

Send Tax Notice To:  
Interstate Restaurant Investors,  
an Alabama general partnership  
100 Vestavia Parkway - Suite 110  
Birmingham, Alabama 35216

STATE OF ALABAMA )

SHELBY COUNTY )

WARRANTY DEED

THIS IS A WARRANTY DEED executed and delivered this 21st day of July, 1993, by ROY MARTIN CONSTRUCTION, INC., an Alabama corporation (hereinafter referred to as the "Grantor") to INTERSTATE RESTAURANT INVESTORS, an Alabama general partnership and FRANK C. ELLIS, JR. (hereinafter referred to as the "Grantees").

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of Two Hundred Sixty-One Thousand Two Hundred Fifty and no/100 Dollars (\$261,250.00) in hand paid to the undersigned Grantor by Grantees, the receipt and sufficiency of which are acknowledged by Grantor, the said Grantor does by these presents grant, bargain, sell and convey unto the Grantees, INTERSTATE RESTAURANT INVESTORS, an Alabama general partnership and FRANK C. ELLIS, JR., as equal tenants in common, the following described real estate, situated in Shelby County, Alabama, to wit:

Part of the NW 1/4 of the SE 1/4 and part of the SW 1/4 of the NE 1/4 and part of the SE 1/4 of the NE 1/4, all in Section 2, Township 21 South, Range 3 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the Southeast corner of said NW 1/4 of SE 1/4 and run North along the East line thereof for 1324.33 feet to the Northeast corner of said NW 1/4 of SE 1/4, said point being the point of beginning; thence 146 deg. 52 min. 15 sec. left and run Southwesterly for 340.0 feet; thence 90 deg. 00 min. right and run Northwesterly for 604.30 feet (record 508 feet) to the Southeasterly right of way line of Alabama Highway No. 119; thence 111 deg. 31 min. right and run Northeasterly along said right of way line for 166.72 feet to the beginning of a curve to the left having a radius of 1344.85 feet; thence continue Northeasterly along said right of way line and along the arc of said curve for 360.61 feet; thence 83 deg. 50 min. 48 sec. right as measured from tangent of aforesaid curve and run Southeasterly for 725.19 feet to the South line of SE 1/4 of the NE 1/4; thence 148 deg. 27 min. right and run Westerly along the South line of said SE 1/4 of NE 1/4 for 314.50 feet to the point of beginning; being situated in Shelby County, Alabama.

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 property taxes due for tax year 1993;
2. Transmission Line Permit(s) to Alabama Power Company as shown by instrument(s) recorded in Deed 55, Page 586; Deed 121, Page 255; Deed 148, Page 297 and Deed 194, Page 31 in the Office of the Judge of Probate, Shelby County, Alabama;
3. Right-of-Way granted to South Central Bell by instrument recorded in Deed 285, Page 500 in said probate office;

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4. Easement to Alabama Water Company for gas line as shown by instrument recorded in Deed 146, Page 211 in said probate office; and
5. Less and except any portion lying within public road right of way.

\$224,000.00 of the purchase price recited above was paid by the proceeds of a Real Estate Mortgage filed simultaneously herewith.

TO HAVE AND TO HOLD to the said Grantees, their successors, heirs and assigns, forever.

And said Grantor does for itself, its successors and assigns, covenant with said Grantees, their successors, heirs and assigns, that it is lawfully seized in fee simple of said premises; that said premises are free from all encumbrances, except as noted above; 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 Grantees, their successors, heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the Grantor has caused this WARRANTY DEED to be executed on this 21st day of July, 1993.

ROY MARTIN CONSTRUCTION, INC.  
an Alabama corporation

By: Roy L. Martin  
Roy L. Martin, President

STATE OF ALABAMA )

JEFFERSON COUNTY )

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that Roy L. Martin, whose name as President of ROY MARTIN CONSTRUCTION, INC., an Alabama corporation, is signed to the foregoing WARRANTY DEED and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he, in his capacity as such officer and with full authority, executed the same voluntarily.

Given under my hand this the 21st day of July, 1993.

Wm R Sylvester  
Notary Public  
My Commission Expires: 9-26-93

THIS INSTRUMENT PREPARED BY:

William R. Sylvester, Attorney  
Berkowitz, Lefkovits, Isom & Kushner  
1600 SouthTrust Tower  
Birmingham, Alabama 35203

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