

Send Tax Notice To:
Pelham Q, L.L.C.
P. O. Box 468
Northport, Alabama 35476

STATE OF ALABAMA)

SHELBY COUNTY)


20021230000651600 Pg 1/3 27.00
Shelby Cnty Judge of Probate, AL
12/30/2002 14:10:00 FILED/CERTIFIED

WARRANTY DEED

THIS IS A WARRANTY DEED executed and delivered this 19th day of December, 2002 by **CIT LENDING SERVICES CORPORATION**, a Delaware corporation (hereinafter referred to as the "Grantor"), to **PELHAM Q, L.L.C.**, an Alabama limited liability company (hereinafter referred to as the "Grantee").

KNOW ALL MEN BY THESE PRESENTS that in consideration of the sum of Ten Dollars (\$10.00) in hand paid by Grantee to Grantor, the Grantor does by these presents, grant, bargain, sell and convey unto the Grantee, the real estate described in **Exhibit "A"** attached hereto and situated in Etowah County, Alabama (the "Property");

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 the Property.

This conveyance is subject to the following exceptions:

1. General and special taxes for the year 2003 and subsequent years not yet due and payable.
2. Right of way granted to Alabama Power Company by instruments recorded in Volume 101, Page 506; Volume 112, Page 513; Volume 138, Page 50; and Volume 170, Page 258.
3. Easements set out in map recorded in Map Book 23, Page 123.
4. Easements and rights of others reserved in Inst. #1998-9904.
5. A purchase money mortgage for the entire purchase price is being filed simultaneously with this transaction.

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

And said Grantor does for itself, its successors and assigns, covenant with 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 a good right to sell and convey the same as aforesaid; and that it will, and its successors and assigns shall warrant and defend the same to the said Grantee, its successors and assigns forever, against the lawful claims of all persons.

and defend the same to the said Grantee, its successors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the Grantor caused this Warranty Deed to be executed on this day of December, 2002.

CIT LENDING SERVICES CORPORATION

By: Peter D. Schaeffler
Its: Assistant Vice President

STATE OF New Jersey)

COUNTY OF Essex)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Peter D. Schaeffler whose name as Assistant Vice Pres. of CIT Lending Services Corporation, a Delaware 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 said statutory warranty deed, he, in such capacity 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 19 day of December, 2002.

Quinta L Casazza
Notary Public
My Commission Expires June 28, 2006

THIS INSTRUMENT PREPARED BY:
Steven A. Brickman, Esq.
Sirote & Permutt, P.C.
2311 Highland Avenue South
Birmingham, Alabama 35205

EXHIBIT "A"

20021230000651600 Pg 3/3 27.00
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Legal Description of Property

Lot 1, according to the Survey of Sonny's Bar-B-Q, as recorded in Map Book 23, Page 123, in the Probate Office of Shelby County, Alabama. Also described as follows:

A parcel of land located in the North half of the Southwest Quarter of Section 31, Township 19 South, Range 2 West, more particularly described as follows:

Commence at the Northeast corner of the Southwest Quarter of the Northwest Quarter of said Section 31; thence in an Easterly direction a distance of 452.73 feet; thence 86 degrees, 31 minutes, 40 seconds right, in a Southerly direction, a distance of 1321.78 feet; thence 47 degrees, 06 minutes right in a Southwesterly direction a distance of 250.20 feet to a point, said point being in the approximate center line of an existing road; thence 79 degrees, 55 minutes, 15 seconds right in a Northwesterly direction along said approximate center line, a distance of 149.66 feet to the beginning of a curve to the left, having a radius of 113.67 feet and a central angle of 66 degrees, 50 minutes; thence Southwesterly along said curve and approximate center line, a distance of 132.59 feet to end of said curve; thence in a Southwesterly direction along a line tangent to said curve, a distance of 85.50 feet to a point on the Easterly R/W line of now existing Highway 31 South, said point being on a curve having a radius of 2010.08 feet and subtended by a chord length of 868.19 feet, and from last described course, turn an angle of 67 degrees, 46 minutes, 46 seconds left to said chord; thence in a Southerly direction along said curve and R/W line a distance of 875.07 feet to the point of Spiral to Curve of said R/W; thence from last described chord, turn 15 degrees, 07 minutes, 04 seconds right to chord of said Spiral; thence in a Southerly direction along said Spiral and R/W line a distance of 257.84 feet to the Point of Beginning; thence continue along the last described course and said road right of way for 49.81 feet; thence turn 1 degree, 31 minutes, 12 seconds right for the chord of said curve and run Southwesterly for 143.58 feet; thence turn 90 degrees, 00 minutes, 00 seconds left and run Southeasterly for 46.10 feet; thence turn 41 degrees, 55 minutes, 00 seconds left and run Northeasterly 345.85 feet; thence 81 degrees, 56 minutes 01 seconds left and run Northwesterly for 176.47 feet; thence turn 98 degrees, 03 minutes, 56 seconds left and run Southwesterly for 275.74 feet to the Point of Beginning.

Together with other rights which constitute an interest in real estate obtained in Instrument #1998-9904.

Situated in Shelby County, Alabama.