

52788
SCA

Send Tax Notice To:

CAMPS, INC., an Alabama corporation
2251 Montgomery Highway, Suite 111
Pelham, Alabama 35124

541

STATE OF ALABAMA)

SHELBY COUNTY)

STATUTORY WARRANTY DEED

THIS IS A STATUTORY WARRANTY DEED executed and delivered this 1st day of May, 1990, by 119 PROPERTIES, LTD., an Alabama limited partnership (hereinafter referred to as the "Grantor"), to CAMPS, INC., an Alabama corporation (hereinafter referred to as the "Grantee").

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of the sum of Three Hundred Fifteen Thousand and 00/100 Dollars (\$315,000.00) in hand paid by Grantee to Grantor, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by Grantor, the Grantor does by these presents, grant, bargain, sell and convey unto the Grantee, CAMPS, INC., an Alabama corporation, the following real property situated in the City of Pelham, Shelby County, Alabama (the "Subject Property"):

Lot C-2, according to the Survey of Cahaba Valley Park North as recorded in Map Book 13, Page 140 A & B in the Probate Office of Shelby County, Alabama,

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 1990, not yet due and payable;
2. Declaration of Protective Covenants for Cahaba Valley Park North (the "Protective Covenants") as recorded in Real 268, Page 140 in the Office of the Judge of Probate of Shelby County, Alabama;
3. 3 Foot easement on West and a 15 Foot easement on South and East as shown by recorded map;
4. Right of way to Alabama Power Company as recorded in Volume 113, Page 281; Volume 101, Page 521; Volume 118, Page 29; Volume 101, Page 520; Volume 145, Page 378 and Real 5, Page 159 in said Probate Office; and
5. Mineral and mining rights and rights incident thereto as recorded in Deed Volume 5, Page 706 in said Probate Office.

Grantor hereby grants to Grantee for the benefit of the Subject Property, an exclusive easement for the purpose of installing, operating, maintaining, repairing and replacing, at Grantee's sole cost and expense, a sign over, above, along, under, in and across the real property described in Exhibit "A" attached hereto. Said sign easement shall remain in effect for so long as a hotel or motel facility is operated on the Subject Property (it being

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understood that the Subject Property is currently unimproved but that Grantee intends to construct a hotel or motel facility thereon within eighteen (18) months from the date hereof). If Grantee shall (i) fail to construct a hotel or motel facility on the Subject Property within eighteen (18) months from the date hereof, or (ii) following construction of such hotel or motel facility, discontinue to use the Subject Property as a hotel or motel facility for more than one-hundred eighty (180) days, or otherwise change the use of the Subject Property, the foregoing sign easement shall automatically terminate and be of no further force and effect. Grantee shall maintain or cause to be maintained the sign easement area and the sign located thereon in a clean, sightly and safe condition, it being further understood that the foregoing sign easement and the easement area shall be subject to the provisions of the Protective Covenants. The foregoing easement shall run with the land, and shall be binding upon and inure to the benefit of the respective successors and assigns of the Grantor and the Grantee.

TO HAVE AND TO HOLD, to the said Grantee, CAMPS, INC., an Alabama corporation, 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, the Grantor has caused this Statutory Warranty Deed to be executed by its General Partner which is duly authorized hereunto, this 15th day of May, 1990.

119 PROPERTIES, LTD., an Alabama limited partnership

BY: CAHABA VALLEY PROPERTIES, INC., ITS GENERAL PARTNER

By:

Charles H. Stephens
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 instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation acting in its capacity as general partner of said limited partnership.

Given under my hand this the 15th day of May, 1990.

Inga J. Thompson
Notary Public

My Commission Expires: 8-23-93

THIS INSTRUMENT PREPARED BY:

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

EXHIBIT "A" TO STATUTORY WARRANTY DEED
EXECUTED BY 119 PROPERTIES, LTD. IN
FAVOR OF CAMPS, INC.

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AN EASEMENT FOR A SIGN IS ALSO GRANTED, SAID EASEMENT BEING 5.0 FEET WIDE AND 20.0 FEET LONG AND MORE PARTICULARLY DESCRIBED AS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID PARCEL DESCRIBED ABOVE AND RUN SOUTHWESTERLY ALONG THE SOUTHERLY LINE OF SAME AND ALONG THE NORTHERLY LINE OF THAT PARCEL DESCRIBED IN DEED BOOK 163, PAGE 742, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA, FOR 200.00 FEET TO THE NORTHWEST CORNER OF SAID PARCEL DESCRIBED IN SAID DEED BOOK 163, PAGE 742 IN SAID PROBATE OFFICE; THENCE 90° 00' LEFT AND RUN SOUTHEASTERLY ALONG THE WESTERLY LINE OF SAID PARCEL FOR 180.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTHEASTERLY ALONG THE SAME COURSE FOR 20.00 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF ALABAMA HIGHWAY 119; THENCE 90° 00' RIGHT AND RUN SOUTHWESTERLY ALONG SAID RIGHT OF WAY LINE FOR 5.00 FEET; THENCE 90° 00' RIGHT AND RUN NORTHWESTERLY FOR 20.00 FEET; THENCE 90° 00' RIGHT AND RUN NORTHEASTERLY FOR 5.00 FEET TO THE POINT OF BEGINNING.

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED

90 MAY -9 AM 8:25

Thomas A. Johnson, Jr.
JUDGE OF PROBATE

1. Deed Tax	-----\$
2. Mtg. Tax	-----\$ 315.00
3. Recording Fee	-----\$ 2.50
4. Indexing Fee	-----\$ 3.00
5. No Tax Fee	-----\$
6. Certified Fee	-----\$ 1.00
Total	-----\$ 321.50