

STATE OF ALABAMA )  
  
SHELBY COUNTY )


Send tax notices to:  
AFK Land, LLC  
15 Southlake Lane, Suite 100  
Hoover, Alabama 35244  
Attn: David Keith

**STATUTORY WARRANTY DEED**

**KNOW ALL MEN BY THESE PRESENTS** that, for and in consideration of EIGHT HUNDRED TEN THOUSAND AND No/100 DOLLARS (\$810,000.00) to the undersigned **COMPASS BANK**, an Alabama banking corporation (the "Grantor"), in hand paid by **AFK LAND, LLC**, an Alabama limited liability company (the "Grantee"), the receipt of which is acknowledged, the said Grantor does GRANT, BARGAIN, SELL AND CONVEY unto the Grantee, its heirs, successors and assigns, that certain real estate situated in Shelby County, Alabama, which is described in Exhibit A attached hereto and made a part hereof (the "Property").

**SUBJECT TO:**

1. Current ad valorem taxes.
2. Mineral and mining rights not owned by Grantor.
3. Easements of record, recorded restrictions, rights-of-way, agreements and other matters of record.
4. Matters that would be revealed by an accurate survey of the Property or that may be shown on any recorded map or plat of the Property.
5. Any applicable zoning, subdivision or other land use ordinances, laws or regulations.
6. Any outstanding rights of redemption, including without limitation any statutory right of redemption running for a period of one year from the foreclosure of the Property.
7. The Property is conveyed "As is" and "where is", with all faults and specifically and expressly without any warranties, representations, or guaranties of any kind, oral or written, express or implied, other than statutory warranties of title, concerning the Property or this conveyance from or on behalf of Grantor;
8. To the maximum extent permitted by law, Grantor makes no representations, warranties or guarantees of any kind, oral or written, express or implied concerning the Property or the title to the Property, other than statutory warranties of title, including, without limitation, (i) the profitability, suitability or fitness of the Property for a particular use or purpose, (ii) the manner or quality of the construction or materials incorporated into the improvements, if any, on the Property, (iii) the manner of repair, quality, state of repair, or lack of repair of the Property, and (iv) the availability of utilities and access of the Property to public roads.
9. To the maximum extent permitted by law, Grantor makes no representations or warranties with regard to compliance with any environmental protection,

  
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pollution, or land use laws, rules, regulations, orders or requirements, including but not limited to, those pertaining to the handling, generating, treating, storing, or disposing of any solid waste, as defined by the U.S. Environmental Protection Agency Regulations at 40 C.F.R. Part 2261, or hazardous substance, as defined by the Comprehensive Environmental Response Compensation and Liability Act of 1990, as amended, and regulations promulgated thereunder.

9. Grantor is not liable or bound in any manner by any verbal or written statement, representations or information pertaining to the Property furnished by any broker, agent, employee, servant, or other person.
10. Grantor shall not be liable to the Grantee for any prospective or speculative profits, or special, indirect or consequential damages, whether based upon contract, tort, or negligence or in any other manner arising from the transactions contemplated by this conveyance.

TO HAVE AND TO HOLD to the Grantee and Grantee's heirs, successors and assigns forever;

IN WITNESS WHEREOF, Grantor has caused this Deed to be executed by Grantor's duly authorized representative this 5th day of October, 2011.


**GRANTOR**

**COMPASS BANK**, an Alabama banking corporation

By: \_\_\_\_\_

Name: MATTHEW HICKEY

Its: Vice President

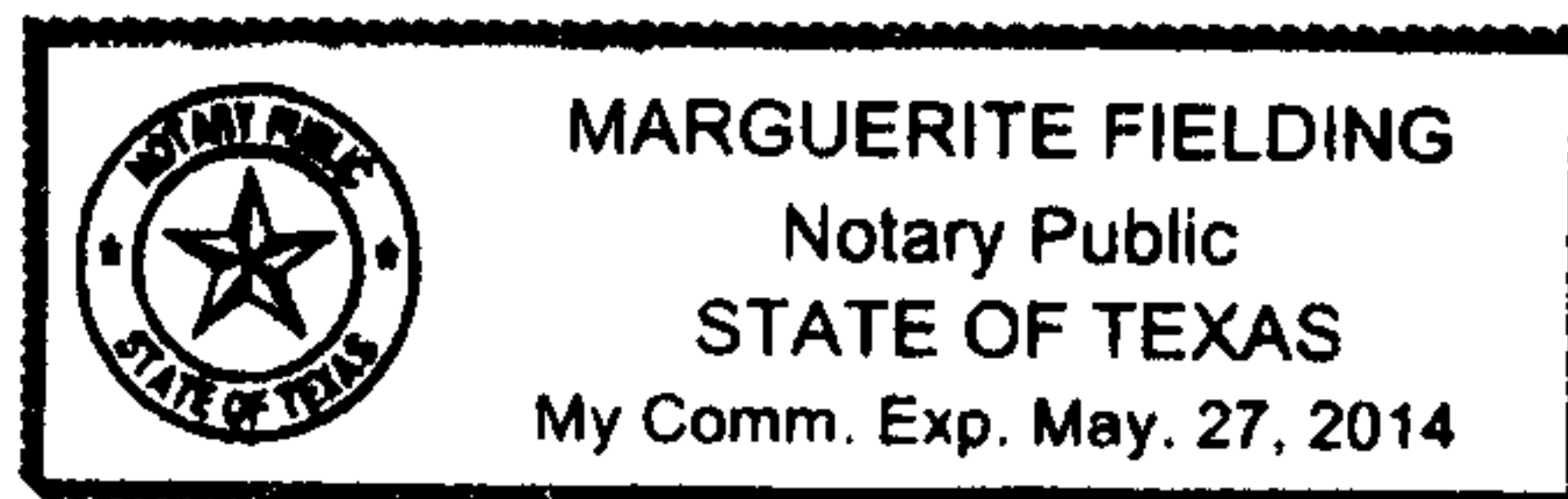
  
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STATE OF TEXAS            )  
COUNTY OF DALLAS        )

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that MATTHEW HICKEY, whose name as 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 said instrument, he, as such corporation and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal this the 5th day of October, 2011.

AFFIX SEAL



*Marguerite Fielding*  
Notary Public

My commission expires: \_\_\_\_\_

This instrument was prepared by:  
Stephen W. Stallcup, Esq.  
MAYNARD, COOPER & GALE, P.C.  
1901 Sixth Avenue North  
2400 AmSouth/Harbert Plaza  
Birmingham, Alabama 35203-2618  
(205) 254-1000

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## Exhibit A

### **PARCEL ONE:**

The West ½ of the Northeast ¼ of the Northwest ¼; the South ½ of the East ½ of the Northeast ¼ of the Northwest ¼; and the North ½ of the Southeast ¼ of the Northwest ¼ of Section 33, Township 19 South, Range 2 West, Shelby County, Alabama. Including Lot 1, Burr's Addition to Indian Springs, as recorded in Map Book 23, Page 1, in the Probate Office of Shelby County, Alabama.

Less and Except the following parcels:

### **PARCEL I:**

#### **Proposed Lot 8, Stagg Run (CELL TOWER)**

A parcel of land situated in the Northeast quarter of the Northwest quarter of Section 33, Township 19 South, Range 2 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the Southeast corner of the Northeast quarter of the Northwest quarter of said Section 33; thence run in a Northerly direction along the East line of said quarter-quarter section an assumed bearing of North 00 degrees, 03 minutes, 51 seconds East for a distance of 48.57 feet to the point of beginning, also being the Southeast corner of proposed Lot 8, Stagg Run, also being the Northeast corner of proposed Lot 7, Stagg Run; thence run North 90 degrees, 00 minutes, 00 seconds West along the South line of said Lot 8, and also along the North Line of said Lot 7, for a distance of 258.73 feet to a point on the East right-of-way line of proposed Stagg Run Trail, also being on a curve to the right having a central angle of 13 degrees, 47 minutes, 03 seconds, a radius of 350.00 feet, and a chord bearing of North 05 degrees, 39 minutes, 21 seconds East; thence run in a Northeasterly direction along the arc of said curve and also said right-of-way line for a distance of 84.20 feet to a reverse curve to the left having a central angle of 39 degrees, 49 minutes, 40 seconds, a radius of 270.00 feet, and a chord bearing of North 07 degrees, 21 minutes, 58 seconds West; thence run in a northwesterly direction along the arc of said curve and also along said right-of-way line for a distance of 187.68 feet to a reverse curve to the right having a central angle of 70 degrees, 25 minutes, 00 seconds and a radius of 30.00 feet and a chord bearing of North 07 degrees, 55 minutes, 42 seconds East; thence run in a Northeasterly direction along the arc of said curve and also along said right-of-way line for a distance of 36.87 feet to a point; thence run North 43 degrees, 08 minutes, 11 seconds East along said right-of-way line for a distance of 7.20 feet to the Northwest corner of said Lot 8, also being the Southwest corner of proposed Lot 9 Stagg Run; thence run North 89 degrees, 22 minutes, 15 seconds East along the North line of said Lot 8, also along the South line of said Lot 9, for a distance of 264.70 feet to the Northeast corner of said Lot 8, also being the Southeast corner of said Lot 9, also being on the East line of said quarter-quarter section; thence run South 00 degrees, 03 minutes, 51 seconds West along the East line of said Lot 8, also along the East line of said quarter-quarter line for a distance of 308.42 feet to the point of beginning. Said parcel of land containing 78,541 square feet, more or less.



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**PARCEL II:**

**PROPOSED LOT 21, STAGG RUN (BURR LOT)**

A parcel of land situated in the East one half of the Northwest quarter of Section 33, Township 19 South, Range 2 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the Southwest corner of the Northeast quarter of the Northwest quarter of said Section 33; thence run in an Easterly direction along the South line of said quarter-quarter section, an assumed bearing of South 87 degrees, 41 minutes, 42 seconds East, for a distance of 304.95 feet to the point of beginning, also being on the West line of proposed Lot 21 Stagg Run, also being on the East line of Proposed Lot 22 Stagg Run; thence run North 03 degrees, 53 minutes, 52 seconds East along the West line of said Lot 21, and also along the East line of said Lot 22, for a distance of 37.12 feet to the Northwest corner of said Lot 21, also being on the South line of proposed Lot 20 Stagg Run; thence run South 90 degrees, 00 minutes, 00 seconds East along the South line of proposed Lots 20 and 19 Stagg Run, and also along the North line of said Lot 21, for a distance of 251.40 feet to the Northeast corner of said Lot 21, also being on the West right-of-way line of proposed Stagg Run Circle, also being on a curve to the left, having a central angle of 89 degrees, 06 minutes, 13 seconds, a radius of 54.00 feet, and a chord bearing of South 22 degrees, 33 minutes, 04 seconds East; thence run in a Southeasterly direction along the arc of said curve, and also along said right-of way line, for a distance of 83.98 feet to the Easternmost corner of said Lot 21, also being the Northwest corner of a proposed park and common area of Stagg Run; thence run South 22 degrees, 53 minutes, 50 seconds West along the East line of said Lot 21, and also along the West line of said park and common area, for a distance of 160.84 feet to the Southeast corner of said Lot 21, also being the Northeast corner of proposed Lot 24 Stagg Run; thence run North 90 degrees, 00 minutes, 00 seconds West along the South line of said Lot 21, also along the North line of said Lot 24, for a distance of 232.74 feet to the Southwest corner of said Lot 21, also being the Southeast corner of said Lot 22; thence run North 03 degrees, 53 minutes, 52 seconds East along the East line of said Lot 21, and also along the West line of said Lot 22, for a distance of 181.53 feet to the point of beginning. Said parcel of land containing 56,339 square feet, more or less.

Also Less and Except the following:

Lots 6, 17, 25 & 27 according to the survey of Stagg Run, as recorded in Map Book 39, pages 67 A & B, in the Probate Office of Shelby County, Alabama.



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