

3,358,000



20101220000425450 1/6 \$3385.00
Shelby Cnty Judge of Probate, AL
12/20/2010 08:18:34 AM FILED/CERT

This Instrument Was Prepared By:

Thomas G. Amason III
Balch & Bingham LLP
P.O. Box 306
Birmingham, AL 35201

Send Tax Notice To:

Propst Vestavia, LLC
401 Meridian Street, Suite 301
Huntsville, Alabama 35801
Attn: John N. Hughey

STATUTORY WARRANTY DEED

STATE OF ALABAMA)
 :
COUNTY OF SHELBY)

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of Ten and No/100 Dollars (\$10.00) to the undersigned grantor, in hand paid by the grantee herein, the receipt whereof is acknowledged, **COMPASS BANK**, an Alabama banking corporation (herein referred to as "Grantor"), grants, bargains, sells and conveys, subject to the matters set forth below, unto **PROPT VESTAVIA, LLC**, a Delaware limited liability company (herein referred to as "Grantee"), the real estate situated in Shelby County, Alabama described on Exhibit A hereto, together with all appurtenances thereto, if any (the "Property").

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

The Property is conveyed to the Grantee subject to the following:

1. Taxes for the year 2011 and subsequent years.
2. Easements and building lines as shown on recorded map.
3. Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto, including release of damages.
4. Restrictions appearing of record in Instrument Number 2009-47735 and Instrument Number 2010-15499 in the Office of the Judge of Probate of Shelby County, Alabama.
5. Sewer and utility easement as recorded in Instrument Number 2003-71329 in the Office of the Judge of Probate of Shelby County, Alabama.
6. Riparian rights associated with the Cahaba River under applicable State and/or Federal law.
7. Limited or controlled access due to the Property fronting on or abutting against Interstate Highway No. I-65 on the westerly side.

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State of Alabama
Deed Tax: \$3358.00

8. Any lien or charge for general or special taxes or assessments not yet delinquent.
9. Encroachments, overlaps, boundary line disputes and other matters that would be revealed by an accurate survey or inspection of the Property.
10. Riparian and littoral rights of third parties, if any, and any right, title or interest of the State of Alabama with respect to any stream on the Property, if any.
11. Rights of third parties, including the public at large, with respect to any portion of the Property located in a public right of way, if any.
12. Easements, covenants, reservations, conditions and restrictions of record.
13. Any statutory right of redemption held by others under Section 6-5-248 of the Code of Alabama (1975), as the same may be amended from time to time or any successor statute.
14. Utility easements and facilities serving the Property, whether of record or not.

[SIGNATURE APPEARS ON THE NEXT PAGE]

IN WITNESS WHEREOF, Grantor has hereunto caused this conveyance to be executed effective as of December 17, 2010.

COMPASS BANK

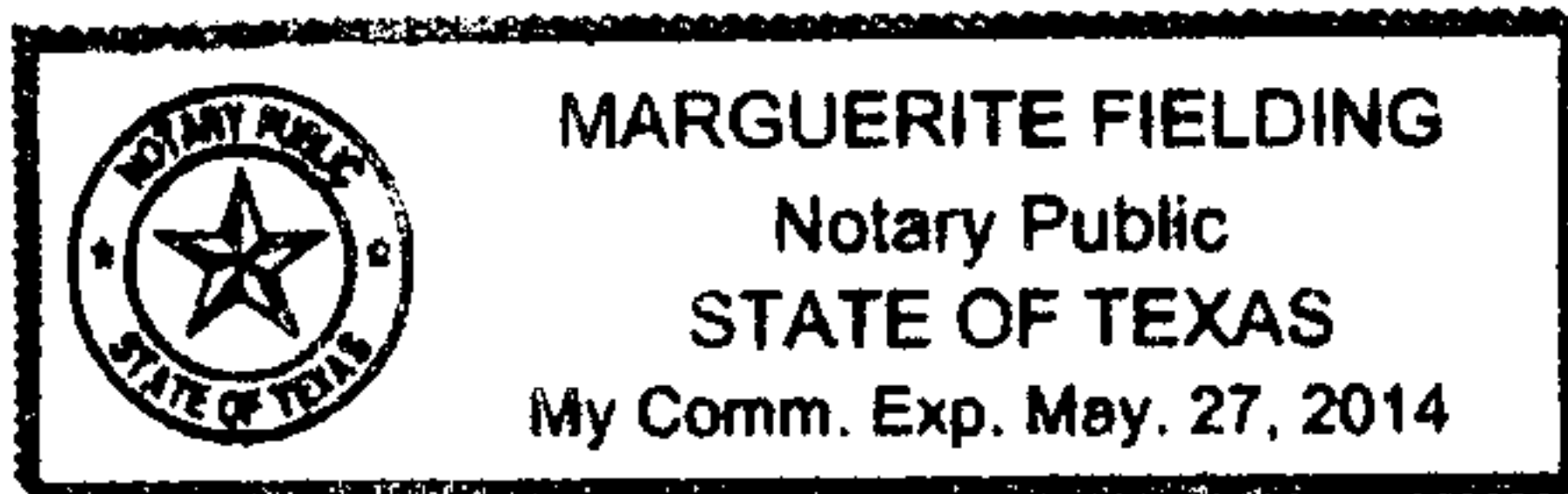
By: Deborah Laycock
DEBORAH LAYCOCK
Executive Vice President

STATE OF TEXAS)

COUNTY OF DALLAS)

I, Marguerite Fielding a Notary Public in and for said County in said State, hereby certify that DEBORAH LAYCOCK, whose name as Executive Vice President of **Compass Bank**, an Alabama banking corporation, 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 the instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand this 16 day of December, 2010.



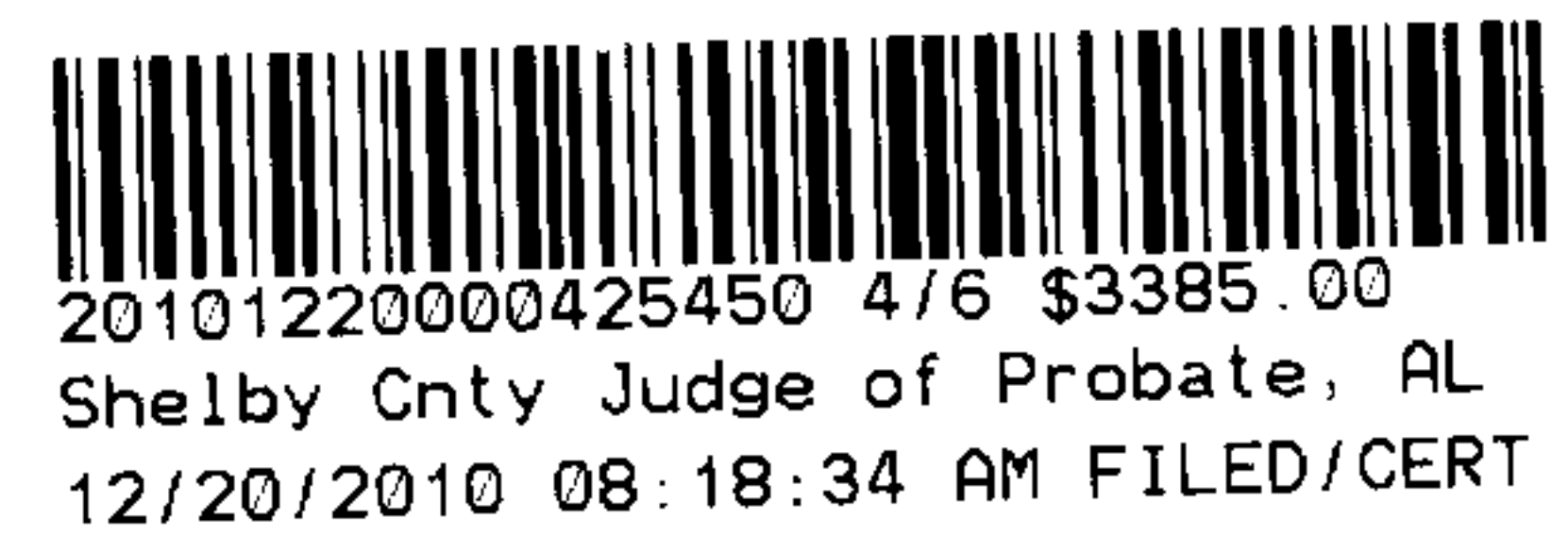
[Notarial Seal]

Marguerite Fielding
Notary Public, State of Texas

My Commission expires: _____

EXHIBIT A

Legal Description



A part of the Northwest quarter of Section 20, Township 19 South, Range 2 West, being more particularly described as follows:

Parcel I:

Commencing at the Southeast corner of the Northwest quarter of the Northwest quarter of said Section 20; thence North 01 degree 13 minutes 49 seconds West a distance of 297.14 feet to the point of beginning; thence North 89 degrees 27 minutes 19 seconds West a distance of 937.47 feet; thence North 25 degrees 40 minutes 26 seconds East a distance of 45.33 feet; thence North 12 degrees 29 minutes 11 seconds West a distance of 290.64 feet; thence North 17 degrees 01 minutes 24 seconds West a distance of 620.32 feet; thence South 87 degrees 00 minutes 36 seconds East a distance of 346.91 feet; thence South 25 degrees 36 minutes 20 seconds East a distance of 267.53 feet; thence South 13 degrees 14 minutes 41 seconds East a distance of 207.74 feet; thence North 61 degrees 04 minutes 03 seconds East a distance of 211.58 feet; thence North 44 degrees 19 minutes 55 seconds East a distance of 58.95 feet; thence North 61 degrees 49 minutes 30 seconds East a distance of 200 feet; thence South 36 degrees 06 minutes 39 seconds East a distance of 74.45 feet; thence North 57 degrees 42 minutes 41 seconds East a distance of 150.00 feet; thence North 24 degrees 54 minutes 01 seconds East a distance of 150.00 feet; thence North 85 degrees 43 minutes 49 seconds East a distance of 264.97 feet; thence South 42 degrees 36 minutes 40 seconds East a distance of 289.40 feet; thence South 02 degrees 20 minutes 41 seconds East a distance of 102.06 feet; thence South 04 degrees 25 minutes 27 seconds East a distance of 300.50 feet; thence South 26 degrees 34 minutes 53 seconds East a distance of 302.34 feet; thence North 89 degrees 27 minutes 16 seconds West a distance of 605.05 feet to the point of beginning.

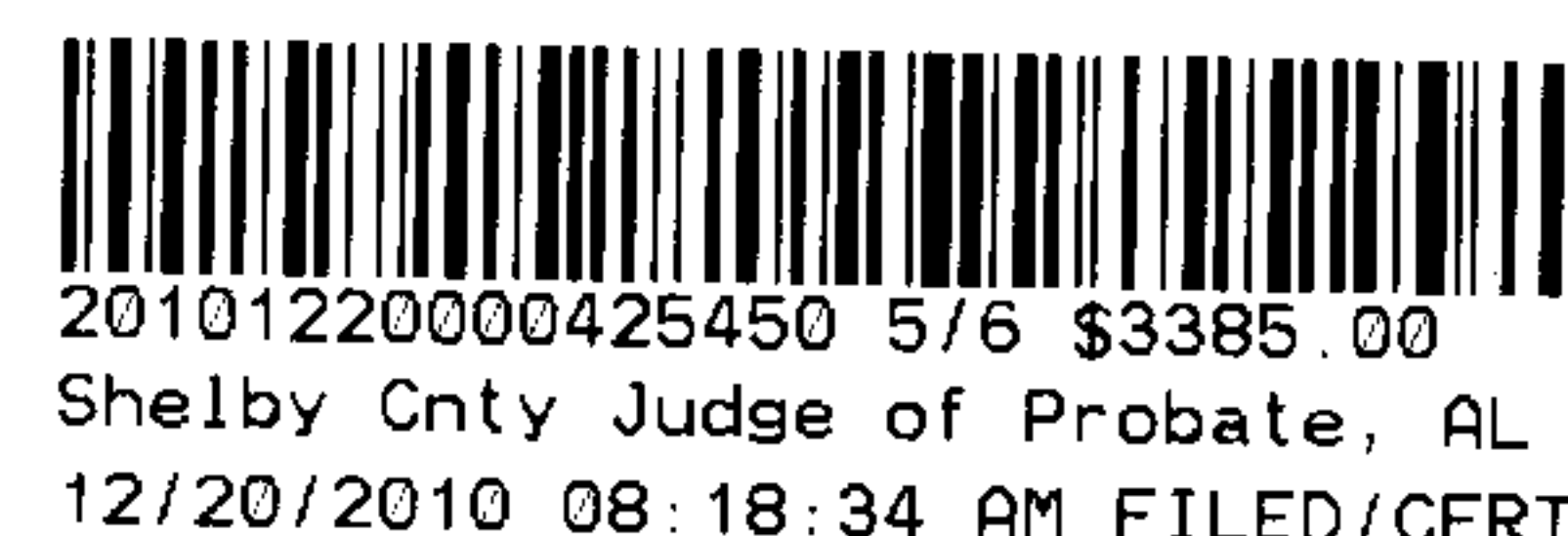
LESS AND EXCEPT FROM PARCEL I:

A parcel to be known as Area "C", according to the Final Plat for Bent River, Phase IV, and described as follows:

Commence at the Northwest Corner of Section 20, Township 19 South, Range 2 West, Shelby County, Alabama; thence South 88 degrees 39 minutes 08 seconds East along North Line of Said Section a distance of 122.49 feet; thence South 16 degrees 50 minutes 24 seconds East a distance of 125.48 feet; thence South 87 degrees 02 minutes 38 seconds East a distance of 348.24 feet; thence South 25 degrees 19 minutes 58 seconds East a distance of 267.95 feet; thence South 61 degrees 04 minutes 03 seconds West a distance of 9.41 feet; thence South 24 degrees 59 minutes 59 seconds East a distance of 180.42 feet; thence North 61 degrees 04 minutes 03 seconds East a distance of 173.70 feet; thence North 63 degrees 22 minutes 19 seconds East a distance of 53.59 feet; thence North 61 degrees 04 minutes 03 seconds East a distance of 204.67 feet; thence South 36 degrees 09 minutes 47 seconds East a distance of 78.38 feet; thence North 56 degrees 25 minutes 04 seconds East a distance of 56.36 feet; thence North 57 degrees 42 minutes 41 seconds East a distance of 42.98 feet to the point of beginning; thence North 57 degrees 42 minutes 41 seconds East a distance of 50.52 feet; thence North 24 degrees 54 minutes 01 seconds East a distance of 150.00 feet; thence North 85 degrees 42 minutes 46 seconds East a distance of 263.78 feet; thence South 42 degrees 36 minutes 40 seconds East a distance of 78.91 feet; thence South 20 degrees 18 minutes 18 seconds West a distance of 139.00 feet; thence South 27 degrees 23 minutes 45 seconds West a distance of 60.49 feet; thence South 15 degrees 04 minutes 29 seconds East a distance of 45.83 feet; thence South 24 degrees 52 minutes 31 seconds East a

distance of 60.71 feet; thence South 01 degrees 58 minutes 09 seconds West a distance of 83.03 feet; thence North 30 degrees 41 minutes 51 seconds West a distance of 60.01 feet; thence South 58 degrees 19 minutes 57 seconds West a distance of 141.48 feet; thence North 31 degrees 43 minutes 42 seconds West a distance of 90.66 feet to a point on a curve to the right with a radius of 24.97 feet, with a delta angle of 82 degrees 14 minutes 56 seconds, with a chord bearing of North 07 degrees 38 minutes 42 seconds East, with a chord length of 32.85 feet; thence along the arc of said curve 35.85 feet to a point on a curve to the left with a radius of 49.99 feet, with a delta angle of 235 degrees 27 minutes 38 seconds, with a chord bearing of North 68 degrees 57 minutes 40 seconds West, with a chord length of 88.51 feet; thence along the arc of said curve 205.46 feet to a point on a curve of a curve right with a radius of 25.05 feet, with a delta angle of 54 degrees 58 minutes 37 seconds, with a chord bearing of South 20 degrees 32 minutes 36 seconds West, with a chord length of 23.13 feet; thence along the arc of said curve 24.04 feet; thence North 33 degrees 31 minutes 18 seconds West a distance of 173.43 feet to the point of beginning.

Parcel II:



Commence at the Southeast corner of the Northwest quarter of the Northwest of Section 20, Township 19 South, Range 2 West, Shelby County, Alabama and run North 01 degree 13 minutes 49 seconds West along the East line of said quarter-quarter Section for 297.14 feet to the point of beginning of the tract of land herein described; thence run North 89 degrees 27 minutes 19 seconds West for 937.47 feet to a point on the East right of way line of Interstate Highway No. 65; thence run South 09 degrees 32 minutes 41 seconds East along said right of way line for 35.00 feet; thence run South 02 degrees 58 minutes 00 seconds East along said right of way line for 87.68 feet to the centerline of the Cahaba River; thence run South 29 degrees 49 minutes 41 seconds East along the centerline of said river for 236.56 feet; thence run South 39 degrees 58 minutes 18 seconds East along the centerline of said river for 59.87 feet; thence run South 28 degrees 58 minutes 39 seconds East along the centerline of said river for 273.83 feet; thence run South 42 degrees 51 minutes 18 seconds East along the centerline of said river for 50.28 feet; thence run South 34 degrees 15 minutes 46 seconds East along the centerline of said river for 705.38 feet; thence run South 85 degrees 47 minutes 49 seconds East along the centerline of said river for 114.43 feet; thence run North 74 degrees 00 minutes 49 seconds East along the centerline of said river for 190.97 feet; thence run North 59 degrees 16 minutes 20 seconds East along the centerline of said river for 86.48 feet; thence run North 37 degrees 55 minutes 03 seconds East along the centerline of said river for 92.17 feet; thence run North 23 degrees 16 minutes 43 seconds East along the centerline of said river for 97.04 feet; thence run North 12 degrees 59 minutes 35 seconds East along the centerline of said river for 96.25 feet; thence run North 20 degrees 29 minutes 37 seconds East along the centerline of said river for 195.32 feet; thence run North 39 degrees 46 minutes 47 seconds East along the centerline of said river for 299.63 feet; thence run North 47 degrees 51 minutes 27 seconds East along the centerline of said river for 103.45 feet; thence run North 22 degrees 09 minutes 01 seconds East along the centerline of said river for 175.08 feet; thence run North 19 degrees 08 minutes 16 seconds West along the centerline of said river for 242.45 feet to a point on the North line of the Northeast 1/4 of the Northwest 1/4 of said Section 20; thence run North 89 degrees 27 minutes 19 seconds West along the North line of said quarter-quarter Section 605.05 feet to the point of beginning; being situated in Shelby County, Alabama.

LESS AND EXCEPT FROM PARCELS I AND II:

Lots 133 and 134, according to the Final Plat for Bent River-Phase IV, as recorded in Map Book 41, Page 64 A & B, in the Probate Office of Shelby County, Alabama.

Lots 68 and 91 according to the Final Plat for Bent River-Phase IV, as recorded in Map Book 41, Page 64 A & B, in the Probate Office of Shelby County, Alabama.

Lot 53 according to the Final Plat for Bent River-Phase IV, as recorded in Map Book 41, Page 64 A & B, in the Probate Office of Shelby County, Alabama.

ALSO:

LESS AND EXCEPT THE FOLLOWING PARCEL OF LAND CONVEYED TO
JEFFERSON COUNTY, ALABAMA IN INSTRUMENT NUMBER 200807250000301320.
SAID PROPERTY BEING SITUATED IN SECTION 20, TOWNSHIP 19 SOUTH, RANGE 2
WEST, SHELBY COUNTY, ALABAMA DESCRIBED AS FOLLOWS:

Commence at the Northwest corner of Section 20, Township 19 South, Range 2 West, thence North 89 degrees 57 minutes, 41 seconds East along the northern line of said Section 20 a distance of 122.84 feet to a concrete monument and a point on the Easterly right of way of US Interstate 65; thence 73 degrees 14 minutes 21 seconds to the right and Southeasterly along said right of way a distance of 749.05 feet; thence 4 degrees 34 minutes 31 seconds to the right and Southeasterly along said right of way a distance of 178.37 feet; thence 99 degrees 41 minutes 24 seconds to the left and Northeasterly a distance of 346.94 feet to the Point of Beginning; thence 90 degrees 00 minutes 00 seconds to the right and Southeasterly a distance of 112.62 feet; thence 99 degrees 04 minutes 38 seconds to the left and Northeasterly a distance of 28.39 feet; thence 91 degrees 46 minutes 11 seconds to the right and Southeasterly a distance of 108.77 feet to a point on the Northerly right of way to be known as Bent River Parkway and on a curve to the right with a radius of 275.00 feet, a central angle of 05 degrees 15 minutes 45 seconds and a chord distance of 25.25 feet; thence 87 degrees 22 minutes 07 seconds left to the chord of said curve and Northeasterly along said right of way an arc distance of 25.26 feet; thence 85 degrees 11 minutes 40 seconds to the left from the chord and Northwesterly a distance of 213.97 feet; thence 90 degrees 07 minutes 46 seconds to the left and Southwesterly a distance of 67.52 feet to the Point of Beginning.



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