

This Instrument Was Prepared By:

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Balch & Bingham LLP
P.O. Box 306
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Send Tax Notice To:

Propst Fultondale, LLC
401 Meridian St., Ste. 300
Huntsville, AL 35801

STATUTORY WARRANTY DEED

STATE OF ALABAMA)
 :
COUNTY OF SHELBY)

Shelby County, AL 12/09/2011
State of Alabama
Deed Tax: \$4.00

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 **PROPST FULTONDALE, LLC**, a limited liability company (herein collectively 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. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levels taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings whether or not shown by the records of such agency or by the Public Records.
2. Mineral, mining, oil and gas and related rights and privileges not owned by the Grantor, if any.
3. Encroachments, overlaps, boundary line disputes and other matters that would be revealed by an accurate survey or inspection of the Property.
4. 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.
5. 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.

6. Easements, covenants, reservations, conditions and restrictions of record.
7. 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.
8. Utility easements and facilities serving the Property, whether of record or not.
9. Any facts, rights, interests, or claims that are not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.
10. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.
11. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.
12. Taxes and assessments for the year 2012 and subsequent years and not yet due and payable.
13. Easements, encumbrances, restrictive covenants and all other matters of record shown in the Probate Office of Shelby County, Alabama.
14. 25 foot building line on front as shown by recorded map.
15. 5 foot easement on front as shown by recorded map.
16. Restrictions and Notes as shown by recorded map.
17. No further subdivision of lots as restricted by recorded map.
18. Easement to ingress and egress and public utilities recorded in Instrument 1999-47153 in the Probate Office of Shelby County, Alabama.
19. Agreement as recorded in Instrument 2001-49511 and instrument 2001-44895, in the Probate Office of Shelby County, Alabama.
20. Easement recorded in Instrument 1995-6002 in the Probate Office of Shelby County, Alabama.
21. Mineral and mining rights and rights incident thereto recorded in Instrument 2002-7681, in the Probate Office of Shelby County, Alabama.



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22. Restrictions appearing of record in Instrument 20031001000660210 and Instrument 20031001000660200, in the Probate Office of Shelby County, Alabama.
23. Covenant for Storm Water Run-Off Control, Conditions, Agreements and Release of Damages recorded in instrument 20031020000699970; Instrument 20031020000699960 and Instrument 20031218000813810, in the Probate Office of Shelby County, Alabama.

[Signature appears on following page.]

IN WITNESS WHEREOF, Grantor has hereunto caused this conveyance to be executed effective as of December 8, 2011.

COMPASS BANK

By: 
Its: VICE PRESIDENT

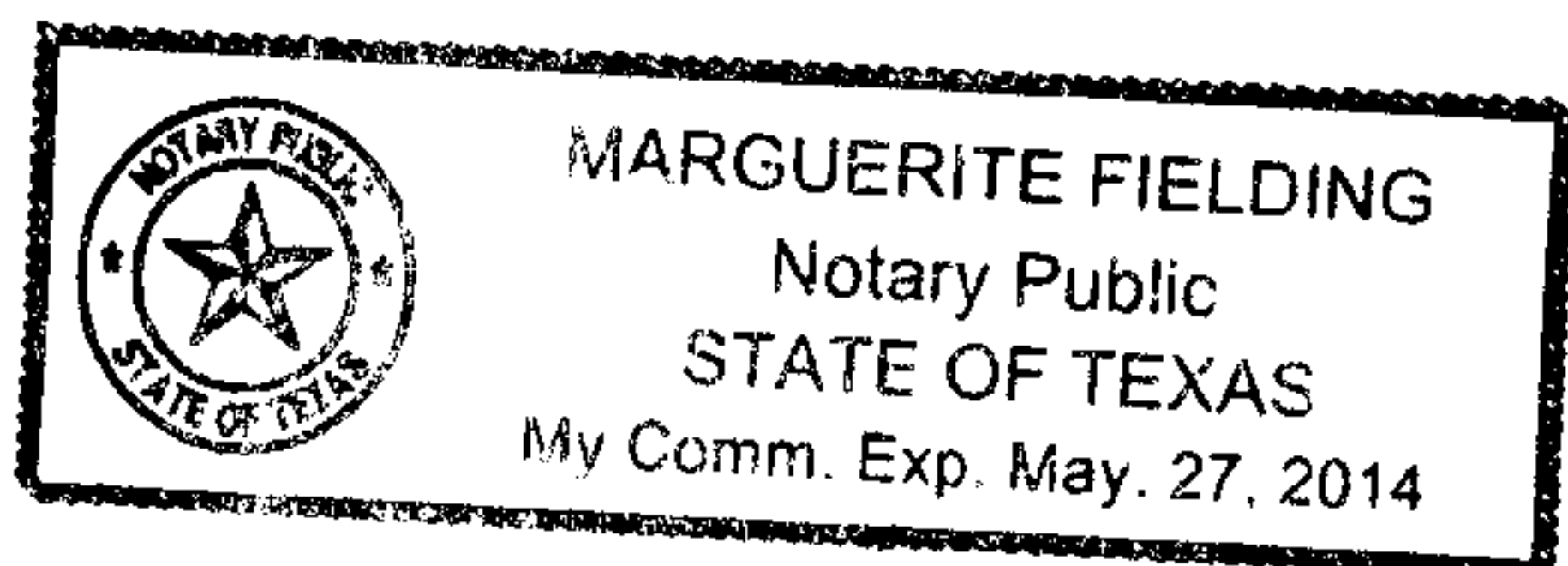
STATE OF TEXAS)

COUNTY OF DALLAS)

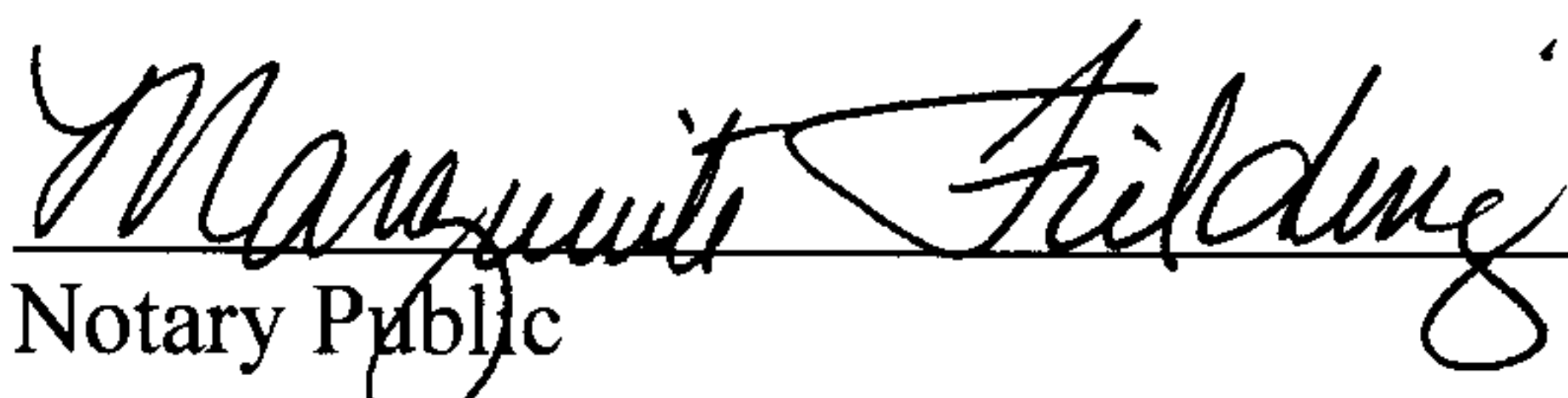

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I, the undersigned Notary Public in and for said County in said State, hereby certify that MATTHEW HICKEY, whose name as Vice President of **COMPASS BANK**, an Alabama banking corporation, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of 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 6th day of December, 2011.



[Notarial Seal]


Notary Public

My Commission expires: _____

EXHIBIT A TO DEED

Description of Property

Lot 223, according to the Final Plat of Lochinvar at Ballantrae, as recorded in Map Book 32, pages 10 A, B & C, in the Probate Office of Shelby County, Alabama.



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