

**Send tax notice to:**

Horizons Buildings, LLC  
6019 Rosemont Road  
Birmingham, AL 35242

STATE OF ALABAMA                    )  
COUNTY OF SHELBY                )

**STATUTORY WARRANTY DEED**

**KNOW ALL MEN BY THESE PRESENTS,**

**THAT IN CONSIDERATION** of Six Hundred Forty Thousand and 00/100 Dollars (\$640,000.00) and other good and valuable consideration to **NATIONAL BANK OF COMMERCE**, a national banking association, formerly known as Red Mountain Bank, N.A. (hereinafter referred to as the "Grantor"), in hand paid by **HORIZONS BUILDING, LLC**, an Alabama limited liability company (hereinafter referred to as the "Grantee"), the receipt of which is acknowledged, the said Grantor does by these presents, grant, bargain, sell and convey unto Grantee, its successors and assigns, that certain real estate lying in the County of Shelby, State of Alabama, and more particularly described on Exhibit "A" attached hereto and incorporated herein by reference (the "Property"), subject, however, to the matters described on Exhibit "B" attached hereto and incorporated herein by reference (the "Permitted Exceptions").

**TOGETHER WITH** all appurtenances and improvements thereto belonging or in anywise appertaining and all right, title and interest of Grantor in and to all roads, alleys and ways bounding the Property.

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

Grantor hereby covenants and agrees with Grantee, its successors and assigns, that Grantor will warrant and defend the Property against the lawful claims (unless otherwise noted above) of all persons claiming by, through, or under Grantor, but not further or otherwise.

*[Signature(s) on following page(s)]*

IN WITNESS WHEREOF, Grantor has executed this Statutory Warranty Deed as of the \_\_\_\_\_ day of April, 2011.

**GRANTOR:**

NATIONAL BANK OF COMMERCE

By: Gary D. Wood  
Name: Gary D. Wood  
Its: Senior Vice President

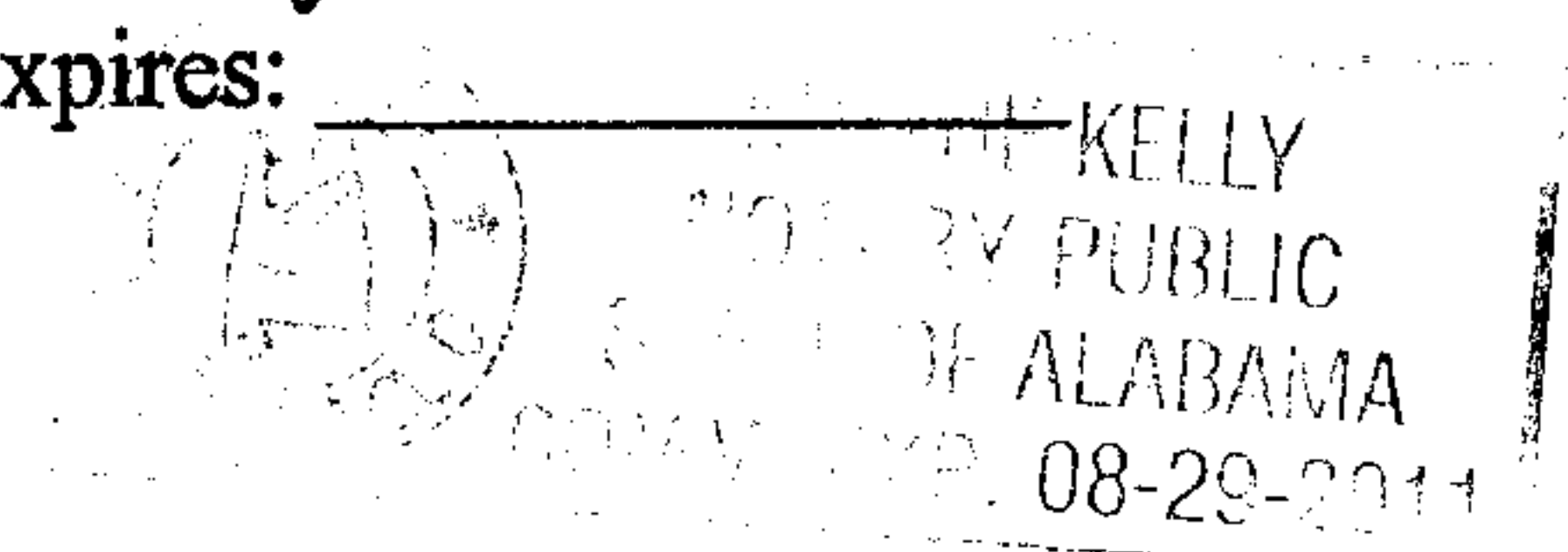
STATE OF ALABAMA     )  
SHELBY COUNTY        )

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that Gary D. Wood, whose name as Senior Vice President of National Bank of Commerce, a national banking association, is signed to the foregoing Statutory Warranty Deed, and who is known to me, acknowledged before me on this day that, being informed of the contents of the Statutory Warranty Deed, he, in his capacity as such Senior Vice President and with full authority, executed the same voluntarily for and as the act of said national banking association on the day the same bears date.

Given under my hand and official seal this the 31 day of March, 2011.

Hester Kelly  
Notary Public  
My Commission Expires: \_\_\_\_\_

[NOTARIAL SEAL]



This instrument prepared by:

Lee L. Sheppard, Esq.  
Maynard, Cooper & Gale, P.C.  
1901 Sixth Avenue North  
2400 Regions/Harbert Plaza  
Birmingham, Alabama 35203  
(205) 254-1000

20110405000104610 3/4 \$149.00  
Shelby Cnty Judge of Probate, AL  
04/05/2011 08:28:57 AM FILED/CERT

**EXHIBIT A**

**Legal Description of Property**

Parcel I:

Lot 1-B, according to a Resurvey of Lot 1, Davis Addition to Valleydale, as recorded in Map Book 22, page 147, in the Probate Office of Shelby County, Alabama.

Parcel II:

The following described real estate, situated in Shelby County, Alabama, to-wit:

For point of reference, beginning at the SW corner of the SE  $\frac{1}{4}$  of SW  $\frac{1}{4}$  of Section 16, Township 19 South, Range 2 West, Shelby County, Alabama, and run N  $43^{\circ} 12' 35''$  E, 85.43 feet to an iron pin; thence N  $74^{\circ} 11' 23''$  E, 241.31 feet to an iron pin and the Point of Beginning; then N  $44^{\circ} 15' 00''$  W, 75.70 feet to an iron pin; thence S  $65^{\circ} 28' 55''$  E, 102.85 feet to an iron pin; thence S  $74^{\circ} 11' 23''$  W, 42.36 feet to the Point of Beginning.



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Shelby Cnty Judge of Probate, AL  
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**EXHIBIT B**

**Permitted Exceptions**

1. Taxes and assessments for the year 2011 and subsequent years, a lien but not yet due and payable.
2. Current zoning classification.
3. Restrictive covenants and building lines of record.
4. Any and all rights to redeem the Property, or any portion thereof, arising under any laws now or hereafter existing, whether statutory, equitable or otherwise, that may currently exist or arise in the future by virtue of the Property, foreclosure deed and/or mortgage instrument;
5. Any and all existing recorded or unrecorded leases.
6. Any mineral and mining rights not owned by Seller.
7. Any and all recorded or unrecorded easements, liens, right-of-way and other matters of record in the Probate Office of Shelby County, Alabama, together with any deficiencies in quantity of land, discrepancies as to boundary lines, overlaps, and encroachments, which would be disclosed by a true and accurate survey of the Property.