Commission Expires: Nov. 12, 2013


JULIA M KASSIS
NOTARY PUBLIC, FULTON COUNTY, GEORGIA
MY COMMISSION EXPIRES NOVEMBER 12, 2013

STATE OF Georgia)
)
COUNTY OF Fulton)


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I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that ANNE HOWARD STOLZ, as General Partner of **HOWARD STOLZ HOWARD LIMITED PARTNERSHIP**, a Georgia limited partnership, 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 she/he, as such General Partner, executed the same voluntarily on behalf of said limited partnership.

Given under my hand and official seal this 1st day of December, 2009.



Notary Public

My Commission Expires: November 12, 2013

JULIA M KASSIS
NOTARY PUBLIC, FULTON COUNTY, GEORGIA
MY COMMISSION EXPIRES NOVEMBER 12, 2013

This instrument prepared by and
after recording return to:

Michael R. Davis, Esq.
Alston & Bird LLP
1201 West Peachtree Street
Atlanta, Georgia 30309
(404) 881-7367