


Send Tax Notice To:

Red Mountain Bank  
P.O. Box 381748  
Birmingham, AL 35238

  
20100526000166760 1/5 \$5651.50  
Shelby Cnty Judge of Probate, AL  
05/26/2010 09:37:46 AM FILED/CERT

STATE OF ALABAMA                    )  
  :  
SHELBY COUNTY                        )

### STATUTORY WARRANTY DEED

**KNOW ALL MEN BY THESE PRESENTS**, that in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, paid in hand to **RMB HOLDINGS, LLC**, an Alabama limited liability company (herein called the "Grantor"), by **RED MOUNTAIN BANK, NATIONAL ASSOCIATION**, a national banking association (herein called the "Grantee"), the receipt and sufficiency of which are hereby acknowledged, the Grantor does hereby grant, bargain, sell and convey unto the Grantee the land described on Exhibit A attached hereto and made a part hereof, together with all improvements thereon, situated in Shelby County, Alabama; subject however, to the exceptions listed on Exhibit B attached hereto and incorporated herein.

**TO HAVE AND TO HOLD** unto the Grantee and its successors and assigns in fee simple forever.


**IN WITNESS WHEREOF**, the Grantor has caused this conveyance to be duly executed on this 25 day of May, 2010.

**RMB HOLDINGS, LLC**

By *Jerry O Kimbrough*  
Its *Managing member*

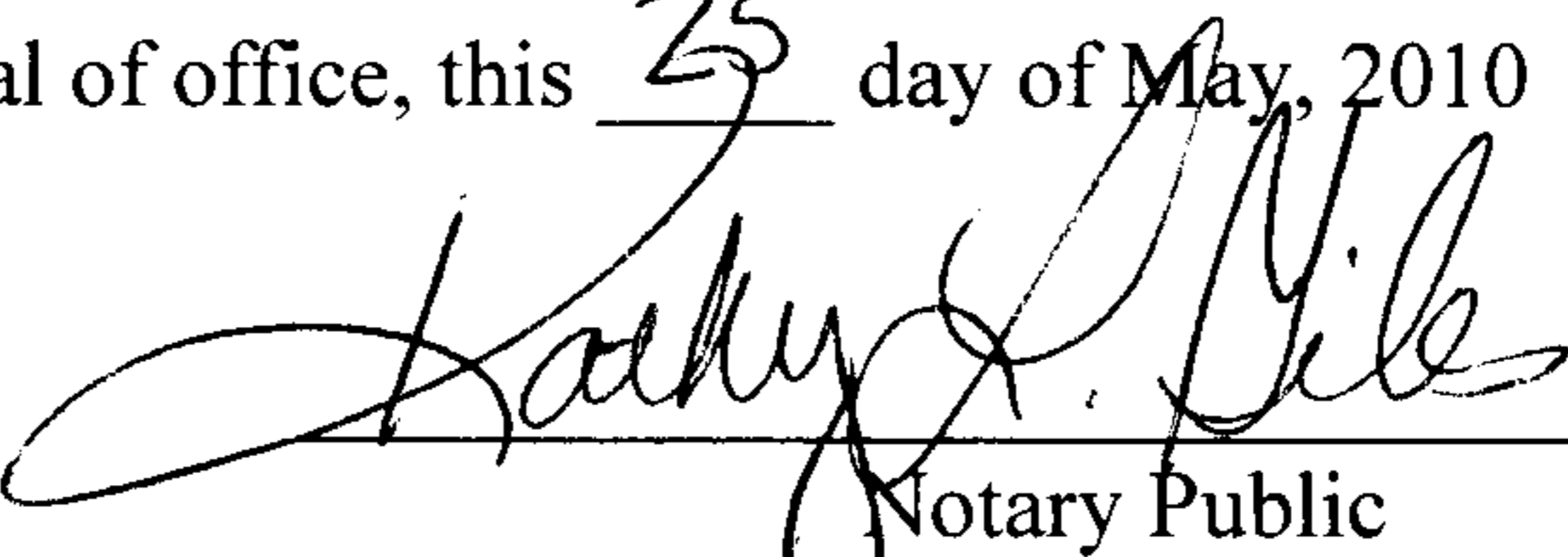
Deed Tax : \$5628.50

STATE OF ALABAMA                    )  
  :  
JEFFERSON COUNTY                    )

  
20100526000166760 2/5 \$5651.50  
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I, the undersigned authority, a Notary Public in and for said county in said state, hereby certify that Jerry Dunn Kimbrough, whose name as manager of RMB HOLDINGS, 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/she, as such manager and with full authority, executed the same for and as the act of said limited liability company.

Given under my hand and official seal of office, this 25 day of May, 2010

  
\_\_\_\_\_  
Notary Public


[ NOTARIAL SEAL ]

My Commission Expires: 8-4-2010

This instrument was prepared by:

Meade Whitaker, Jr.  
1819 Fifth Avenue North  
Birmingham, Alabama 35203


**EXHIBIT A**

  
20100526000166760 3/5 \$5651.50  
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**LEGAL DESCRIPTION**

Inverness Center, Site 24C, including Existing Access Road, as recorded in Map Book 24, Page 3, in the Probate Office of Shelby County, Alabama.

**EXHIBIT B**  
**EXCEPTIONS**

  
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1. Ad valorem taxes and assessments for the year 2010 and thereafter, which are not yet due and payable.

2. Mineral and mining rights owned by others.

3. Each and every easement, right-of-way, minimum setback building line, regulation and/or restrictions noted on that plat as recorded in Map 24, Page 3 in the Office of the Judge of Probate, Shelby County, Alabama.

4. Each and every easement, right-of-way, minimum setback building line, regulation and/or restrictions noted on that survey prepared by Paragon Engineering, Inc., dated October, 2003, Project Number 897147 (the "Survey"), including, but not limited to, the following:

i. 20 foot setback/no disturb line on the north side of the property as shown on the Survey;

ii. 30 foot setback/no disturb line on the southwest side of the property as shown on the Survey;

iii. 10 foot setback/no disturb line on the south and east side of the property as shown on the Survey;

iv. save/undisturbed area in the western area of the property as shown on the Survey;

v. existing access road as shown on the Survey;

vi. Access Road "A" as shown on the Survey;

vii. Birmingham Water Works Board 12' Main as shown on the Survey; and

viii. South Central Bell buried telephone line as shown on the Survey.

5. Restrictions and restrictive covenants of record in the Office of the Judge of Probate of Shelby County, Alabama in that certain Declaration of Covenants, Maintenance, Right of Repurchase, General Restrictions, Enforcement, Duration and Amendment and Reciprocal Negative Easements as recorded in Instrument Number 1998-24495, including, but not limited to, the following:

- i. Right of ingress and egress to Metropolitan Life Insurance Company, its successors and assigns, along the Access Road;
- ii. Right of Repurchase as described in Article 5.1;
- iii. General Restrictions as described in Articles 6.1 – 6.6; and
- iv. Reciprocal Negative Easements as described in Article 9.1;

but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, or national origin, to the extent such covenants, conditions or restrictions violate 52 USC 3504(c).

6. Easement Agreement between Metropolitan Life Insurance Company and HealthSouth Real Property Corporation recorded in Instrument Number 1998-23 in the Office of the Judge of Probate of Shelby County, Alabama.

7. Easement Agreement between Metropolitan Life Insurance Company and HealthSouth Real Property Corporation recorded in Instrument Number 1994-23 in the Office of the Judge of Probate of Shelby County, Alabama.

8. Easement Agreement between Metropolitan Life Insurance Company and Prime Hospitality Corporation recorded in Instrument Number 1996-23103 in the Office of the Judge of Probate of Shelby County, Alabama.

9. Supplemental Deed and Agreement recorded in Book 365, Page 876; Deed and Agreement recorded in Book 314, Page 561 and Assignment and Agreement recorded in Book 328, Page 64 in the Office of the Judge of Probate of Shelby County, Alabama.

10. Common Area Maintenance Agreement in Instrument Number 1998-24496 in the Office of the Judge of Probate, Shelby County, Alabama.

11. Right of Way granted to Alabama Power Company by instruments recorded in Deed Book 182, Page 51 and Instrument Number 20050801000383410 in the Office of the Judge of Probate, Shelby County, Alabama.

12. Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto, together with any release of liability for injury or damage to persons or property as a result of the exercise of such rights as recorded in Deed Book 5, Page 355 in the Office of the Judge of Probate, Shelby County, Alabama.