



20120703000233430 1/4 \$2799.00  
Shelby Cnty Judge of Probate, AL  
07/03/2012 08:50:23 AM FILED/CERT

**THIS INSTRUMENT PREPARED BY:**

Return to:  
First American Title Insurance Co.  
2425 E. Camelback Rd., Ste 300  
Phoenix, AZ 85016

NCS 541694B PHX1

**Send Tax Notice To:**

Belle Foods, LLC  
800 Lakeshore Parkway  
Birmingham, AL 35211  
Attn: William D. White, President

With Copy To:  
STORE SPE Belle, LLC  
8501 E. Princess Drive, Suite 190  
Scottsdale, AZ 85255

**STATE OF ALABAMA** )  
 )  
**COUNTY OF SHELBY** )

\$ 2,777,688<sup>00</sup>

**STATUTORY WARRANTY DEED**

[Store # 70, Alabaster, Alabama]

**KNOW ALL MEN BY THESE PRESENTS**, that as of the 29th day of June, 2012, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration in hand paid to **SOUTHERN FAMILY MARKETS OF ALABASTER LLC**, a Delaware limited liability company ("Grantor"), the receipt whereof is hereby acknowledged, Grantor grants, bargains, sells and conveys unto **STORE SPE BELLE, LLC**, a Delaware limited liability company ("Grantee"), the real estate situated in Shelby County, Alabama and more particularly described on **Exhibit A** attached hereto and incorporated herein (the "Property");

**TOGETHER WITH** all improvements located thereon and 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.

**TO HAVE AND TO HOLD** the said Property, together with any and all of the rights, members and appurtenances thereof to the same being, belonging, or in anywise appertaining, to the use, benefit and behoof of the said Grantee forever, in fee simple, the said Grantor hereby covenanting that, except as provided herein, the above-described Property is free and clear from any encumbrance done or suffered by Grantor. The said Grantor will warrant and forever defend the right and title to the above-described Property unto the said Grantee against the lawful claims of all persons claiming by, through or under the said Grantor, but not otherwise; provided, however, that the warranties of title made by Grantor herein shall not extend to any claims arising under any matter set forth on **Exhibit B**, attached hereto and incorporated herein by reference.

*[The Remainder of This Page is Intentionally Left Blank]*

*[Signature Page Follows]*

IN WITNESS WHEREOF, Grantor has caused this Statutory Warranty Deed to be executed as of the date first set forth above.

**GRANTOR:**

SOUTHERN FAMILY MARKETS OF  
ALABASTER LLC, a Delaware limited liability  
company

By: *Mark N. Taylor*  
Name: *Mark N. Taylor*  
Title: *VP, Asst. Secretary*

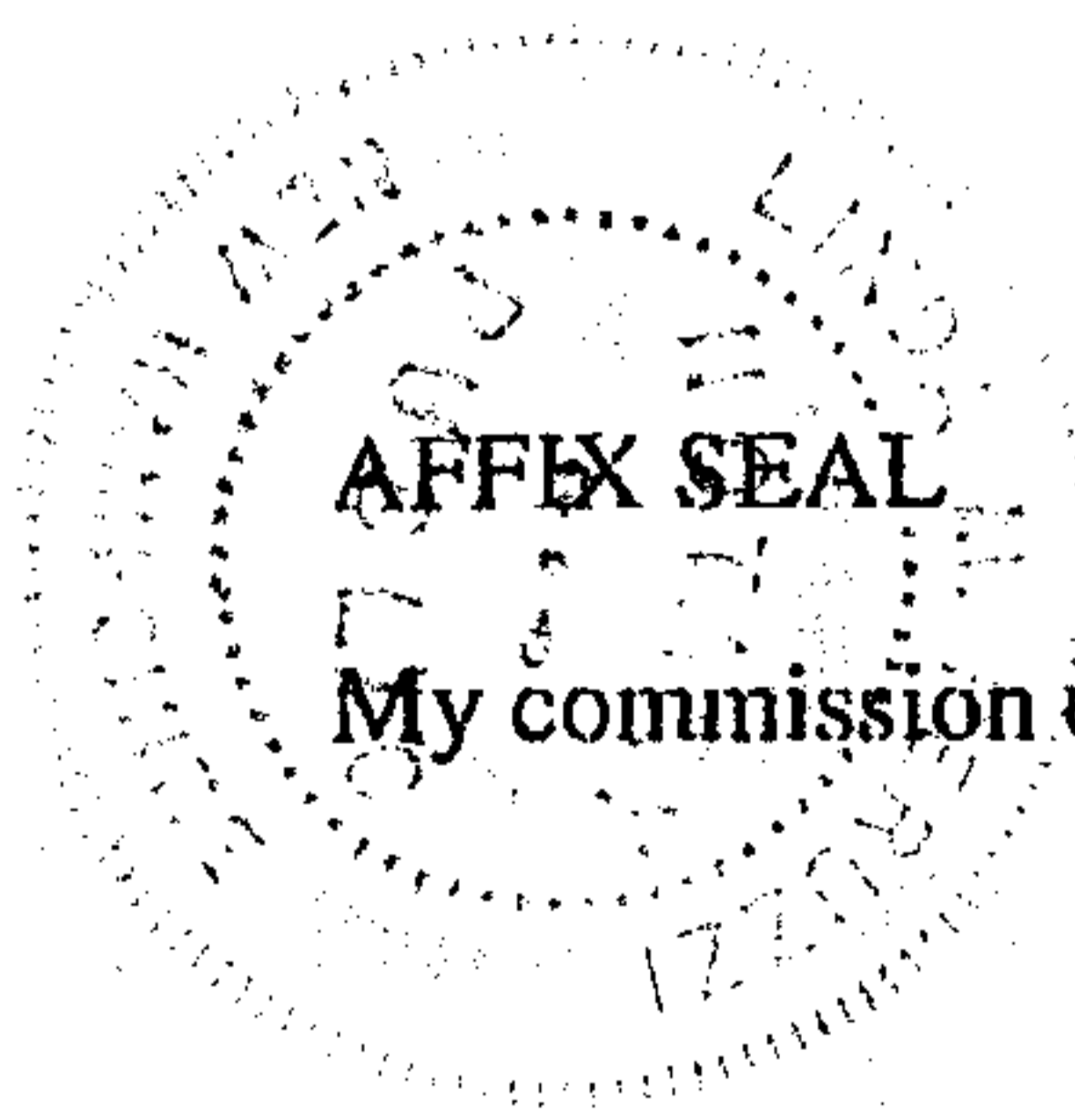
STATE OF NEW HAMPSHIRE )

COUNTY OF CHESHIRE )

I, the undersigned authority, a Notary Public in and for said county in said state, hereby certify that *Mark Taylor* as *VP, Asst. Secretary* of **Southern Family Markets of Alabaster LLC**, a Delaware limited liability company, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he, as such authorized representative and with full authority, executed the same voluntarily on behalf of said limited liability company, on the day the same bears date.

Given under my hand and official seal this *22<sup>nd</sup>* day of *July*, 2012.

*[Signature]*  
Notary Public



My commission expires: *3/6/2014*

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## EXHIBIT A TO STATUTORY WARRANTY DEED

### Property

Parcel I:

A portion of the North half of the Southwest quarter of the Northeast quarter, Section 2, Township 21 South, Range 3 West, described as follows:

Commence at the Southwest corner of the North half of the Southwest quarter of the Northeast quarter, Section 2, Township 21 South, Range 3 West, and run Easterly along the South side of the said North half for 790.66 feet to the Point of Beginning; thence continue along the last described course for 342.22 feet; thence turn an angle of 57° 13' 19" to the left and run Northeasterly for 26.54 feet; thence run turn an angle of 84° 09' 30" to the left and run Northwesterly for 894.71 feet; thence turn an angle of 107° 39' 31" to the left and run Southwesterly 218.29 feet; thence turn an angle of 72° 20' 29" to the left and run Southeasterly for 445.66 feet; thence turn and angle of 90° 00' 00" to the right and run Southwesterly for 32.00 feet; thence turn an angle of 90° 00' 00" to the left and run Southeasterly 118.15 feet to point of beginning.

Being all and the same premises conveyed to Southern Family Markets of Alabaster LLC, a Delaware limited liability company, by virtue of a certain statutory warranty deed from BFW Liquidation, LLC (formerly known as Bruno's Supermarkets, LLC), a Delaware limited liability company, dated as of June 29, 2009, and recorded in the Shelby County Probate Office on July 1, 2009, filing number 20090701000254370.




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## EXHIBIT B TO STATUTORY WARRANTY DEED

### Permitted Encumbrances

1. Any mineral or mineral rights leased, granted or retained by current or prior owners.
2. Taxes and assessments for the year 2012 and subsequent years a lien not yet due and payable.
3. Title defects or matters that would be customarily disclosed by an accurate survey or inspection of the Property; and
4. All easements, covenants, restrictions reservations, rights-of-way and other similar matters of record.
5. Right of Way granted to Alabama Power Company by instrument recorded in Real 41, Page 848 in the Probate Office of Shelby County, Alabama.
6. Restrictions appearing of record in Real 52, Page 692, amended by Real 35, Page 822, and Second Amendment by Real 106, Page 700 in the Probate Office of Shelby County, Alabama, but omitting any covenant or restriction based on race, color, religion, sex, handicap, familial status, or national origin.
7. Any facts, rights, interests or claims that may exist or arise by reason of the following matters disclosed by an ALTA/ACSM survey made by Robert L. Taylor under the supervision of Bock & Clark's National Surveyors Network on April 8, 2012 last revised May 15, 2012, designated Job Number 201200498, 002:
  - a) overhead power poles along the northwest boundary of the land as delineated on said survey

  
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Shelby County, AL 07/03/2012  
State of Alabama  
Deed Tax: \$2778.00