

Send tax notice to
119 Properties, Ltd.
119 Hillsdale Road
Birmingham, Alabama 35213

This instrument prepared by
Lant B. Davis
Bradley, Arant, Rose & White
1400 Park Place Tower
Birmingham, Alabama 35203

STATE OF ALABAMA

SHELBY COUNTY

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of Two Million One Hundred Thirty-six Thousand Six Hundred and No/100 Dollars (\$2,136,600.00) in hand paid to the undersigned Kenneth F. Pritchard, a married man, (hereinafter referred to as "Grantor") by 119 Properties, Ltd., an Alabama limited partnership, (hereinafter referred to as "Grantee"), the receipt and sufficiency of which are hereby acknowledged, the said Grantor does, by these presents, grant, bargain, sell, and convey unto the said Grantee, upon and subject to the matters and reservations hereinafter set forth, the following described real estate (the Premises") situated in Shelby County, Alabama, to-wit:

PARCEL I:

Part of the northeast quarter of Section 31, Township 19 South, Range 2 West, Shelby County, Alabama, being more particularly described as follows: Beginning at the northeast corner of the northwest quarter of the northeast quarter of said section and run in a southerly direction along the east line of said northwest quarter of northeast quarter for a dsitance of 1,317.51 feet to the southeast corner of said northwest quarter of northeast quarter; thence turn an angle to the left of 69 degrees 43 minutes and run in a southeasterly direction for a distance of 202.77 feet to an existing iron pin; thence turn an angle to the right of 20 degrees 33 minutes and run in a southeasterly direction for a dsitance of 174.53 feet to an existing iron pin; thence turn an angle to the right of 8 degrees 30 minutes and run in a southeasterly direction for a distance of 502.63 feet, more or less, to an existing iron pin being on the west right-of-way line of I-65; thence turn an angle to the right of 35 degrees 58 minutes 42 seconds and run in a southeasterly direction along the west line of said I-65 right-of-way for a distance of 485.19 feet to an existing concrete right-of-way marker; thence turn an angle to the right of 12 degrees 04 minutes and run in a southerly direction for a distance of 96.71 feet to a existing concrete right-of-way monument; thence turn an angle to the right of 90 degrees and run in a westerly direction for a distance of 65.00 feet to an existing iron pin; thence turn an angle to the left of 91

BOOK 222 PAGE 781

Alabama Title

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degrees 10 minutes 23 seconds and run in a southerly direction for a distance of 59.65 feet to an existing iron pin, said point being on the northeasterly property line of the Kenneth F. Pritchard Property as described in deed recorded in Deed Book 356, page 175, in the Office of the Judge of Probate, Shelby County, Alabama; thence turn an angle to the right of 147 degrees 50 minutes 41 seconds and run in a northwesterly direction along said northeasterly line of the Kenneth F. Pritchard Property for a distance of 681.59 feet to an existing iron pin, said point being the most northerly corner of the Kenneth F. Pritchard Property; thence turn an angle to the left of 93 degrees 54 minutes and run in a southwesterly direction along the northwest line of the Kenneth F. Pritchard Property for a distance of 605.48 feet to an existing iron pin being the northwesterly corner of the Kenneth F. Pritchard Property; thence turn an angle to the right of 94 degrees 49 minutes and run in a northwesterly direction for a distance of 981.51 feet to an existing 2" open iron; thence turn an angle to the right of 24 degrees 21 minutes and run in a northerly direction for a distance of 1,335.15 feet to an existing iron pin being on the north line of said northwest quarter of northeast quarter; thence turn an angle to the right of 92 degrees 39 minutes and run in an easterly direction along said north line for a distance of 648.91 feet, more or less, to the point of beginning.

PARCEL II:

Part of the northeast quarter of the southeast quarter and the southeast quarter of the northeast quarter of Section 31, Township 19 South, Range 2 West, Shelby County, Alabama, being more particularly described as follows: From the southwest corner of the northeast quarter of the southeast quarter of said Section 31, run in a northerly direction along the west line of said quarter-quarter section for a distance of 541.25 feet; thence turn an angle to the right of 55 degrees 37 minutes 24 seconds and run in a northeasterly direction for a distance of 600.66 feet, more or less; thence turn an angle to the left of 100 degrees 04 minutes 59 seconds and run in a northwesterly direction for a distance of 350 feet to the point of beginning; thence continue along last mentioned course for a distance of 315.38 feet; thence turn an angle to the right of 19 degrees 31 minutes 19 seconds and run in a northwesterly direction for a distance of 470.64 feet; thence turn an angle to the right of 84 degrees 42 minutes 16 seconds and run in a northeasterly direction for a distance of 605.48 feet; thence turn an angle to the right of 93 degrees 54 minutes and run in a southeasterly direction for a distance of 681.59 feet to a point on the westerly right-of-way line of I-65 and the paved service road alongside said I-65; thence turn an angle to the right of 32 degrees 09 minutes 19 seconds and run in a southerly direction along said westerly right-of-way line for a distance of 74.78 feet; thence turn an angle to the right of 48 degrees 21 minutes 41 seconds and run in a southwesterly direction for a distance of 42.26 feet; thence turn an angle to the left of 89 degrees 29 minutes and run in a southeasterly direction for a distance of 48.02 feet to a point on said westerly right-of-way line of I-65 and the paved service road alongside said I-65; thence turn an angle to the right of 41 degrees 07 minutes 19 seconds and run in a southerly direction along said westerly right-of-way line for a distance of 35.62 feet; thence turn an angle to the right of 60 degrees 16 minutes 45 seconds and run in a southwesterly direction for a distance of 424.84 feet, more or less, to the point of beginning.

BOOK 222 PAGE 782

PARCEL III:

Part of the southeast quarter of the northeast quarter of Section 31, Township 19 South, Range 2 West, Shelby County, Alabama, being more particularly described as follows: From the southwest corner of the northeast quarter of the southeast quarter of said Section 31, Township 19 South, Range 2 West, run in a northerly direction along the west line of said quarter-quarter section for a distance of 541.25 feet; thence turn an angle to the right of 55 degrees 37 minutes 24 seconds and run in a northeasterly direction for a distance of 731.24 feet to an existing iron pin being on the westerly right-of-way line of I-65 and the paved service road alongside said I-65; thence turn an angle to the left of 49 degrees 48 minutes 05 seconds and run in a northerly direction along said westerly right-of-way line for a distance of 385.62 feet to the point of beginning; thence continue along last mentioned course for a distance of 64.25 feet; thence turn an angle to the left of 131 degrees 38 minutes 19 seconds and run in a south-westerly direction for a distance of 42.26 feet; thence turn an angle to the left of 89 degrees 29 minutes and run in a southeasterly direction for a distance of 48.02 feet to the point of beginning.

SUBJECT TO:

1. Current ad valorem taxes.
2. Transmission line permit to Alabama Power Company as shown by instruments recorded in Deed Book 113, page 281; Deed Book 101, page 521, and Deed Book 118, page 29; and a 50 foot Alabama Power Company right-of-way on the north portion of subject property as shown by survey of Laurence D. Weygand dated September 2, 1988.
3. Mislocation of fence on Northerly and Northeasterly lines of subject property as shown by survey of Laurence D. Weygand, dated September 2, 1988.
4. Right-of-way, rights in connection therewith, including limited right of access as granted to the State of Alabama by Order and Decree of Condemnation, Circuit Court, Shelby County, Alabama, Case No. CV-77-17 dated February 5, 1979, except that the owners of subject property shall have the right of ingress to and egress from property along service roads located along the south and southeast boundaries of subject property.

\$1,592,450.00 of the above purchase price was paid from a purchase money mortgage and security agreement ("Mortgage") executed simultaneously herewith.

Grantor hereby certifies that the above described property does not constitute the homestead of said Grantor, as defined by §6-10-2 of the Code of Alabama, 1975.

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

And said Grantor reserves from the conveyance, and said Grantee by its acceptance hereof covenants that said Grantor shall have and retain, at no expense to said Grantor, a non-exclusive easement for ingress and egress to and from all parts of the Premises and adja-

BOOK 222 PAGE 783

cent public right-of-way, over and across that certain property shown as a shaded area on the map attached as Exhibit "A" hereto ("Easement Property"), to the full extent as if such Easement Property were a public road, and such easement shall cease and determine if and when the debt secured by the Mortgage shall be paid in full, provided, however, until such time of payment in full, such easement shall continue in effect even though some part of the Premises may in the future be released from the lien of the Mortgage, and provided, further, that in the event Grantor forecloses the Mortgage, the purchaser at such foreclosure sale, and his or its heirs, successors, and assigns forever, shall be entitled to use such easement, as aforesaid.

BOOK 222 PAGE 784

And said Grantor does for himself, his heirs and assigns, covenant with said Grantee, its successors and assigns, that he is lawfully seized in fee simple of said Premises; that they are free from all encumbrances; that he has a good right to sell and convey the same as aforesaid; and that he will, and his heirs, executors, and assigns shall, warrant and defend the same to the said Grantee, its successors and assigns forever against the lawful claims of all persons, subject to the matters and reservations set forth herein.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on this 9th day of January, 1989.


Kenneth F. Pritchard

STATE OF Mississippi
COUNTY OF Madison

I, the undersigned, a notary public in and for said county in said state, hereby certify that Kenneth F. Pritchard, a married man, 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 executed the same voluntarily on the day the same bears date.

Given under my hand and seal this 9th day of January, 1989.


Notary Public

[NOTARIAL SEAL]

My commission expires My Commission Expires June 25, 1990

BOOK 222 PAGE 785

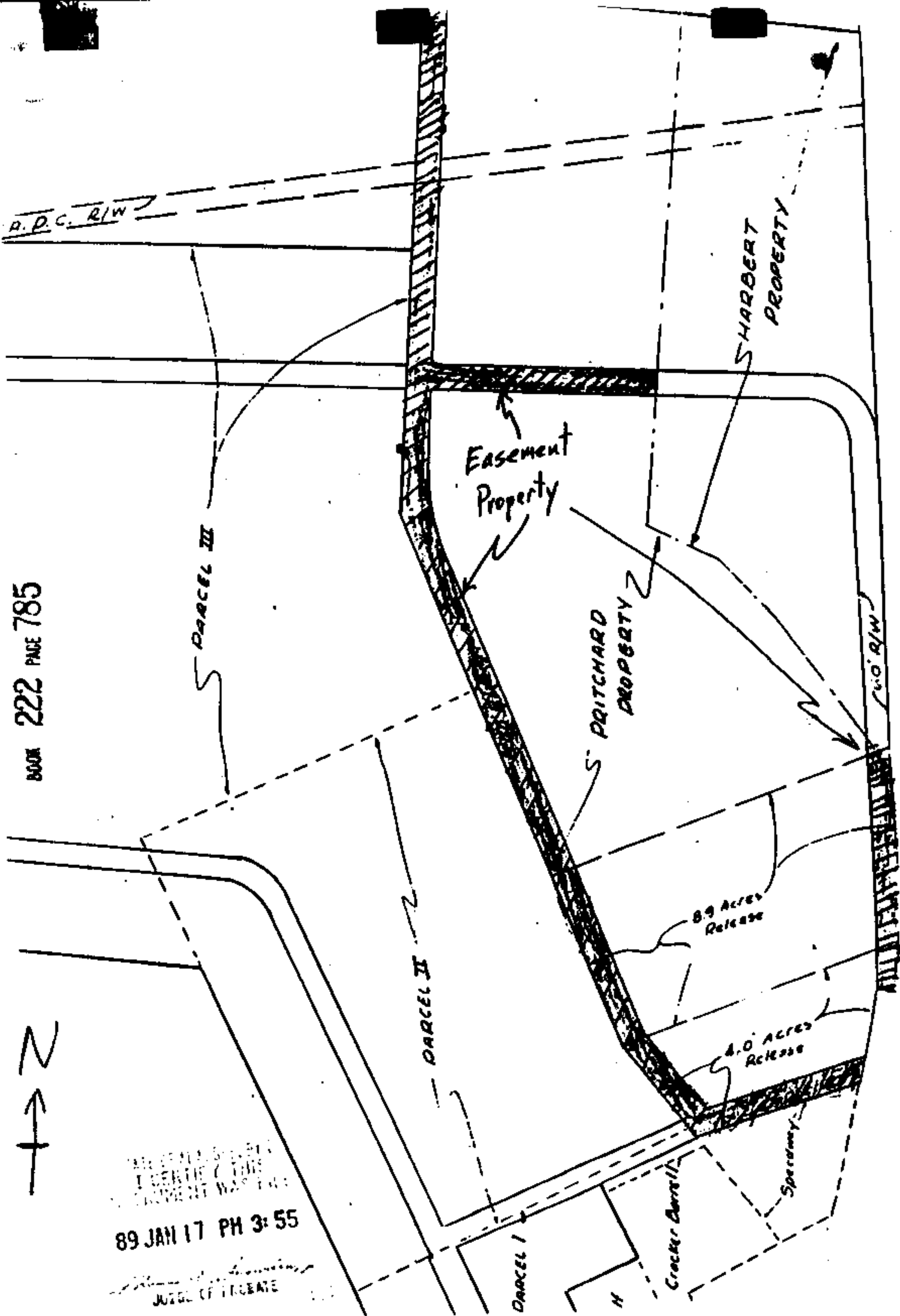


EXHIBIT 'A'

1. Dead Tax	\$ 544.50
2. Mtg Tax	12.50
3. Recording Fee	10.00
4. Indexing Fee	58.00
TOTAL	