

STATE OF ALABAMA
COUNTY OF SHELBY

CORRECTIVE STATUTORY WARRANTY DEED

WHEREAS, Charles S. Givianpour, hereinafter, the "Grantor", did convey certain lands situated in Shelby County, Alabama to Delaney Exchange, LLC, hereinafter, the "Grantee", by Statutory Warranty Deed dated the 8th day of August 2008 which said deed is recorded as Instrument Number 20080811000321820 of the records in the office of the Judge of Probate of Shelby County, Alabama; and

WHEREAS, said deed contained a scrivener's error in the description; and

WHEREAS, the parties wish to correct the error in the description in said deed, all as part of a compromise settlement, reached through mediation, in that certain litigation styled Delaney Exchange LLC, Plaintiff v. Charles S. Givianpour, Defendant, in the Circuit Court of Jefferson County, Alabama, case number CV-09-901073,

Now therefore in consideration of the premises and the mutual covenants contained herein,

KNOW ALL MEN BY THESE PRESENTS: That in consideration of Ten and 00/100 Dollars (\$10.00), and other good and valuable considerations to the undersigned Grantor (whether one or more), in hand paid by the Grantee herein, the receipt whereof is acknowledged, I, Charles S. Givianpour, a married man, herein referred to as Grantor, whether one or more), grant,

bargain, sell and convey unto Delaney Exchange, LLC, (herein referred to as Grantee, whether one or more), the following described real estate, situated in Shelby County, Alabama, to wit:

Described on Exhibit A, attached hereto and incorporated by reference herein.

SUBJECT TO: Those certain permitted exceptions as set forth on Exhibit B attached hereto and incorporated by reference herein.

Grantor represents and warrants that there are no fire dues owing or applicable to the property conveyed by this deed.

The property conveyed herein is not the homestead of the Grantor or his spouse.

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

This deed is **NOT INTENDED** to convey, and Grantor specifically retains, as to the property described in this deed, condemnation awards which have not been paid as of August 8, 2008 or awards, and the right to contest awards for condemnations pending as of August 8, 2008 along with any right of action against any person, firm or corporation for trespass, condemnation, inverse condemnation, or other claims to damage to the subject property which may have existed as of August 8, 2008, the date of closing.

IN WITNESS WHEREOF, the undersigned has hereunto set his hand and seal, this the 21st day of September 2010.

20101207000409060 3/6 \$28.00
Shelby Cnty Judge of Probate, AL
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GRANTOR:

C. S. Givianpour
CHARLES S. GIVIANPOUR

STATE OF ALABAMA
COUNTY OF JEFFERSON

I, the undersigned, a Notary Public in and for said State and County, hereby certify that CHARLES S. GIVIANPOUR, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of said instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand and official notarial seal this 18th day of November, 2010.

Laneshia D. Franklin
Notary Public
State of Alabama at Large
My Commission Expires: 8-1-13

GRANTEE

Robert S. Frost, Manager
DELANEY EXCHANGE, LLC

STATE OF ALABAMA
COUNTY OF MOBILE

I, the undersigned, a Notary Public in and for said State and County, hereby certify that ROBERT S. FROST, whose name as its ^{Manager}Member of DELANEY EXCHANGE, LLC, an Alabama limited liability company, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of said instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand and official notarial seal this 3rd day of December, 2010.

Deborah M. Paul
Notary Public
State of Alabama at Large
My Commission Expires: 7-10-2013

20101207000409060 4/6 \$28.00
Shelby Cnty Judge of Probate, AL
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EXHIBIT "A"

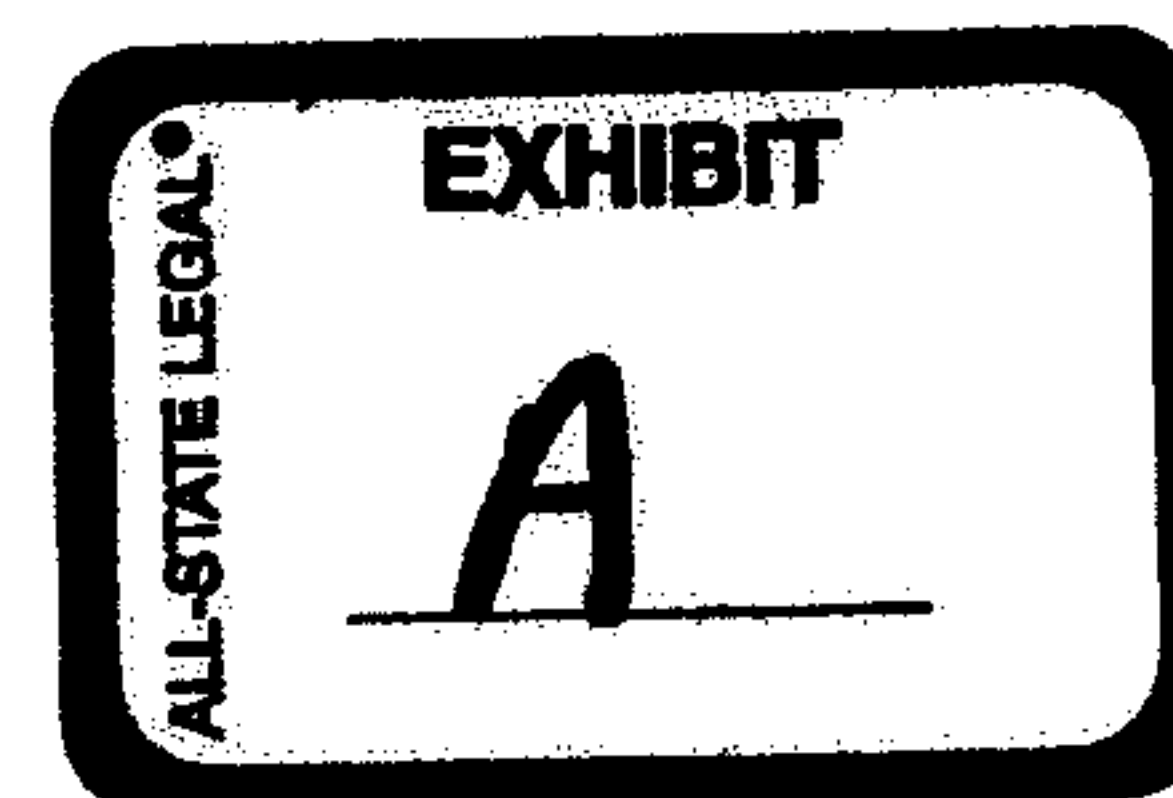
Legal Description

Township 20 South, Range 1 West, Shelby County, Alabama

- Section 29:** The East One-half of the Northwest Quarter (E1/2 of NW1/4);
The Southwest Quarter of the Northwest Quarter (SW1/4 of NW1/4);
The North One-half of the Southwest Quarter (N1/2 of SW1/4);
The Southwest Quarter of the Southwest Quarter (SW1/4 of SW1/4).
- Section 30:** The South One-half of the Southwest Quarter (S1/2 of SW1/4);
The East One-half of the Southeast Quarter (E1/2 of SE1/4);
The Southwest Quarter of the Southeast Quarter (SW1/4 of SE1/4).
- Section 31:** The Northwest Quarter of the Northeast Quarter (NW1/4 of NE1/4);
The North One-half of the Northwest Quarter (N1/2 of NW1/4);
The Southwest Quarter of the Northwest Quarter (SW1/4 of NW1/4).

Township 20 South, Range 2 West, Shelby County, Alabama

- Section 23:** The Southeast Quarter of the Northeast Quarter (SE1/4 of NE1/4);
- Section 24:** The Southwest Quarter of the Northeast Quarter (SW1/4 of NE1/4);
The Northeast Quarter of the Southwest Quarter (NE1/4 of SW1/4);
The South One-half of the Southwest Quarter (S1/2 of SW1/4);
The West One-half of the Southeast Quarter (W1/2 of SE1/4).
- Section 25:** The Northwest Quarter of the Northwest Quarter (NW1/4 of NW1/4);
The South One-half of the Northwest Quarter (S1/2 of NW1/4);
The Southwest Quarter (SW1/4);
The West One-half of the Southeast Quarter (W1/2 of SE1/4);
The Southeast Quarter of the Southeast Quarter (SE1/4 of SE1/4);





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Shelby Cnty Judge of Probate, AL
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A part of the Northeast Quarter of the Northwest Quarter (NE1/4 of NW1/4) described as being a six (6) acre block in the Northwest corner of quarter-quarter;

A part of the Southwest Quarter of the Northeast Quarter (SW1/4 of NE1/4) described as follows: Commencing at the Southeast corner of said quarter-quarter and run North for 150 yards (450 feet) to a road; thence run Westerly along the road to C. L. Mooney's land; thence South to the Southwest corner of said quarter-quarter; thence East to the Southeast corner of said quarter-quarter and the point of beginning.

Section 26: All that part of the Northeast Quarter (NE1/4) and all that part of the Northwest Quarter of the Southeast Quarter (NW1/4 of SE1/4) which lies South of the following described line to wit: Commencing where the Clear Prong of Yellow Leaf Creek is intersected by the North and South median line of said Section and run in a straight line to the point where said creek is intersected by the East boundary of said Section;

The West One-half, EXCEPT the South One-half of the South One-half of the Southwest Quarter (S1/2 of S1/2 of SW1/4);

The Southwest Quarter of the Southeast Quarter (SW1/4 of SE1/4), EXCEPT, the South One-half of the Southwest Quarter of the Southeast Quarter (S1/2 of SW1/4 of SE1/4) and LESS AND EXCEPT the following described parcel from the Southeast Quarter of the Southwest Quarter (SE1/4 of SW1/4) and the Southwest Quarter of the Southeast Quarter (SW1/4 of SE1/4): Commence at the Southwest corner of said Section 26 and proceed North 02 degrees 32 minutes 48 seconds West along the West boundary line of said Section for a distance of 688.38 feet; thence run North 88 degrees 38 minutes 46 seconds East for a distance of 2,268.45 feet to the point of beginning; thence continue North 88 degrees 38 minutes 46 seconds East for a distance of 940.0 feet; thence run North 55 degrees 15 minutes 57 seconds West for 91.32 feet; thence run North 33 degrees 12 minutes 32 seconds West for a distance of 180.70 feet; thence run South 88 degrees 38 minutes 46 seconds West for a distance of 770.85 feet; thence run South 01 degree 21 minutes 14 seconds East for a distance of 207.30 feet back to the point of beginning;


Ten acres evenly off the West side of the Southeast Quarter of the Southeast Quarter (SE1/4 of SE1/4), LESS AND EXCEPT, the South One-half of the Southeast Quarter of the Southeast Quarter (S1/2 of SE1/4 of SE1/4).

Section 36: The Northeast Quarter (NE1/4).

Being a portion of the premises conveyed to Grantor by deed, dated February 10, 2000, recorded in the Probate Office of Shelby County, Alabama, in Instrument Number 2000-04451.


**EXHIBIT B TO REDEMPTION DEED FROM CHARLES S. GIVIANPOUR TO DELANEY
EXCHANGE, LLC**

EXCEPTIONS


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Shelby Cnty Judge of Probate, AL
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1. Taxes due in the year 2008 and thereafter.
2. Mineral and mining rights and all rights incident thereto not owned by the Grantor.
3. Deed of Conservation Easement as recorded in Instrument Number 20061229000635150.
4. Right of way granted to Shelby County, Alabama as recorded in Instrument Number 20060911000449200 (24-20-2W).
5. Lis Pendens as recorded in Instrument Number 20080411000149300 (24-20-2W)
6. Less and except that portion condemned in Case PR-2006-00323 as recorded in Instrument Number 20080619000250220; Instrument Number 20080619000250230 and Instrument Number 20080619000250240 (24 & 25, 20-2N).
7. Underground Communication Line Easement granted to Level 3 Communications, LLC as recorded in Instrument Number 2000-00007.
8. Public road easement to Shelby County, subject to terms, conditions and limitations of same, recorded in Instrument Number 1999-25487.
9. Road enhancement easement, forestry road easement and residential access easements as referenced in Instrument Number 2001-64668.
10. Subject to any part of subject property lying within a roadway or easement.
11. The rights of upstream and downstream riparian owners with respect to any body of water which may lie adjacent to, and/or traversing through, subject property.
12. Non-exclusive Private Road Easement to William P. Buck, Sr., recorded in Instrument Number 2000-23008.
13. Non-Exclusive Private Road Easement to William P. Buck, Sr. recorded in Instrument Number 1994-21472 and Instrument Number 1996-24898.
14. Right of way granted to Alabama Power Company as set out in Instrument(s) recorded in Deed Book 222, Page 112.
15. Grant of Easement/Right of way to Shelby County, Alabama or City of Pelham, Alabama, as recorded in Instrument Number 2001-44669.
16. Non-Exclusive Easement for ingress and egress to Josie Griffin Chanplee as recorded in Book 100, Page 729.
17. Lack of access to the SE ¼ of the NE ¼ of Section 23, Township 20 South, Range 2 West

Shelby County, AL 08/11/2008
State of Alabama
Deed Tax: \$6600.00


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Shelby Cnty Judge of Probate, AL
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