

The entire purchase price is being secured by a purchase money mortgage being recorded simultaneously herewith.

This instrument prepared by:

Peter E. Barber

Wallace, Jordan, Ratliff & Brandt, L.L.C.

Post Office Box 530910

Birmingham, Alabama 35253

Send Tax Notices To:

BW & MMC, L.L.C.

Attn.: Thomas H. Brigham, Jr.

200 Union Hill Drive

Birmingham, Alabama 35209

Inst # 1999-40863

**WARRANTY DEED**

STATE OF ALABAMA     )  
SHELBY COUNTY         )

09/30/1999-40863  
03:50 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
004 CJ1 18.00

**KNOW ALL MEN BY THESE PRESENTS**, That in consideration of the sum of ONE HUNDRED FORTY-NINE THOUSAND and NO/100 DOLLARS (\$149,000.00) to the undersigned grantor, **DOLLAR, INC.**, an Alabama corporation (hereinafter, the "GRANTOR"), in hand paid by the grantee herein, the receipt of which is hereby acknowledged, the GRANTOR does hereby **GRANT, BARGAIN, SELL AND CONVEY** unto **BW & MMC, L.L.C.**, an Alabama limited liability company corporation (hereinafter, the "GRANTEE"), that certain real estate situated in Shelby County, Alabama and described on Exhibit A hereto, but subject to the following exceptions (hereinafter, the "Permitted Exceptions"):

**Subject to the following Permitted Exceptions:**

1. 1999 property taxes not yet due and payable.
2. Right-of-way granted Alabama Power Company recorded in Deed Book 239, Page 881; Deed Book 219, Page 127; Deed Book 150, Page 89; Deed Book 142, Page 84; and Deed Book 124, Page 474.
3. Easement and right-of-way to the City of Alabaster as recorded in Instrument Number 1996-34796.
4. 30 foot easement for sanitary sewer along north property line as shown by Survey of Laurence D. Weygand, dated December 1, 1997.

Together with all rights, tenements, hereditaments and appurtenances thereto belonging or in any way appertaining.

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

And the GRANTOR does, for itself, its successors and assigns, covenant with the GRANTEE, its successors and assigns, that GRANTOR is lawfully seized in fee simple of said premises subject to the Permitted Exceptions; that they are free from all encumbrances, except as otherwise noted above; that GRANTOR has a good right to sell and convey the same as aforesaid;



that GRANTOR, its successors and assigns shall warrant and defend the same to the GRANTEE, its successors and assigns forever against the lawful claims of all persons.

**IN WITNESS WHEREOF**, DOLLAR, INC., an Alabama corporation, GRANTOR, has caused its duly authorized officer to hereunto set his signature as the act of such GRANTOR under seal, this the 29 day of September, 1999.

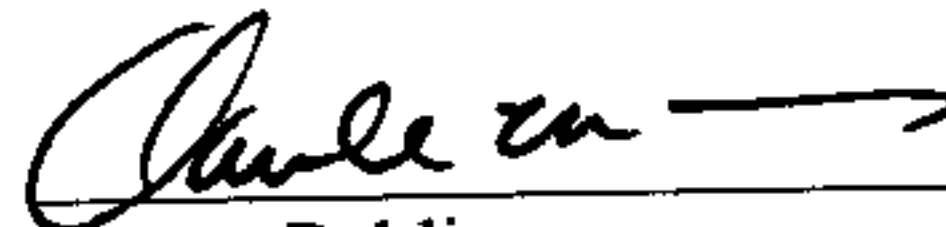
**DOLLAR, INC.,**  
an Alabama corporation

By:  (Seal)  
Thomas H. Brigham, Jr.  
Its President

STATE OF ALABAMA     )  
COUNTY OF JEFFERSON )

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Thomas H. Brigham, Jr., whose name as President of Dollar, Inc., a 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 thereof, he, as such officer 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 29 day of September, 1999.

  
Notary Public

My Commission Expires: 12/28/99



## EXHIBIT A

### Lake Forest 2<sup>nd</sup> Sector

Part of the South  $\frac{1}{2}$  of Section 9, Township 21 South, Range 3 West, Shelby County, Alabama, being more particularly described as follows:

Beginning at existing iron pin being the locally accepted NE corner of the NE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  run in an easterly direction along the north line of the South  $\frac{1}{2}$  of said section for a distance of 250.0 feet to an existing iron rebar set by Laurence D. Weygand; thence turn an angle to the right of 98 degrees 25 minutes and run in a southwesterly direction for a distance of 820.0 feet to an existing iron rebar set by Laurence D. Weygand; thence turn an angle to the right of 14 degrees 0 minutes and run in a southwesterly direction for a distance of 234.02 feet to an existing iron rebar set by Laurence D. Weygand; thence turn an angle to the left of 2 degrees 30 minutes 24 seconds and run in a southwesterly direction for a distance of 50.0 feet to an existing iron rebar being the NE corner of Lot 112, Lake Forest First Sector as recorded in the Office of the Judge of Probate, Shelby County, Alabama, in Map Book 24, Page 62; thence turn an angle to the right of 171 degrees 40 minutes 47 seconds and run in a northerly direction for a distance of 25.27 feet to the northeasterly corner of the BW-MMC, L.L.C. property; thence turn an angle to the left of 81 degrees 06 minutes 01 seconds and run in a northwesterly direction along the north line of said BW-MMC, L.L.C. property for a distance of 520.0 feet; thence turn an angle to the left of 90 degrees and run in a southwesterly direction of 120.0 feet; thence turn an angle to the right of 46 degrees 11 minutes 13 seconds and run in a southwesterly direction for a distance of 130.0 feet; thence turn an angle to the right of 96 degrees 57 minutes 36 seconds and run in a northwesterly direction for a distance of 50.1 feet; thence turn an angle to the left of 41 degrees 22 minutes 18 seconds and run in a northwesterly direction along the north line of the BW-MMC, L.L.C. property for a distance of 50.0 feet; thence turn an angle to the right of 61 degrees 33 minutes 05 seconds and run in a northwesterly direction for a distance of 81.54 feet to an existing iron rebar set by Laurence D. Weygand; thence turn an angle to the right of 22 degrees 54 minutes 55 seconds and run in a northeasterly direction for a distance of 71.0 feet to an existing iron rebar set by Laurence D. Weygand; thence turn an angle to the right of 2 degrees 14 minutes 37 seconds and run in a northeasterly direction for a distance of 50.0 feet to a point on the curve, said curve being concave in a northeasterly direction and having a central angle of 3 degrees 57 minutes 57 seconds and a radius of 1227.15 feet; thence turn an angle to the right (88 degrees 01 minute 02 seconds to the chord of said curve) and run in a southeasterly direction along the arc of said curve for a distance of 84.94 feet to an existing iron rebar set by Laurence D. Weygand; thence turn an angle to the left (93 degrees 48 minutes 17 seconds from last mentioned chord) and run in a northeasterly direction for a distance of 248.02 feet to an existing iron rebar set by Laurence D. Weygand; thence turn an angle to the left of 8 degrees 47 minutes 30 seconds and run in a northerly direction for a distance of 375.0 feet to an existing iron rebar set by Laurence D. Weygand; thence turn an angle to the right of 32 degrees 58 minutes 55 seconds and run in a northeasterly direction for a distance of 180.0 feet to an existing iron rebar set by Laurence D. Weygand; thence turn an angle to the right of 19 degrees 06 minutes 19 seconds and run in a northeasterly direction for a distance of 235.0 feet, more or less, to the point of beginning. Containing 13.28 acres, more or less.



EXHIBIT A (Continued)

A description of Lake Forest Third Sector, situated in the SE  $\frac{1}{4}$ -SW  $\frac{1}{4}$  and the SW  $\frac{1}{4}$ -SE  $\frac{1}{4}$  of Section 9, Township 21S, Range 3W, Shelby County, Alabama, being more particularly described as follows:

Beginning at the SE corner of Lot 123, Lake Forest First Sector, as recorded in the Office of the Judge of Probate, Shelby County, Alabama, in Map Book 24, Page 62, run in a northerly direction along the east line of Lots 123, 122, 121, 120, 119, 118, 117, and part of 116 for a distance of 595.0 feet to an existing iron rebar set by Laurence D. Weygand; thence turn an angle to the right of 74 degrees 00 minutes 53 seconds and run in a northeasterly direction for a distance of 344.96 feet to an existing iron rebar set by Laurence D. Weygand; thence turn an angle to the left of 5 degrees 27 minutes 15 seconds and run in a northeasterly direction for a distance of 145.0 feet to an existing iron rebar set by Laurence D. Weygand; thence turn an angle to the right of 96 degrees 20 minutes 37 seconds and run in a southeasterly direction for a distance of 205.08 feet to an existing iron rebar set by Laurence D. Weygand; thence turn an angle to the right of 17 degrees 30 minutes 43 seconds and run in a southerly direction for a distance of 237.21 feet to an existing iron rebar set by Laurence D. Weygand; thence turn an angle to the right of 20 degrees 09 minutes 59 seconds and run in a southwesterly direction for a distance of 509.31 feet to an existing iron rebar set by Laurence D. Weygand and being on the northeast right of way line of Water Hickory Drive as shown on that plat of Lake Forest First Sector; thence turn an angle to the right (103 degrees 12 minutes 20 seconds to the chord) and run in a northwesterly direction along the curved northeast right of way line of Water Hickory Drive (said curve being concave in a northeasterly direction and having a deflection angle of 8 degrees 29 minutes 17-1/2 seconds and a radius of 178.0 feet) for a distance of 52.74 feet to a point of reverse curve, said newest curve being concave in a southwesterly direction and having a radius of 477.01 feet; thence run in a northwesterly direction along the arc of said curve and along the northeast right of way line of said Water Hickory Drive for a distance of 307.23 feet, more or less, to the point of beginning. Containing 7.92 acres, more or less.

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