


STATE OF ALABAMA)
)
COUNTY OF SHELBY)


20121026000411160 1/4 \$37421.00
Shelby Cnty Judge of Probate, AL
10/26/2012 08:18:04 AM FILED/CERT

THIS INDENTURE made and entered into on this the 24th day of October, 2012 by and between **COLONIAL REALTY LIMITED PARTNERSHIP**, a Delaware limited partnership (by virtue of merger by and between OZ/CLP Alabaster LLC, a Delaware limited liability company and Colonial Realty Limited Partnership, as indicated by that certain Certificate of Merger filed with the Delaware Secretary of State on July 15, 2011), as Grantor, and **PROPST ALABASTER, LLC**, an Alabama limited liability company, as Grantee.

WITNESSETH: That the Grantor for and in consideration of the sum of Ten and no/100 Dollars to it cash in hand paid this day by the Grantee, and other good and valuable consideration, receipt of which is hereby acknowledged, has this day given, granted, bargained, sold and conveyed and does by these presents give, grant, bargain, sell and convey unto the Grantee the following described real estate lying and being situated in the County of Shelby, State of Alabama, to-wit:

Lots 1 and 3, according to the survey of Colonial Promenade, Alabaster Survey, as recorded in Map Book 35, page 102A and 102B, in the Probate Office of Shelby County, Alabama.

Together with rights, title and interest beneficial to the use and ownership of Lots 1 and 3 granted in the following documents:

Easements with covenants and restrictions affecting land as recorded in Instrument 20040507000243250 and First Amendment thereto recorded in Instrument 20040507000043260, in the Probate Office of Shelby County, Alabama.

Declaration of Covenants, Conditions and Restrictions and Operating Agreements as recorded in Instrument 20100916000304710, Instrument 20050705000331870, Instrument 20050627000315620, Instrument 20051031000564260, Instrument 20050923000494710 and Instrument 20050907000460460, in the Probate Office of Shelby County, Alabama.

Detention Facilities Maintenance Agreement as recorded in Instrument 20051013000534440, in the Probate Office of Shelby County, Alabama.

Alabaster Development Agreement as recorded in Instrument 20050712000346700, in the Probate Office of Shelby County, Alabama.

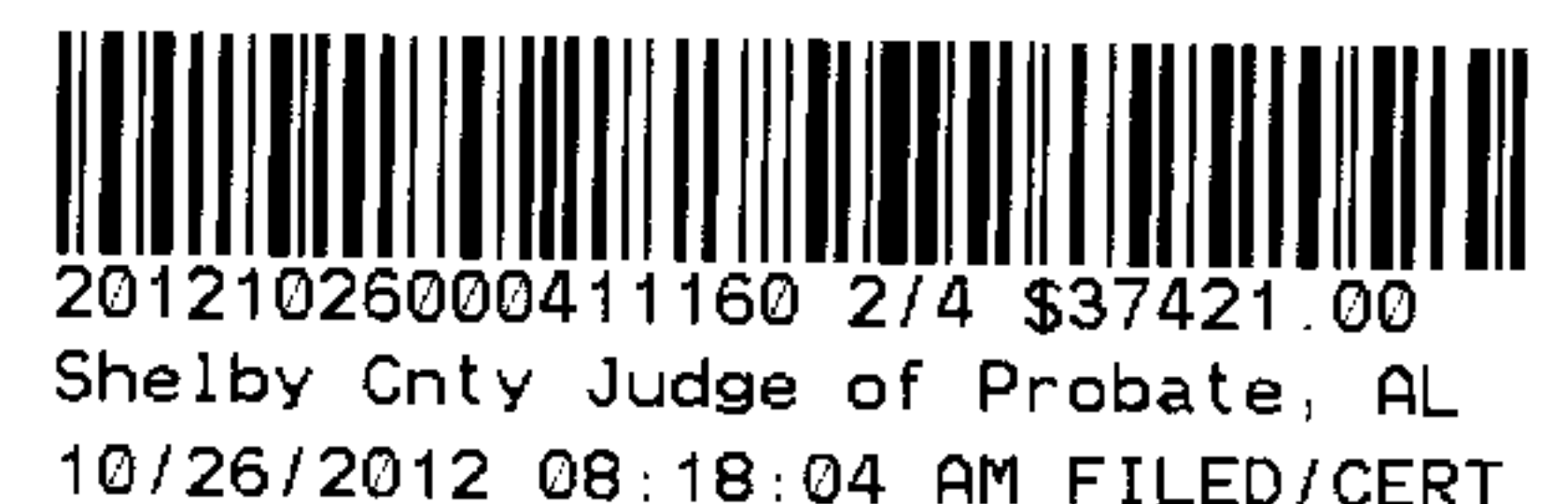
Declaration of Slope, Detention Pond and Construction Easement as recorded in Instrument 20040521000271360 in the Probate Office of Shelby County, Alabama.

TO HAVE AND TO HOLD the real estate above described, together with all and singular the rights, privileges, tenements, hereditaments, appurtenances, and improvements thereunto belonging or in anywise appertaining unto the Grantee and unto its successors and assigns forever. And the Grantor does hereby covenant with and represent unto the Grantee, its successors and assigns, that it is lawfully seized in fee of the lands above described; that the same is free of all liens and encumbrances; that it has a good and lawful right to sell and convey the same and that it will warrant and defend the title to the same unto the Grantee and unto its successors and assigns, against the lawful claims and demands of all persons whomsoever. There is hereby excepted from all of the foregoing warranties and covenants the following:


LANIER FORD
P.O. Box 2087
Huntsville, AL 35804

Shelby County, AL 10/26/2012
State of Alabama
Deed Tax: \$37400.00

1. Ad valorem taxes for the year 2013 and subsequent years.
2. Building lines, easements and restrictions as shown on record map recorded in Map Book 35, Page 102 A and 102 B, in the Probate Office of Shelby County, Alabama.
3. Easements with covenants and restrictions affecting land as recorded in Instrument 20040507000243250 and First Amendment thereto recorded in Instrument 20040507000043260, in the Probate Office of Shelby County, Alabama.
4. Easement Distribution Facilities to Alabama Power Co., recorded in Instrument 20050802000388790, in the Probate Office of Shelby County, Alabama.
5. Right of way granted to Alabama Power Co., by Instrument(s) recorded in Deed Book 48, Pages 584, and 617; Deed Book 207, Page 669, Deed Book 207, Page 676; and, Deed Book 218, Page 656 in the Probate Office of Shelby County, Alabama.
6. Rights of Utilities, if any, in and to that portion vacated street in Instrument 20040408000184040, in the Probate Office of Shelby County, Alabama.
7. Denial of all existing, future, or potential common law or statutory rights of access between subject property and I-65.
8. Agreement for water line easement to Alabaster Water and Gas Board as recorded in Instrument 1992-21213, in the Probate Office of Shelby County, Alabama.
9. Terms and Conditions of Memorandum of Lease by and between Colonial Realty Limited Partnership, as Landlord and Belk, Inc., as Tenant, recorded in Instrument 20040623000343650, in the Probate Office of Shelby County, Alabama.
10. Terms and Conditions of Memorandum of Lease by and between Colonial Realty Limited Partnership, and AmStar Entertainment, LLC, recorded in Instrument 20041202000660980, in the Probate Office of Shelby County, Alabama.
11. Rights of others as shown in that certain Declaration of Covenants, Conditions and Restrictions and Operating Agreements as recorded in Instrument 20100916000304710, Instrument 20050705000331870, Instrument 20050627000315620, Instrument 20051031000564260, Instrument 20050923000494710 and Instrument 20050907000460460, in the Probate Office of Shelby County, Alabama.
12. Rights of others as shown in that certain Detention Facilities Maintenance Agreement as recorded in Instrument 20051013000534440, in the Probate Office of Shelby County, Alabama.
13. Rights of others as shown in that certain Alabaster Development Agreement as recorded in Instrument 20050712000346700, in the Probate Office of Shelby County, Alabama.
14. Rights of others as shown in that certain Declaration of Slope, Detention Pond and Construction Easement as recorded in Instrument 20040521000271360, in the Probate Office of Shelby County, Alabama.



IN WITNESS WHEREOF, the said Kenneth Marshall, as Executive Vice President of Colonial Properties Trust, as the Sole General Partner of Colonial Realty Limited Partnership, a Delaware limited partnership, has caused these presents to be executed on the day and year first above written.

COLONIAL REALTY LIMITED PARTNERSHIP,
a Delaware limited partnership

By: Colonial Properties Trust, its Sole General Partner

By: 

Kenneth Marshall


Its: Executive Vice President

STATE OF ALABAMA)

COUNTY OF JEFFERSON)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Kenneth Marshall, whose name as Executive Vice President of Colonial Properties Trust, as Sole General Partner of Colonial Realty Limited Partnership, a Delaware limited partnership, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day, that being informed of the contents of said conveyance, he, as such officer, and with full authority, executed the same voluntarily for and as the act of said Colonial Properties Trust, acting in its capacity as Sole General Partner as aforesaid.

Given under my hand this the 24th day of October, 2012.


NOTARY PUBLIC
My Commission Expires: 10-11-16

Send Tax Notice to:

Propst Alabaster, LLC
401 Meridian Street
Suite 300
Huntsville, AL 35801

THIS INSTRUMENT PREPARED BY:

Y. ALBERT MOORE, III

LANIER FORD SHAVER & PAYNE P.C.

2101 West Clinton Avenue, Suite 102, Huntsville, Alabama 35805(256) 535-1100

S:\YAM\Propst Properties- Alabaster\Deed - General Warranty.wpd

File No. 12-0671

Real Estate Sales Validation Form

This Document must be filed in accordance with Code of Alabama 1975, Section 40-22-1

Grantor's Name Colonial Realty Limited Partnership
Mailing Address 2101 6th Avenue North, Suite 750
Birmingham, Alabama 35203

Grantee's Name Propst Alabaster, LLC
Mailing Address 401 Meridian Street, Suite 300
Huntsville, AL 35801

Property Address 300 Promenade Parkway
Alabaster, AL 35007-3131

Date of Sale October 24, 2012
Total Purchase Price \$ 37,400,000.00

or
Actual Value \$

or
Assessor's Market Value \$

The purchase price or actual value claimed on this form can be verified in the following documentary evidence: (check one) (Recordation of documentary evidence is not required)

☐ Bill of Sale
☐ Sales Contract
☒ Closing Statement

☐ Appraisal
☐ Other

If the conveyance document presented for recordation contains all of the required information referenced above, the filing of this form is not required.

Instructions

Grantor's name and mailing address - provide the name of the person or persons conveying interest to property and their current mailing address.

Grantee's name and mailing address - provide the name of the person or persons to whom interest to property is being conveyed.

Property address - the physical address of the property being conveyed, if available.

Date of Sale - the date on which interest to the property was conveyed.

Total purchase price - the total amount paid for the purchase of the property, both real and personal, being conveyed by the instrument offered for record.

Actual value - if the property is not being sold, the true value of the property, both real and personal, being conveyed by the instrument offered for record. This may be evidenced by an appraisal conducted by a licensed appraiser or the assessor's current market value.

If no proof is provided and the value must be determined, the current estimate of fair market value, excluding current use valuation, of the property as determined by the local official charged with the responsibility of valuing property for property tax purposes will be used and the taxpayer will be penalized pursuant to Code of Alabama 1975 § 40-22-1 (h).

I attest, to the best of my knowledge and belief that the information contained in this document is true and accurate. I further understand that any false statements claimed on this form may result in the imposition of the penalty indicated in Code of Alabama 1975 § 40-22-1 (h).

Date 10/24/12

COLONIAL REALTY LIMITED PARTNERSHIP, a Delaware limited partnership
By: Colonial Properties Trust, its Sole General Partner

Print [Signature]
By: [Signature]

Sign Name: Kenneth Marshall / Title: Executive Vice President

☐ Unattested
☐ (verified by)

(Grantor/Grantee/Owner/Agent) circle one

Form RT-1



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