

SEND TAX NOTICE TO:

Pelham Industrial  
Enterprises Ten, L.L.C.  
2101 Highland Avenue  
Suite 700  
Birmingham, AL 35205

STATE OF ALABAMA )

SHELBY COUNTY )

### STATUTORY WARRANTY DEED

THIS IS A WARRANTY DEED executed and delivered this 5<sup>th</sup> day of March, 1999, by 119 PROPERTIES, LTD., an Alabama limited partnership (hereinafter referred to as the "Grantor"), to PELHAM INDUSTRIAL ENTERPRISES TEN, L.L.C., an Alabama limited liability company (hereinafter referred to as the "Grantee").

#### KNOW ALL MEN BY THESE PRESENTS:

That in consideration of TEN and 00/100 DOLLARS (\$10.00) in hand paid by Grantee to Grantor, the receipt and sufficiency of which is hereby acknowledged by Grantor, and other good and valuable considerations, the Grantor does by these presents, grant, bargain, sell and convey unto the Grantee the following described real estate located in Shelby County, Alabama, to-wit:

Part of Block 3 of Cahaba Valley Park North as recorded in Map Book 13, Page 140, in the Probate Office of Shelby County, Alabama, being more particularly described as follows: Commence at the northeast corner of the N.W. 1/4 of the N.E. 1/4 of Section 31, Township 19 South, Range 2 West, Shelby County, Alabama, said 1/4 1/4 Section corner being 1,331.88 feet measured (1,331.88 feet record) West of the northeast corner of Section 31, Township 19 South, Range 2 West, said point being the northeast corner of said Block 3 of Cahaba Valley Park North and the northeast corner of the Survey of the Alagasco Site by Joseph A. Miller, Jr., dated 3-2-95, and the northwest corner of the Survey of the Drivers Mart Site by Joseph A. Miller, Jr., dated 12-18-96; thence run West along the North line of said N.W. 1/4 of the N.E. 1/4 of said Section 31 and along the North line of said Block 3 and the North line of said Alagasco Site for 588.83 feet to a point on the east right of way line of Cahaba Valley Parkway North, said point being 60.06 feet East of the northwest corner of said Block 3; thence 92 degrees 39 minutes 22 seconds left and run southerly along the East right of way line of said Cahaba Valley Parkway North and along the West property line of the Alagasco Site for 427.54 feet to the N.W. corner of Lot 5 of Cahaba Valley Business Park Resurvey No. 2, as recorded in Map Book 23, Page 42, in the Office of the Judge of Probate of Shelby County, Alabama; thence continue southerly along the last stated course, and along the East right of way line of said Cahaba Valley Parkway North, and along the West line of said Lot 5 for 365.33 feet to the S.W. corner of said Lot 5, and the N.W. corner of Cahaba Valley Business Park Phase 6; thence continue Southerly along the last stated course and along said right of way line and along the West line of said Phase 6 of Cahaba Valley Business Park for 295.46 feet to the S.W. corner of said Phase 6, said point also being the N.W. corner of Phase 7 of Cahaba Valley Business Park; thence continue southerly along the last stated course and along said right of way line and along the west line of said Phase 7 for 9.48 feet to the beginning of a curve to the left, said curve subtending a central angle of 14 degrees 40 minutes 52 seconds and having a radius of 1,359.64 feet; thence run southerly along the arc of said curve and along said right of way line and along the west line of said Phase 7 for 348.38 feet to the end of said curve said and the S.W. corner of said Phase 7 and the POINT OF BEGINNING of the parcel herein described; thence from tangent of said curve turn 89 degrees 09 minutes 26 seconds left and run northeasterly along the south line of said Phase 7 for 30.55 feet to the beginning of a curve to the right, said curve subtending a central angle of 07 degrees 51 minutes 56 seconds and having a radius of 1,070.97 feet; thence run northeasterly along the arc of said curve and along the south line of said Phase 7 for 147.82 feet to the end of said curve; thence at tangent to said curve run northeasterly along the south line of said Phase 7 for 417.85 feet to a point on the southwest line of said Drivers Mart Survey; thence 26 degrees 58 minutes 00 seconds right and run southeasterly along the southwest line of said Drivers Mart Survey for 135.90 feet; thence 20 degrees 30 minutes 00 seconds right and run southeasterly along the southwest line of said Drivers Mart Survey for 174.53 feet; thence 06 degrees 30 minutes 00 seconds right and run southeasterly along the S.W. line of said Drivers Mart Survey for 37.46 feet to a point on the north line of the Shelby Medical Center - Baptist Medical Centers Resurvey as recorded in Map Book 18, Page 27, in the Probate Office of Shelby County, Alabama; thence 105 degrees 32 minutes 07 seconds right and run southwesterly along the north line of said resurvey for 766.37 feet to the N.W. corner of said Resurvey, said point being on the East right of way line of Cahaba Valley Parkway; thence 96 degrees 45 minutes 37 seconds right to become tangent to a curve to the left, said curve subtending a central angle of 06 degrees 44 minutes 26 seconds and having a radius of 199.44 feet; thence run northwesterly along the arc of said curve and along said right of way line for 23.46 feet to the end of said curve; thence at tangent to said curve run northwesterly along said right of way line for 214.33 feet to the beginning of a curve to the right, said curve subtending a central angle of 09 degrees 41 minutes 00 seconds and having a radius of 1,359.64 feet; thence run northwesterly along the arc of said curve and along the right of way line for 229.75 feet to the end of said curve and the POINT OF BEGINNING, said parcel contains 258,426 square feet, more or less, or 5.93 acres, more or less;

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.

12/29/1999-52193  
08:48 AM CERTIFIED

SHELBY COUNTY JUDGE OF PROBATE  
002 MMS 463.50

Inst. # 1999-52193

This conveyance is subject to the following:

1. Ad valorem taxes for tax year 1999; and
2. Easements, rights-of-way and restrictions of record which affect said property.

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

The Grantor hereby covenants and agrees with Grantee, its successors and assigns, that the Grantor, its successors and assigns, will warrant and defend the above described real estate against the lawful claims (unless otherwise noted above) of all persons claiming by, through, or under the Grantors, but not further or otherwise.

**IN WITNESS WHEREOF**, the Grantor has caused this Statutory Warranty Deed to be executed by its General Partner which is duly authorized hereunto, on the day first written above.

**119 PROPERTIES, LTD.** an Alabama limited partnership

By: **CAHABA VALLEY PROPERTIES, INC.**  
Its General Partner

By:

  
**Charles H. Stephens**  
President

**STATE OF ALABAMA )**

**JEFFERSON COUNTY )**

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that **CHARLES H. STEPHENS**, whose name as President of **CAHABA VALLEY PROPERTIES, INC.**, the General Partner of **119 PROPERTIES, LTD.**, an Alabama limited partnership, 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 acting in its capacity as general partner of said limited partnership.

Given under my hand this the 5<sup>th</sup> day of March, 1999.

  
Notary Public

My Commission Expires:

3/26/2002

**THIS INSTRUMENT PREPARED BY**

✓ Chervis Isom  
Berkowitz, Leftkovits, Isom & Kushner  
1600 SouthTrust Tower  
Birmingham, Alabama 35203

*Consideration  
\$452,000*

Inst # 1999-52193

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