

1339

Send Tax Notice To:

119 Properties, Ltd.  
119 Hillsdale Road  
Birmingham, AL 35213

STATE OF ALABAMA )

SHELBY COUNTY )

179,000.00

**STATUTORY WARRANTY DEED**

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

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

By Statutory Warranty Deed dated June 15, 1989, executed by Grantee in favor of Grantor and recorded in Book 243, Page 322, in the Office of the Judge of Probate of Shelby County, Alabama (the "119 Properties Deed"), Grantee conveyed the Subject Property to Grantor. The 119 Properties Deed placed certain restrictions on the Subject Property regarding landscaping, painting of buildings, signage, paving and setback requirements. Such restrictions are for the sole and exclusive benefit of Grantee, and may be enforced, terminated or waived as Grantee may elect in its discretion. Accordingly, by this conveyance of the Subject Property by Grantor to Grantee, Grantee hereby elects to terminate all of the restrictions affecting the Subject Property as set forth in the 119 Properties Deed and such restrictions shall be of no further force and effect.

The Grantor warrants that the above described real estate does not constitute the homestead of Grantor or Grantor's spouse.

BOOK 364 PAGE 488

Calvin Little

IN WITNESS WHEREOF, the Grantor and Grantee have caused this Statutory Warranty Deed to be executed and delivered as of the day and year first above written.

**GRANTOR:**

Murray Lee Rogoff  
MURRAY LEE ROGOFF

**GRANTEE:**

119 PROPERTIES, LTD., an Alabama limited partnership

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

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

STATE OF ALABAMA )

JEFFERSON COUNTY )

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that MURRAY LEE ROGOFF, whose name is signed to the foregoing STATUTORY WARRANTY DEED, and who is known to me, acknowledged before me on this day that, being informed of the contents of the STATUTORY WARRANTY DEED, he executed the same voluntarily on the day the same bears date.

Given under my hand this 13<sup>th</sup> day of September, 1991.

Notary Public

My Commission Expires: 8-6-92

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 13<sup>th</sup> day of September, 1991.

Notary Public

My Commission Expires: 8/23/93

THIS INSTRUMENT PREPARED BY:

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

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. 00 min. left and run Northwesterly for 349.02 feet; thence 90 deg. 00 min. 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. 00 min. left and run Northeasterly for 575.98 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 for 142.98 feet; thence 22 deg. 07 min. 10 sec. 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 deg. 16 min. 07 sec.; thence 8 deg. 19 min. 34 sec. 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 deg. 37 min. 54 sec. left and run Southeasterly along said right of way line for 46.32 feet to the point of beginning; thence continue along same courses for a distance of 49.76 feet to a point on 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 deg. 45 min. thence 13 deg. 56 min. 00 sec. right to the chord and run Southerly along the arc of said curve and along said right of way line for 146.80 feet to a point; thence turn an angle to the right of 97 deg. 35 min. 19 sec. to the chord and run Northwesterly 245.0 feet to a point; thence turn an angle to the right of 79 deg. 13 min. 37 sec. and run Northwesterly 128.03 feet to a point; thence turn an angle to the right of 84 deg. 51 min. 07 sec. and run Northeasterly 240.53 feet to the point of beginning; being situated in Shelby County, Alabama.

1. Dead Tax	179.00
2. Mtg. Tax	7.50
3. Recording Fee	2.00
4. Indexing Fee	1.00
5. No Tax Fee	1.00
6. Certified Fee	
<b>Total</b>	<b>210.50</b>

# EXHIBIT A

NOTARIAL PUBLIC  
 I CERTIFY THIS  
 INSTRUMENT WAS FILED

91 SEP 19 AM 8:35

JUDGE OF PROBATE