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This instrument was prepared by:

SEND TAX NOTICE TO:

James M. Tingle
Suite 900 Park Place Tower
2001 Park Place North
Birmingham, AL 35203

William L. Cunningham, Jr.
1105 Bryan Drive
Birmingham, AL 35210

CORPORATION FORM WARRANTY DEED

STATE OF ALABAMA)

SHELBY COUNTY)

KNOW ALL MEN BY THESE PRESENTS,

That in consideration of Seventy-five Thousand Eight Hundred Twenty-one and NO/100 Dollars (\$75,821.00), to the undersigned grantor, SPARDEE'S RESTAURANTS, INC., a Delaware corporation (herein referred to as GRANTOR) in hand paid by the grantee herein, the receipt of which is hereby acknowledged, the said GRANTOR does by these presents, grant, bargain, sell and convey unto WILLIAM L. CUNNINGHAM, JR., (herein referred to as GRANTEE, whether one or more), the following described real estate, situated in Shelby County, Alabama, as follows:

Commence at the Southeast corner of the NW $\frac{1}{4}$ of NE $\frac{1}{4}$, Section 26, Township 21 South, Range 1 West; thence run Westerly along the South boundary line of said NW $\frac{1}{4}$ of NE $\frac{1}{4}$, a distance of 105.47 feet to the point of intersection of the Northeast right-of-way line of State Highway 70 and centerline of Alabama Gas Corporation Pipe line; thence turn an angle of 69° 48' 36" to the right and run Northwesterly along said pipeline centerline a distance of 36.39 feet to a point in the center of the Old Columbiana-Saginaw Road; thence turn an angle of 47° 51' 31" to the left and run Northwesterly along said road a distance of 53.93 feet to a point on the Southwest boundary line of said Alabama Gas Corporation Pipeline; thence turn an angle of 47° 51' 31" to the right and run Northwesterly along said boundary line a distance of 273.00 feet to a point; thence turn an angle of 20° 43' 43" to the left and run Northwesterly a distance of 166.0 feet to a #5 rebar marking the point of beginning of the parcel of land herein described; thence continue along the same line of direction for a distance of 84.00 feet to an iron pin found in place; thence turn an angle of 94° 50' 20" to the right and run Northeasterly a distance of 92.00 feet to an iron pin found in place; thence turn an angle of 74° 06' 49" to the left and run Northwesterly a distance of 82.42 feet to an iron pipe found in place on the back of curblin of Depot Street; thence turn an angle of 33° 48' 44" to the left and run Northwesterly along said back of curblin a distance of 30.03 feet to an iron pipe found in place; thence turn an angle of 82° 07' 39" to the left and run Southwesterly a distance of 539.10 feet to a point on the Northeast right-of-way line of State Highway 70; thence turn an angle of 122° 59' 00" to the left and run Southeasterly along a curve to the right (concave Southwesterly and having a radius of 2011.23 feet and a central angle of 5° 41' 59") for an arc distance of 200.07 feet to a point; thence turn an angle of 62° 59' 48" to the left and run Northeasterly a distance of 308.54 feet to the point of beginning. Said parcel of land is lying in the NW $\frac{1}{4}$ of NE $\frac{1}{4}$, Section 26, Township 21 South, Range 1 West, Shelby County, Alabama. According to the survey of Lewis H. King, Jr.

Also, a nonexclusive easement for ingress and egress described as follows:

Begin at a point on the Southwest boundary line of Depot Street in Columbiana, Alabama, being the Northwest corner of the U.S. Postal Service property, which is also the Northeast corner of Spartan Foods property and lying in the NW $\frac{1}{4}$ of NE $\frac{1}{4}$, Section 26, Township 21 South, Range 1 West; thence run Northwesterly along said Depot Street a distance of 25.0 feet to a point; thence turn an angle of 112° 54' 27" to the left and run in a Southerly direction a

distance of 48.39 feet to a point on the common property line between the U.S. Postal Service and Spartan Foods; thence turn an angle of 149° 13' 12" to the left and run Northeasterly along said common property line a distance of 45.00 feet to the point of beginning.

The above property now known as Lot 3, Spartan Food System, Inc. Subdivision as recorded in Map Book 15, page 30, in the Office of the Judge of Probate of Shelby County, Alabama.

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

91 FEB 11 AM 9:58

1. Deed Tax	76.00
2. Mtg. Tax	
3. Recording Fee	5.00
4. Indexing Fee	
5. No Tax Fee	1.00
6. Certified Fee	
Total	85.00

Subject to the following:

Thomas W. Howland, Jr.
JUDGE OF PROBATE

1. Roadway easement to Standard Oil Company as recorded in Deed Book 78, Page 178, in Probate Office.
2. Right-of-way to Shelby County as recorded in Deed Book 107, Page 406 and in Deed Book 161, Page 31, in Probate Office.
3. Permit to Alabama Power Company as reserved in Deed Book 311, Page 632 and Deed Book 221, Page 660, in Probate Office.

TO HAVE AND TO HOLD, To the said GRANTEE, his heirs and assigns forever.

And said GRANTOR does for itself, its successors and assigns, covenant with said GRANTEE, his heirs and assigns, that it is lawfully seized in fee simple of said premises, that they are free from all encumbrances, that it has a good right to sell and convey the same as aforesaid, and that it will, and its successors and assigns shall, warrant and defend the same to the said GRANTEE, his executors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the said GRANTOR, by its President, Walter M. Brice, III, who is authorized to execute this conveyance, hereto set its signature and seal, this the 6th day of February, 1991.

SPARDEE'S RESTAURANTS, INC., A DELAWARE CORPORATION

ATTEST:

Louis P. Howell
Louis P. Howell
Secretary

BY:

Walter M. Brice, III
ITS: President

STATE OF SOUTH CAROLINA)

SPARTANBURG COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Walter M. Brice, III, whose name as President of SPARDEE'S RESTAURANTS, INC., a Delaware corporation, 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 officer in his capacity aforesaid, executed the same voluntarily for and as the act of Spardee's Restaurants, Inc., a Delaware corporation.

Given under my hand and official seal, this the 6th day of February, 1991.

Manuel C. Brice
NOTARY PUBLIC