

This Instrument Prepared By:
Steven A. Brickman, Esquire
SIROTE & PERMUTT, P.C.
P.O. Box 55727
Birmingham, Alabama 35255-5727

Send Tax Notice to:
Jack's Family Restaurants, Inc.
124 West Oxmoor Road
Birmingham, Alabama 35209
Attention: President

STATE OF ALABAMA)

SHELBY COUNTY)

STATUTORY WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that for and in consideration of the sum of Ten and 00/100 Dollars (\$10.00) and other good and valuable consideration to the undersigned **Capital Real Estate Investments LLC**, an Alabama limited liability company – as to an undivided 21% interest and **Pacifica Katie Avenue LLC**, a Nevada limited liability company - as to an undivided 79% interest (the "Grantors"), to **Jack's Family Restaurants, Inc.**, an Alabama corporation (hereinafter referred to as the "Grantee") the receipt of which is hereby acknowledged, the said Grantors do by these presents grant, bargain, sell and convey unto the said Grantee, the following described real estate ("Real Estate") situated in Shelby County, Alabama, to-wit:

Exhibit "A"

TOGETHER WITH All hereditaments, easements, rights-of-way, drives, alleys, parking areas and appurtenances thereunto belonging, or in any way appertaining to the Real Estate (including, without limitation, all of the right, title and interest, if any, of Grantors in and to any land lying in the bed of any street, road or avenue, open or proposed, in front of or adjoining the Real Estate, to the centerline thereof, and all right, title and interest of Grantors, if any, in and to any award made or to be made in lieu thereof and in and to any unpaid award for damage to the Real Estate by reason of change of grade of any street).

This conveyance is subject to the following:

1. Ad valorem taxes for 2009, a lien due and payable October 1, 2009.
2. Right of way to Southern Bell recorded in Deed Book 67, page 495, in the Probate Office of Shelby County, Alabama.
3. The following matters of survey as delineated on the survey of Carl Daniel Moore with Surveying Solutions, Inc. dated 9/3/08:
 - a.) Encroachment of curbing over property lines.

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

The Grantors hereby covenant and agree with Grantee, its successors and assigns, that the Grantors, their assigns and successors, 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 said Grantors have hereto set their hands and seals on this the 14th day of October, 2008.

Capital Real Estate Investments LLC

By: *Randy Rivera*

Name: Randy Rivera

Its: Manager

STATE OF CA)

COUNTY OF San Diego)

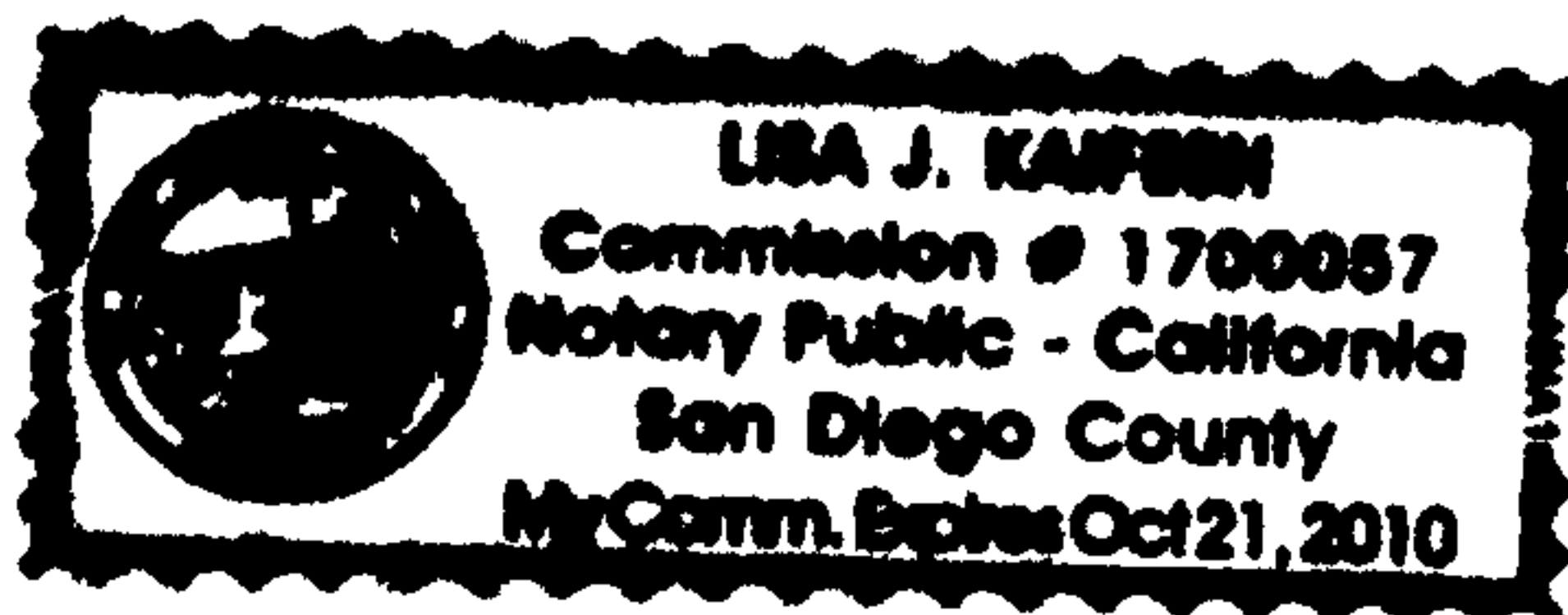
I, the undersigned, a Notary Public in and for said County and State, hereby certify that **Randy Rivera**, as Manager of **Capital Real Estate Investments LLC** - as to an undivided 21% interest, whose name is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he voluntarily executed the same on the day the same bears date in his capacity as Manager of said limited liability company.

Given under my hand and seal this the 14 day of October, 2008.

Lisa J. Kaufman

NOTARY PUBLIC

My Commission Expires: _____



**Pacifica Katie Avenue LLC, a Nevada
limited liability company**

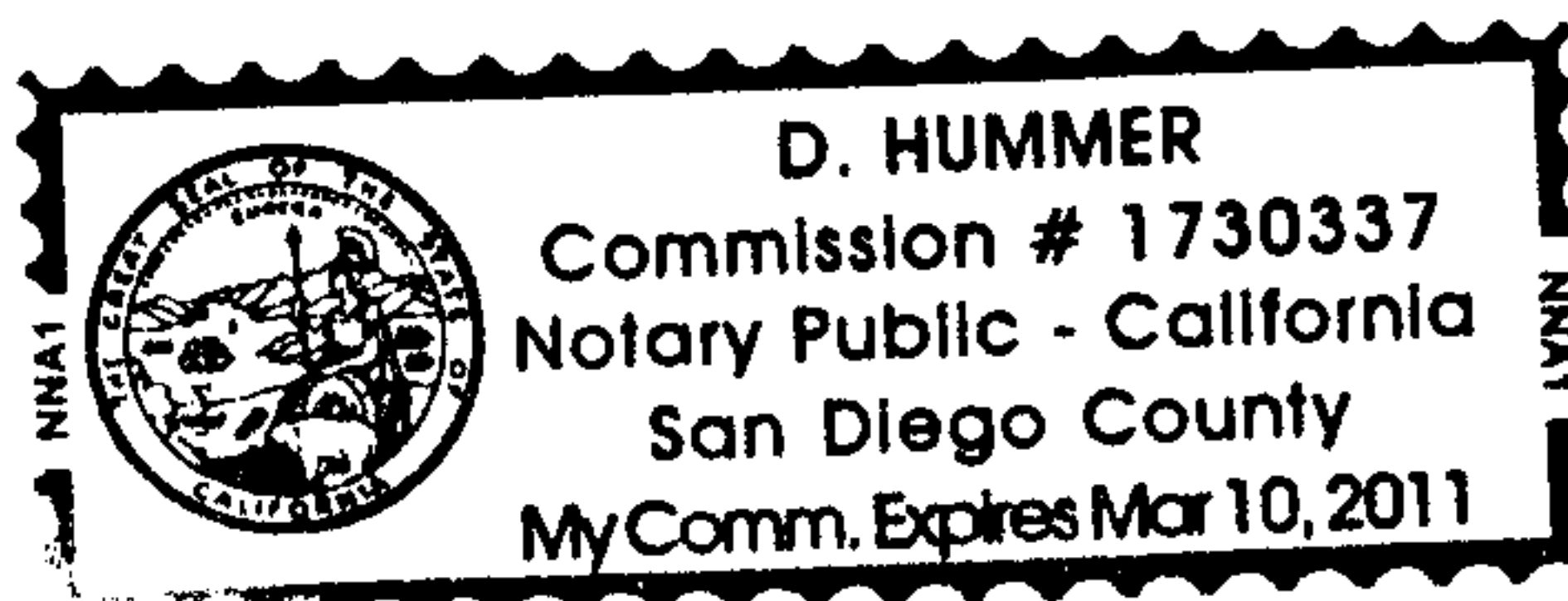
**By: PAC Katie Avenue Inc.
Its: General Manager**

**By: [Signature]
Name: Deepak Israni
Its: Secretary**

STATE OF California)
COUNTY OF San Diego)

I, the undersigned, a Notary Public in and for said County and State, hereby certify that **Deepak Israni**, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the Secretary of **PAC Katie Avenue Inc.**, which is the general partner of **Pacifica Katie Avenue LLC, a Nevada limited liability company** - as to an undivided 79% interest, and acknowledged to me that he executed said instrument for the purposes and consideration therein expressed, and as the act of said corporation acting in its capacity as the general partner of said limited liability company.

Given under my hand this 14 day of October, 2008.



[Signature]
Notary Public
My Commission Expires: 03/10/2011

Exhibit "A"

PARCEL I

Lot Number Thirteen (13) in the Storrs and Troy allotment or plot of lands and lots, Addition to the Town of Montevallo, Shelby County, Alabama, according to the Survey and Plot of N.B. Dare, made 1-22-1884, which is duly recorded in the Office of the Probate Judge of Shelby County, in Map Book 3, page 3 said lot being situated in Shelby County, Alabama.

PARCEL II

Lot 14, according to Storrs and Troy Addition to Town of Montevallo, Alabama, as surveyed by N.B. Dare, as recorded in Map Book 3, page 3, in the Probate Office of Shelby County, being situated in Shelby County, Alabama. EXCEPT the Southeast 10 feet for widening of Island Street.

PARCEL III

Lot Number 16, in the Storrs and Troy Addition to Town of Montevallo, Alabama, as surveyed by N.B. Dare, January 22, 1884, which is recorded in the Probate Office of Shelby County, in Map Book 3, page 3.

LESS AND EXCEPT A PART OF Lot 16 in the Storrs and Troy Allotment of Lands as the Town of Montevallo, according to the Survey and Plat of N.B. Dare, 1-22-1884, which is recorded in the Probate Office of Shelby County, Alabama in Map Book 3, page 3, said part of Lot 16 being more particularly described as follows:

Begin at the Northmost corner of said Lot 16, said point being on the Southerly side of Main Street, and run along the Easterly side of said Lot 16 towards Island Street for a distance of 100 feet; thence run in a Southwesterly direction and parallel with Main Street a distance of 43 feet; thence run in a Northwesterly direction and parallel with the easterly side of Lot 16 a distance of 100 feet to the Southerly side of Main Street; thence run in a Northeasterly direction along said Southerly side of Main Street a distance of 43 feet to the point of beginning.

All being situated in Shelby County, Alabama.

PARCEL IV

That tract of land situated between the existing Southeasterly right of way line of Main Street and the Southeasterly right of way line as recorded in Map Book 3, page 3, in the Probate Office of Shelby County, Alabama, which is Northwesterly of and perpendicular to Lot 13, and the Southwesterly 67.0 feet of Lot 16, of said Map Book 3, page 3, in the Storrs and Troy allotment of plot of lands and lots, Addition to the Town of Montevallo, Shelby County, Alabama, according to the Survey of N.B. Dare, made 1-22-1884.

And also described as:

A parcel of land being Lot 13, a part of Lot 14 and a part of Lot 16, Storrs and Troy Addition to Town of Montevallo, as recorded in Map Book 3, page 3, in the Office of the Judge of Probate, Shelby County, Alabama, and Acreage, being more particularly described as follows:

Commence at the Southeast corner of said Lot 14, also being the Southwest corner of Lot 15 in said Storrs and Troy Addition to Town of Montevallo; thence run North 36 degrees, 42 minutes, 33 seconds West along the Northeast line of said Lot 14 and also along the Southwest line of said Lot 15 for a distance of 10.00 feet to a ¼ inch rebar found, said rebar being on the Northwest right of way line of Island Street, being a 50 foot right of way; thence run South 53 degrees, 21 minutes, 13 seconds West along the Northwest right of way line of Island Street for a distance of 101.66 feet to a 1 inch open top found on the Southwest line of said Lot 14 and the Northeast line of Lot 11 in said Storrs and Troy Addition to Town of Montevallo; thence run North 36 degrees, 35 minutes, 32 seconds West along the Southwest line of said Lot 14 and also along the Northeast line of said Lot 11 for a distance of 195.40 feet to a ¼ inch rebar found at the Northwest corner of said Lot 14, also being at the Northeast corner of said Lot 11 and also being on the Southwest line of said Lot 13; thence run South 47 degrees, 58 minutes, 06 seconds West along the North line of said Lot 11 and also along the South line of said Lot 13 for a distance of 8.71 feet to a 1 inch crimped iron found at the Southwest corner of said Lot 13 and also at the Southeast corner of Lot 12 in Storrs and Troy Addition to Town of Montevallo; thence run North 36 degrees, 39 minutes, 07 seconds West along the Southwest line of said Lot 13 and also along the Northeast line of said Lot 12 for a distance of 207.95 feet to a ½ inch rebar found on the Southwest right of way line of North main Street; thence run North 51 degrees, 42 minutes, 55 seconds East along said Southwest right of way line for a distance of 177.08 feet to an iron pin set; thence run South 36 degrees, 27 minutes, 49 seconds East for a distance of 118.71 feet to a 5/8 inch rebar found; thence run North 52 degrees, 43 minutes, 29 seconds East for a distance of 43.56 feet to a 1 inch crimped iron found on the Northeast line of said Lot 16; thence run South 36 degrees, 31 minutes, 14 seconds East along the Northeast line of said Lot 16 for a distance of 94.49 feet to an iron pin found with RCF cap; said iron pin found also being at the Southeast corner of said Lot 16 and the Northeast corner of said Lot 15; thence run South 53 degrees, 18 minutes, 17 seconds West along the Southeast line of said Lot 16 and the Northwest line of said Lot 15 for a distance of 110.02 feet to an iron pin found with RCF cap; said iron pin found being at the Northwest corner of said Lot 15 and the Northeast corner of said Lot 14; thence run South 36 degrees, 42 minutes, 33 seconds East along the Southwest line of said Lot 15 and the Northeast line of said Lot 14 for a distance of 194.78 feet to the point of beginning.

Shelby County, AL 10/20/2008
State of Alabama

Deed Tax: \$575.00