

THIS INSTRUMENT PREPARED BY:

David L. Silverstein
Berkowitz, Lefkovits, Isom & Kushner
1100 Financial Center
Birmingham, Alabama 35203

SEND TAX NOTICE TO:

119 Properties, Ltd.
c/o David Bunkin
119 Hillsdale Road
Birmingham, AL 35213

783

STATE OF ALABAMA)

SHELBY COUNTY)

WARRANTY DEED

THIS IS A WARRANTY DEED, executed and delivered this 12th day of July, 1988, by A & M REAL ESTATE, INC., an Alabama corporation (hereafter referred to as the "Grantor"), to 119 PROPERTIES, LTD., an Alabama limited partnership (hereinafter referred to as the "Grantee").

KNOW ALL MEN BY THESE PRESENTS: That in consideration of the sum of Ten and No/100 Dollars (\$10.00) and:

(a) The execution and delivery by Grantee to Grantor of a Promissory Note in the amount of Fifty Thousand and No/100 Dollars (\$50,000.00); and

(b) Eight Hundred Fifty-Thousand and No/100 Dollars (\$850,000.00) paid by Grantee to Grantor,

the Grantor does by these presents, GRANT, BARGAIN, SELL and CONVEY unto the Grantee, 119 PROPERTIES, LTD., an Alabama limited partnership, an undivided fifty-one percent (51%) interest in that certain real estate situated in the Town of Pelham, Shelby County, Alabama, more particularly described as Parcel I and Parcel II on Exhibit "A" attached hereto and incorporated herein by this reference,

TOGETHER WITH all appurtenances thereto belonging or in anywise appertaining and all right, title and interest of Grantor in and to any and all roads, alleys and ways bounding said premises.

This conveyance is made subject to the following:

AS TO PARCEL I:

(i) Ad Valorem taxes assessed under Parcel ID 58-10-9-31-4-001-003 for tax year 1988 and succeeding tax years; and

(ii) Matters shown on the survey of Jerry O. Peery dated June 22, 1988

AS TO PARCEL II:

(i) Ad valorem taxes assessed under Parcel ID 58-10-9-31-4-001-007 for tax year 1988 and succeeding tax years;

(ii) Easement agreement as set out in Real 166, Page 725, Shelby County, Alabama, Probate Records, between A & M Real Estate, Inc., and McDonald's Corporation, as amended in Real 185, Page 456, and further amended in Real 189, Page 426 in said Probate Office;

(iii) Easement for construction and maintenance of a channel change in Bishop Creek, as set out in Easement No. 1 in Deed Book 302, Page 15 in said Probate Office;

BOOK 193 PAGE 947

Beahm

(iv) Matters shown on the survey of John S. Parks, dated August 29, 1986; and

(v) Mortgage from A & M Real Estate, Inc., an Alabama corporation to Mary Henderson Waite, Nell Dexter Waite Dumas, Robert Shelley Waite, and Nell D. Waite dated October 6, 1986, and recorded in Real 94, Page 687 in said Probate Office.

TO HAVE AND TO HOLD, to the said Grantee, 119 PROPERTIES, LTD., an Alabama limited partnership, its successors and assigns forever.

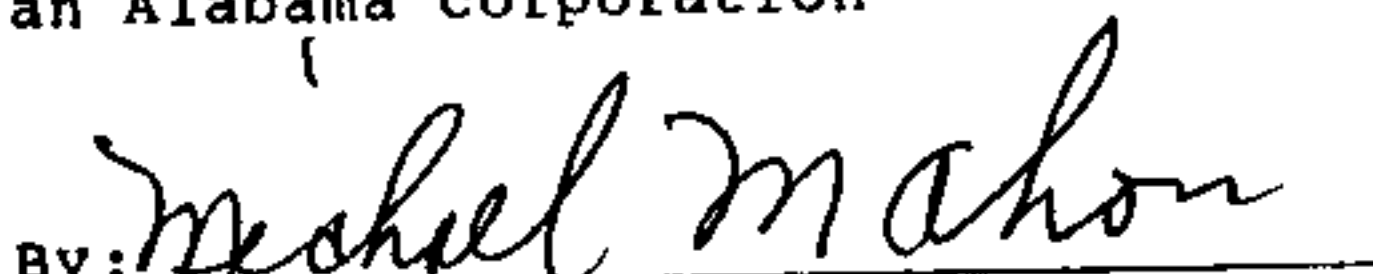
And said Grantor does for itself, its successors and assigns, covenant with the said Grantee, its successors and assigns, that it is lawfully seized in fee simple of said premises; that said premises are free from all encumbrances except as noted above; that it has good right to sell and convey the same as aforesaid; and that it will, and its successors and assigns shall, defend the same to the said Grantee, its successors and assigns forever, against the lawfull claims of all persons.

IN WITNESS WHEREOF, the undersigned Grantor, A & M REAL ESTATE, INC., an Alabama corporation, has caused this Warranty Deed to be executed and delivered on this 12th day of July, 1988.

A & M REAL ESTATE, INC.
an Alabama corporation

Attest:


Its Secretary

By: 
Michael Mahon, President

STATE OF ALABAMA)

Jefferson COUNTY)

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that MICHAEL MAHON, whose name as President of A & M REAL ESTATE, INC., an Alabama corporation, is signed to the foregoing Warranty Deed and who is known to me, acknowledged before me on this day that, being informed of the contents of the Warranty Deed, he, in his capacity as such President and with full authority, executed the same voluntarily for and as the act of said corporation on the day the same bears date.

Given under my hand this the 12th day of July, 1988.


Notary Public

My Commission Expires: 8-6-88

EXHIBIT A

PARCEL I

A parcel of land situated in the Northwesternly side of Alabama Highway 119 in the Town of Pelham, Shelby County, Alabama, and lying in Section 31, Township 19 South, Range 2 West, Huntsville Meridian, Shelby County Alabama, and being more particularly described as follows: Commence at the Northeast corner of Section 31, Township 19 South, Range 2 West, Huntsville Meridian, Shelby County, Alabama; thence North 85 deg. 45 min. East, along and with the North line of said Section, 3325 feet to a point midway between the Northwest corner and the Northeast corner of the Northwest 1/4 of the Northeast 1/4 of Section 31; thence South 2 deg. 06 min. East, 1327 feet to the South line of the Northwest 1/4 of the Northeast 1/4 of said Section; thence South 28 deg. 40 min. East, 1486.9 feet, more or less, to the Southeast corner of the Southwest 1/4 of the Northeast 1/4 of said Section; thence South 47 deg. 06 min. East 283.88 feet to the point of beginning; thence continue South 47 deg. 06 min. East 51.62 feet to an iron pin; thence South 57 deg. 10 min. 57 sec. West, 273.81 feet to an iron pin; thence South 32 deg. 49 min. 03 sec. East, 200.00 feet to an iron pin; thence South 57 deg. 10 min. 57 sec. West, 200.00 feet to an iron pin; thence South 32 deg. 49 min. 03 sec. East, 200.00 feet to an iron pin on the Northwesternly right of way margin of Highway 119; thence South 57 deg. 10 min. 57 sec. West, along and with said Northwesternly right of way margin 70.07 feet to a concrete monument; thence South 49 deg. 32 min. 52 sec. West along and with said Northwesternly right of way margin 201.73 feet to a concrete monument; thence South 57 deg. 20 min. 40 sec. West along and with said Northwesternly right of way margin, 222.23 feet to an iron pin; thence North 30 deg. 54 min. 45 sec. West, leaving said Northwesternly right of way margin 476.46 feet to an iron pin; thence North 57 deg. 10 min. 57 sec. East, 937.47 feet to the point of beginning; being situated in Shelby County, Alabama.

BOOK 193 PAGE 949

PARCEL II

STATE OF ALABAMA
SHELBY COUNTY

A parcel of land situated in the Southeast Quarter of Section 31, Township 19 South, Range 2 West, Huntsville Meridian, Shelby County, Alabama and being more particularly described as follows:

Commence at the Southwest Corner of the Southeast Quarter of Section 31; thence in a easterly direction, along and with the South Line of said quarter section, 1,826.71 feet to an iron pin; thence with a deflection of $122^{\circ}59'53''$, left, 399.97 feet to an iron pin on the northerly right-of-way margin of Oak Mountain Park Road, and the Point of Beginning; thence continue along the projection of the last course 846.69 feet to a point, thence with a deflection of $91^{\circ}18'39''$, right, 152.01 feet to an iron pin; thence with a deflection of $90^{\circ}00'00''$, left, 349.02 feet to an iron pin; thence with a deflection of $90^{\circ}00'00''$, left, 160.00 feet to an iron pin; thence with a deflection of $88^{\circ}41'21''$, right 25.00 feet to an iron pin on the southeasterly right-of-way margin of Highway 119; thence along and with said southeasterly right-of-way margin the following two courses; thence with a deflection of $91^{\circ}18'39''$, right, 253.07 feet to an iron pin; thence with a deflection of $14^{\circ}02'10''$, right, 9.65 feet to an iron pin; thence along and with the right-of-way margin of a 25 foot road the following three courses: thence with a deflection of $30^{\circ}57'50''$, right, 62.56 feet to an iron pin; thence with a deflection of $45^{\circ}00'00''$, right, 390.67 feet to an iron pin; thence with a deflection of $90^{\circ}00'00''$, left 575.98 feet to a point on the easterly right-of-way margin of I-65; thence along and with the right-of-way margin of I-65 the following 7 courses: thence with a deflection of $86^{\circ}19'21''$, right, 142.98 feet to a concrete monument; thence with a deflection of $22^{\circ}07'10''$, right, 266.08 feet to a point; thence with a deflection of $8^{\circ}19'34''$, right, to the chord of a curve having a central angle of $3^{\circ}16'07''$ and a radius of 3,579.72 feet, a chord distance of 204.19 feet to an iron pin; thence with a deflection of $9^{\circ}37'51''$, left, from chord, 96.08 feet to an iron pin; thence with a deflection of $16^{\circ}08'24''$, right, to the chord of a curve having a central angle of $6^{\circ}45'00''$ and a radius of 3599.72 feet, a chord distance of 423.84 feet to an iron pin; thence with a deflection of $51^{\circ}13'17''$, right, from chord, 136.51 feet to an iron pin; thence with a deflection of $43^{\circ}39'13''$ right, 170.00 feet to a concrete monument; thence with a deflection of $5^{\circ}11'01''$, right, along and with the northerly right-of-way margin of Oak Mountain Park Road, 216.14 feet to the Point of Beginning, forming a closing interior angle of $134^{\circ}38'48''$, and containing 17.74 acres, more or less.

BOOK 193 PAGE 950

STATE OF ALA. SHERIFF
I CERTIFY THIS
INSTRUMENT WAS FILED

88 JUL 13 PM 2:08

Thomas A. Shumaker, Jr.
JUDGE OF PROBATE

page 2 of 2

1. Deed Tax	\$4,202.00
2. Mtg. Tax	
3. Recording Fee	10.00
4. Indexing Fee	1.00
TOTAL	1213.00