

STATE OF ArkansasCOUNTY OF BentonSTATUTORY WARRANTY DEED

THIS DEED is made this 8th day of October, 1993, between WAL-MART STORE, INC. ("Grantor"), a Delaware corporation, whose address is 702 S.W. 8th Street, Bentonville, Arkansas 72716, and BROOK HIGHLAND LIMITED PARTNERSHIP ("Grantee"), a Georgia limited partnership, whose address is 1900 International Park Drive, Suite 303, Birmingham, Alabama 35243 (the words "Grantor" and "Grantee" to include their respective successors and assigns where the context requires or permits).

WITNESSETH that Grantor, for and in consideration of the sum of Two Million Four Hundred Twenty-Five Thousand Six Hundred Sixty-Five (\$2,425,665.00) DOLLARS in hand paid at and before the sealing and delivery of these presents, and other good and valuable consideration, the receipt, adequacy and sufficiency of which are hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto Grantee that certain real property being Lot 2, Brook Highland Plaza, as shown on plat recorded in Map Book 16, page 102, Probate Records of Shelby County, Alabama ("Property").

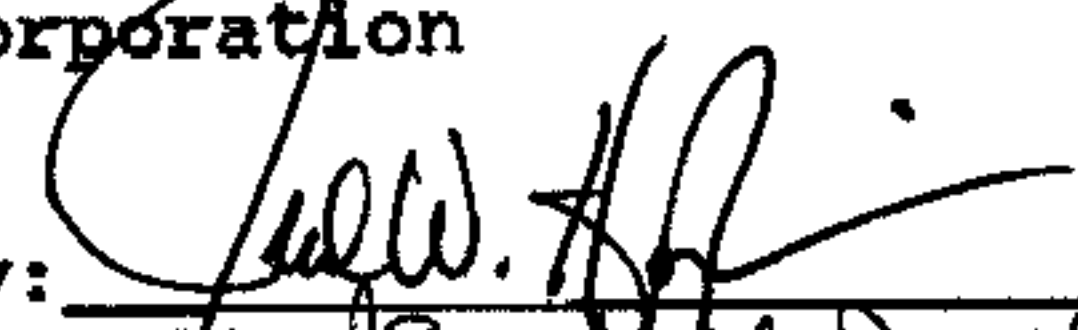
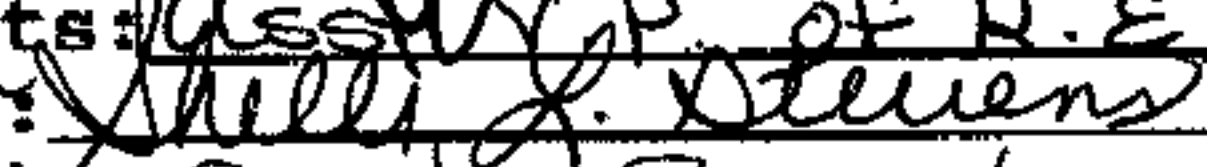
TO HAVE AND TO HOLD the Property, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of Grantee subject only to those matters set forth in Exhibit "A" attached hereto and incorporated by reference herein, forever in FEE SIMPLE.

AND Grantor shall warrant and forever defend the right and title to the Property unto Grantee against the claims of all persons claiming by, through or under Grantor.

IN WITNESS WHEREOF, Grantor has caused this Deed to be executed and delivered under seal by its incumbent and duly authorized officers as of the day and year first above written.

GRANTOR:

WAL-MART STORES, INC., a Delaware corporation

By: Its: Asst. Secy. of R.E.Attest: Its: Asst. Secretary

This deed prepared by:
 Jeanna A. Brannon
 Morris, Manning & Martin
 1600 Atlanta Financial Center
 3343 Peachtree Road, N.E.
 Atlanta, Georgia 30326
 (404) 233-7000

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10/20/1993-32512
 08:55 AM CERTIFIED
 SHELBY COUNTY JUDGE OF PROBATE JAB
 003 MCD 14.50

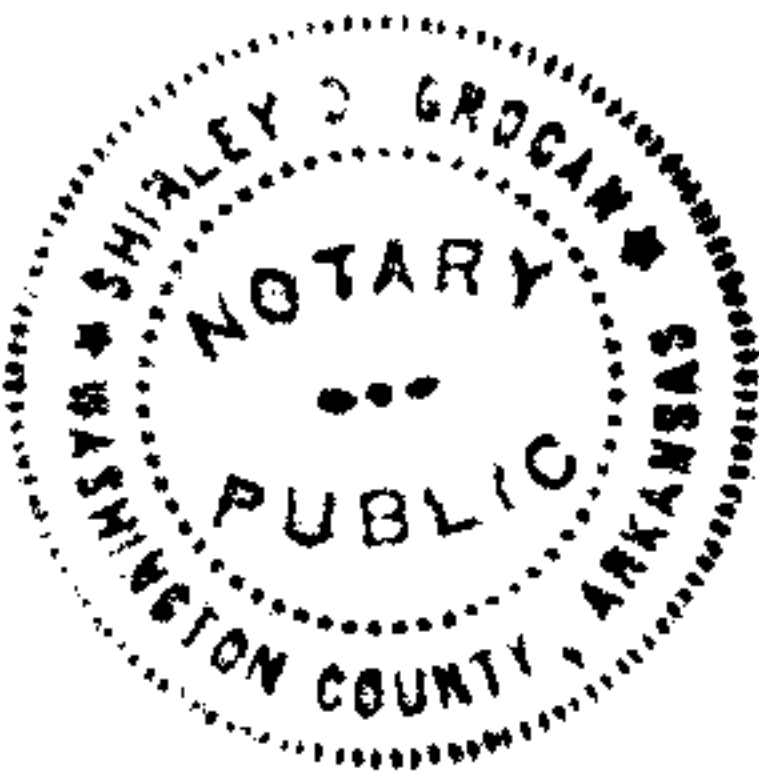
Inst # 1993-32512

Cahaba Title

STATE OF Arkansas
COUNTY OF Benton

I HEREBY CERTIFY that on this day before me, an officer duly authorized to take oaths and acknowledgments in the State and County aforesaid, personally appeared Gud W. Heflin, as Asst. V.P. of R.E. of Wal-Mart Stores, Inc., to me well known to be the person described in and who executed the foregoing instrument on behalf of said Wal-Mart Stores, Inc. as Asst. V.P. of R.E., and he acknowledged before me that he executed the same for the uses and purposes therein expressed.

WITNESS my hand and official seal in the County and State aforesaid, this 8th day of October, 1993.



Shirley D. Grogan
Notary Public, State and County aforesaid

My Commission Expires: 5/17/2003

Lot 2

Exhibit A

1. General and special taxes or assessments for 1993 and subsequent years not yet due and payable.
2. Easement(s) to D & D Water Renovation Systems, Inc. as shown by instrument recorded in Real 107, page 968 in Probate Office, and as shown on Map Book 16, page 102 in Probate Office.
3. Rights of Alabama State Land Company and its successors and assigns in and to the mineral rights within and underlying the property as more particularly set out in Deed Book 28, Page 581 in Probate Office.
4. Declaration of Covenants, Conditions, and Restrictions by AmSouth Bank, N.A., as Ancillary Trustee for NCNB National Bank of North Carolina, as Trustee from the Public Employees Retirement System of Ohio, recorded in Real 307, Page 950 in Probate Office.
5. Declaration of Easements and Restrictive Covenants (Brook Highland Development - 1.35 acre Out Parcel) by AmSouth Bank, N.A., as Ancillary Trustee for NCNB National Bank of North Carolina, as Trustee for the Public Employees Retirement System of Ohio, dated August 29, 1990 and recorded in Real 307, Page 985 in Probate Office.
6. Transmission Line Permit to Alabama Power Company recorded in Deed Book 112, Page 134 in Probate Office.
7. Subdivision plat of Brook Highland Plaza recorded in Map Book 16, Page 102 discloses the following:
 - (a) 10 foot utility easements along interior boundary lines and 20 foot utility and maintenance easements along exterior boundary lines, being easements established in instrument referred to in Item 4 above.
 - (b) Sanitary sewer easement crossing the Property, being the same easement referred to in Item 2 above.
 - (c) Covenant of Restrictions as set out on said plat.
8. Restrictions and Conditions as set out in Special Warranty recorded in Real 308, Page 1 in Probate Office.

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