

Send Tax Notice To:

National Pizza Company
P. O. Box 62643
Pittsburg, Kansas 66762

1374
STATE OF ALABAMA)
SHELBY COUNTY)

STATUTORY WARRANTY DEED

THIS IS A STATUTORY WARRANTY DEED, executed and delivered this 21st day of March, 1989, by 119 PROPERTIES, LTD., an Alabama limited partnership (hereinafter referred to as the "Grantor"), to NATIONAL PIZZA COMPANY (hereinafter referred to as the "Grantee").

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of the sum of One Hundred Twenty-Seven Thousand Five Hundred Dollars (\$127,500.00) in hand paid by Grantee to Grantor, the Grantor does by these presents, grant, bargain, sell and convey unto the Grantee, NATIONAL PIZZA COMPANY, the following described real estate situated in the Town of Pelham, Shelby County, Alabama, to-wit:

Part of the SE 1/4 of Section 31, Township 19 South, Range 2 West, Shelby County, Alabama, more particularly described as follows:

Commence at the Southwest corner of said 1/4 section; thence run East along the South line of same for 1,826.71 feet; thence 122 deg. 59 min. 53 sec. left and run Northwesterly for 399.97 feet to a point on the Northerly right of way line of Oak Mountain Park Road; thence continue Northwesterly along the same course for 846.69 feet; thence 91 deg. 18 min. 39 sec. right and run Northeasterly for 152.01 feet; thence 90 deg. left and run Northwesterly for 349.02 feet; thence 90 deg. left and run Southwesterly for 160.00 feet; thence 88 deg. 41 min. 21 sec. right and run Northwesterly for 25.0 feet to a point on the South right of way line of Alabama Highway 119; thence 91 deg. 18 min. 39 sec. right and run Northeasterly along said right of way line for 253.07 feet; thence 14 deg. 02 min. 10 sec. right and continue Northeasterly for 9.51 feet to a point on the Southerly right of way line of a County Road; thence 30 deg. 57 min. 50 sec. right and run Easterly along said right of way line for 62.56 feet to an angle point in said right of way; thence 45 deg. 00 min. right and run Southeasterly along said right of way line for 390.67 feet to an angle point in said right of way; thence 90 deg. left and run Northeasterly for 375.98 feet to a point on said right of way line, said point being the point of beginning; thence continue Northeasterly along said right of way for 200.0 feet to a point on the Westerly right of way line of I-65 Service Drive; thence 86 deg. 19 min. 31 sec. right and run Southeasterly along said right of way line for 142.98 feet; thence 22 deg. 07 min. 10 sec. right and run Southeasterly along said right of way line for 23.50 feet; thence 82 deg. 02 min. 49 sec. right and run Southwesterly for 205.16 feet; thence 79 deg. 30 min. 00 sec. right and run Northwesterly for 127.59 feet to the point of beginning; being situated in Shelby County, Alabama,

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✓ Cahaba

TOGETHER WITH all appurtenances thereto belonging or in anywise appertaining and all right, title and interest of Grantor, if any, in and to any and all roads, alleys and ways bounding said premises.

This conveyance is subject to the following:

1. Ad valorem taxes for tax year 1989, not yet due and payable;
2. Limitation of access and abutters rights as conveyed to State of Alabama for I-65;
3. Easement Agreement as set out in Real 166 Page 725, between A & M Real Estate, Inc. and McDonald's Corporation as amended in Real 185 Page 446; which was further amended in Real 189 Page 426 in the Probate Office of Shelby County, Alabama;
4. That part of the subject property which lies below Elevation 462.00 which is situated in a 100 year flood plain as shown by survey of Joseph A. Miller, Jr. PE & LS 2875, dated January 23, 1989;
5. 12.5 utility easement on Northwesterly side as shown by survey of Joseph A. Miller, Jr. PE & LS 2875, dated January 23, 1989;
6. Sign easement and sign on the Northwest corner of subject property as shown by survey of Joseph A. Miller, Jr. PE & LS 2875, dated January 23, 1989; and
7. Fire plug as shown by survey by Joseph A. Miller, Jr. PE & LS 2875, dated January 23, 1989.

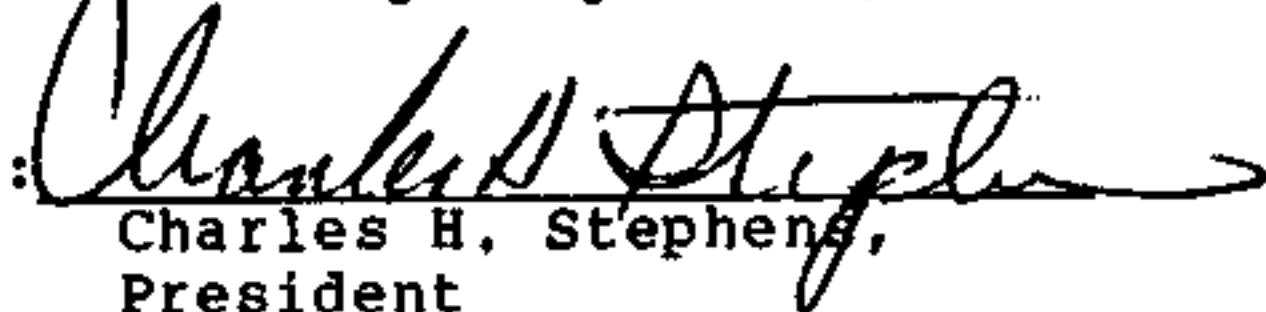
TO HAVE AND TO HOLD, to the said Grantee, NATIONAL PIZZA COMPANY, its successors and assigns forever.

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 Grantor, but not further or otherwise.

IN WITNESS WHEREOF, 119 PROPERTIES, LTD., an Alabama limited partnership, acting through its general partner, Cahaba Valley Properties, Inc., has caused this Statutory Warranty Deed to be executed this 21st day of March, 1989.

119 PROPERTIES, LTD., an
Alabama Limited Partnership

By Its General Partner:
Cahaba Valley Properties, Inc.

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 Deed and who is known to be, acknowledged before me on this day that, being informed of the contents of the Deed, he, as such President and with full authority, executed the same voluntarily for and as the act of Cahaba Valley Properties, Inc., acting in its capacity as the general partner of 119 PROPERTIES, LTD.

Given under my hand this the 21st day of March, 1989.

[Signature]
NOTARY PUBLIC

Commission Expires: 8-6-92

THIS INSTRUMENT PREPARED BY:

David L. Silverstein
Berkowitz, Lefkovits, Isom & Kushner
1100 Financial Center
Birmingham, Alabama 35203

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1. Dead Tax	\$ <u>127.50</u>
2. Mtg Tax	<u> </u>
3. Recording Fee	<u>7.50</u>
4. Indexing Fee	<u>1.00</u>
TOTAL	<u>136.00</u>

4731Q

STATE OF ALA. SHERIFF
I CERTIFY THIS
INSTRUMENT WAS FILED

89 MAR 21 PM 3:24

[Signature]
JUDGE OF PROBATE