THIS INSTRUMENT PREPARED BY:

James J. Odom, Jr.
Post Office Box 11244
Birmingham, AL 35202-1244

SEND TAX NOTICE TO:

VS Properties, LLC 1109 First Street South Alabaster, Alabama 35007

STATE OF ALABAMA

**COUNTY OF SHELBY** 

20101129000399140 1/2 \$97.50 Shelby Cnty Judge of Probate, AL 11/29/2010 02:46:13 PM FILED/CERT

## WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS THAT in consideration of Eight Hundred Twenty-Five Thousand and No/100 Dollars (\$825,000.00) and other good and valuable consideration, to the undersigned, Roy Martin Construction, LLC, an Alabama limited liability company ("Grantor"), in hand paid by VS Properties, LLC, an Alabama limited liability company ("Grantee"), the receipt and sufficiency of which are hereby acknowledged, Grantor does by these presents, grant, bargain, sell and convey unto the said Grantee the following described real estate, situated in Shelby County, Alabama (the "Real Estate"), to-wit:

Lot 4, Block B, according to the Survey of Nickerson's Addition to Alabaster, as recorded in Map Book 3, Page 69, in the Probate Office of Shelby County, Alabama; being located in the SW 1/4 of Section 1, Township 21 South, Range 3 West, and described as follows:

Commence at the SE corner of the North 1/2 of the South 1/2 of the SW 1/4 of said Section 1 and go North 03 deg. 14 min. 00 sec. East along the East boundary of said 1/4-1/4 Section for 667.00 feet; thence North 84 deg. 46 min. 00 sec. West for 959.00 feet to the North boundary of Interstate I-65 and the point of beginning; thence North 51 deg. 55 min. 32 sec. East for 22.73 feet to the center line of 10<sup>th</sup> Avenue SE; thence North 84 deg. 46 min. 00 sec. West along said centerline for 369.39 feet; thence South 03 deg. 14 min. 00 sec. West for 38.09 feet to the North boundary of Interstate I-65; thence three courses along said North boundary as follows: go South 50 deg. 02 min. 42 sec. East for 107.50 feet; thence South 82 deg. 29 min. 19 sec. East for 176.16 feet; thence North 51 deg. 55 min. 32 sec. East for 107.00 feet to the point of beginning. Less and except any portion of the land lying within road rights of way.

SUBJECT TO: (1) Current taxes; (2) Easements affecting the land as set out in Map Book 3, Page 69 in the Probate Office; (3) Restrictions, covenants and conditions as set out in instrument recorded in Inst. No. 1995-22913 in Probate Office; (4) Transmission Line Permits to Alabama Power Company as shown by instruments recorded in Deed Book 48, Page 617, Deed Book 60, Page 66, and Deed Book 217, Page 766, in Probate Office; (5) Easements for road right of way as shown by instrument recorded in Deed Book 312, Page 646, in Probate Office; (6) Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto, including rights set out in Inst. No. 1994-16894 in Probate Office; (7) All existing, future or potential common law or statutory rights of access between the right of way of I-65 and subject property as conveyed and relinquished to the State of Alabama; (8) Encroachments of Alabama Power Company line onto and/or off of the land as shown on unsigned and undated survey provided to Cahaba Title, Inc.

\$742,500.00 of the purchase price recited above was paid from a mortgage loan closed simultaneously herewith.

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

And Grantor does for itself, its successors and assigns, covenant with Grantee, its successors and assigns, that it is lawfully seized in fee simple of the Real Estate; that the Real Estate is free from all encumbrances, unless otherwise noted above; that Grantor has a good right to sell and convey the same as aforesaid; that Grantor will, and its successors and assigns shall, warrant and defend the same to the Grantee, its successors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the undersigned has executed this conveyance on this the 16<sup>th</sup> day of November, 2010.

WITNESSES:

Roy Martin Construction, LLC

By:

Roy L. Martin, as its Sole Member

STATE OF ALABAMA

COUNTY OF SHELBY

20101129000399140 2/2 \$97.50

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I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Roy L. Martin, whose name as Sole Member of Roy Martin Construction, 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 Sole Member, and with full authority, executed the same voluntarily for and as the act of said limited liability company.

Given under my hand and seal this 16th day of Noyember, 2010.

My Commission Expires:

ry Public