

392,040
325,000
67,040

Send Tax Notice To:

1073

Murray Lee Rogoff
2500 First Avenue N.
Birmingham, Ala. 35203

STATE OF ALABAMA)
SHELBY COUNTY)

STATUTORY WARRANTY DEED

THIS IS A STATUTORY WARRANTY DEED executed and delivered this 13th day of September, 1991, by 119 PROPERTIES, LTD., an Alabama limited partnership (hereinafter referred to as the "Grantor"), to MURRAY LEE ROGOFF (hereinafter referred to as the "Grantee").

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration in hand paid by Grantee to Grantor, 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, MURRAY LEE ROGOFF, the real estate situated in the City of Pelham, Shelby County, Alabama, more particularly described in Exhibit "A" attached hereto and incorporated herein by reference (the "Subject Property"),

TOGETHER WITH 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 said premises.

This conveyance is subject to the following:

1. Ad valorem taxes for tax year 1991, not yet due and payable;
2. Limitations of access and abutters rights as conveyed to State of Alabama for I-65.

TO HAVE AND TO HOLD, to the said Grantee, his heirs, executors administrators and assigns forever.

This conveyance is made subject to the following restrictions which shall be binding upon the Subject Property and upon the Grantee, his heirs, executors, administrators and assigns:

1. Multi-color painting shall be permitted only on the front exterior of any building constructed on the Subject Property;
2. There shall be no sign painted on any exterior walls of any building (excluding the front face of any building) constructed on the Subject Property;
3. At least ten percent (10%) of the Subject Property shall be landscaped;
4. All truckloading and trash receptacle areas shall be screened by fencing and/or appropriate landscaping, including any such areas in the rear of the Subject Property; and
5. The Subject Property shall be subject to the following setback requirements:
Front: 35 feet Sides: 20 feet Rear: 20 feet
6. Paving should be allowed to within 12 feet of the property lines.

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State

The foregoing restrictions may be enforced or waived, in whole or in part, by Grantor and any other party to whom such right of enforcement or waiver is specifically assigned by an instrument in writing executed by Grantor; provided, however, the conveyance of any property owned by Grantor shall not confer upon the grantee of such property any rights to enforce or waive the foregoing restrictions unless such instrument shall specifically confer upon the grantee such right of enforcement or waiver.

A portion of the purchase price was paid by a mortgage loan closed simultaneously with delivery of this deed.

The Grantor hereby covenants and agrees with Grantee, his heirs, executors, administrators and assigns, that the Grantor, its successors and assigns, shall 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.

119 PROPERTIES, LTD., an Alabama limited partnership

By: Cahaba Valley Properties, Inc.,
Its General Partner

By: Charles H. Stephens
Charles H. Stephens
Its President

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned authority, a Notary Public in and for said County and 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 and official seal this 13th day of September, 1991.

D. J. [Signature]
Notary Public

My Commission Expires: 8-6-92

THIS INSTRUMENT PREPARED BY:

DAVID L. SILVERSTEIN
Berkowitz, Lefkovits, Isom & Kushner
1600 SouthTrust Tower
Birmingham, AL 35203

DESCRIPTION:
PART OF S.E. 1/4 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° 59' 53" 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° 18' 39" RIGHT AND RUN NORTHEASTERLY FOR 152.01 FEET; THENCE 90° LEFT AND RUN NORTHWESTERLY FOR 349.02 FEET; THENCE 90° LEFT AND RUN SOUTHWESTERLY FOR 160.00 FEET; THENCE 88° 41' 21" RIGHT AND RUN NORTHWESTERLY FOR 25.0 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF ALABAMA HIGHWAY 119; THENCE 91° 18' 39" RIGHT AND RUN NORTHEASTERLY ALONG SAID RIGHT OF WAY LINE FOR 253.07 FEET; THENCE 14° 02' 10" RIGHT AND CONTINUE NORTHEASTERLY FOR 9.51 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF COUNTY ROAD; THENCE 30° 57' 50" 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° 00' 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° LEFT AND RUN NORTHEASTERLY FOR 575.98 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF OAK MOUNTAIN STATE PARK ROAD; THENCE 86° 19' 31" RIGHT AND RUN SOUTHEASTERLY ALONG SAID RIGHT OF WAY FOR 142.98 FEET; THENCE 22° 07' 10" RIGHT AND RUN SOUTHEASTERLY ALONG SAID RIGHT OF WAY LINE FOR 266.08 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT SAID CURVE HAVING A RADIUS OF 3,579.72 FEET AND SUBTENDING A CENTRAL ANGLE OF 3° 16' 07"; THENCE 8° 19' 34" RIGHT TO THE CHORD OF SAID CURVE AND RUN SOUTHERLY ALONG THE ARC OF SAID CURVE AND ALONG SAID RIGHT OF WAY LINE FOR 204.22 FEET; THENCE FROM SAID CHORD, 9° 37' 54" LEFT AND RUN SOUTHEASTERLY ALONG SAID RIGHT OF WAY LINE FOR 96.08 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 3,599.42 FEET AND SUBTENDING A CENTRAL ANGLE OF 6° 45'; THENCE 16° 08' 24" RIGHT TO THE LONG CHORD OF SAID CURVE AND RUN SOUTHERLY ALONG THE ARC OF SAID CURVE AND ALONG SAID RIGHT OF WAY LINE FOR 196.80 FEET TO THE POINT OF BEGINNING OF SAID PROPERTY BEING DESCRIBED; SAID POINT ALSO BEING AT THE INTERSECTION OF THE WESTERLY RIGHT OF WAY LINE OF SAID OAK MOUNTAIN STATE PARK ROAD AND THE SOUTH RIGHT OF WAY LINE OF A PROPOSED STREET; THENCE FROM SAID POINT OF BEGINNING OF SAID PROPERTY BEING DESCRIBED CONTINUE SOUTHERLY ALONG THE ARC OF SAID CURVE FOR 227.28 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF AMPHITHEATER ROAD; THENCE FROM SAID LONG CHORD 51° 13' 17" RIGHT AND RUN SOUTHWESTERLY ALONG SAID RIGHT OF WAY LINE FOR 136.51 FEET; THENCE 43° 39' 13" RIGHT AND RUN WESTERLY ALONG SAID RIGHT OF WAY LINE FOR 170.00 FEET; THENCE 5° 11' 01" RIGHT AND RUN WESTERLY FOR 24.00 FEET; THENCE 85° 19' 24" RIGHT AND RUN NORTHERLY FOR 280.69 FEET TO A POINT ON THE CUL-DE-SAC OF A PROPOSED STREET; SAID POINT BEING AT THE BEGINNING OF A CURVE TO THE LEFT; SAID CURVE HAVING A RADIUS OF 50.00 FEET AND SUBTENDING A CENTRAL ANGLE OF 37° 53' 28"; THENCE 35° 32' 50" RIGHT THE CHORD OF SAID CURVE AND RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE AND ALONG SAID PROPOSED STREET R.O.W. FOR 33.07 FEET TO THE END OF SAID CURVE; SAID POINT BEING AT THE BEGINNING OF A CURVE TO THE RIGHT; SAID CURVE HAVING A RADIUS OF 20.00 FEET AND SUBTENDING A CENTRAL ANGLE OF 73° 23' 54"; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE AND ALONG SAID PROPOSED STREET R.O.W. FOR 25.62 FEET TO THE END OF SAID CURVE; THENCE AT TANGENT TO SAID CURVE, RUN NORTHEASTERLY ALONG THE SOUTH R.O.W. LINE OF SAID PROPOSED STREET R.O.W. FOR 238.68 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 87,319.56 S.F. OR 2.00 ACRES MORE OR LESS.

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1. Deed Tax	67.50
2. Mtg. Tax	7.50
3. Recording Fee	2.00
4. Indexing Fee	1.00
5. No Tax Fee	1.00
6. Certified Fee	1.00
Total	82.00

EXHIBIT A

I CERTIFY THIS INSTRUMENT WAS FILED

91 SEP 16 AM 11:53