

Send Tax Notice To:

Kanu S. Patel
800. Southwood Circle
Homewood, AL 35209

STATE OF ALABAMA)

SHELBY COUNTY)

STATUTORY WARRANTY DEED

THIS IS A STATUTORY WARRANTY DEED executed and delivered this 12th day of January, 1994, by 119 PROPERTIES, LTD., an Alabama limited partnership (hereinafter referred to as the "Grantor"), to KANU S. PATEL (hereinafter referred to as the "Grantee").

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of the sum of Two Hundred Forty-Eight Thousand & 00/100 Dollars (\$248,000.00) in hand paid by Grantee to Grantor, and other good and valuable consideration, 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, Kanu S. Patel, that certain real estate situated in Shelby County, Alabama, more particularly described on 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 1994;
2. limitation of access and abutters as conveyed to State of Alabama for I-65; and
3. that no permanent improvements shall be commenced or erected on the Subject Property unless plans and specifications therefor shall have been submitted to and approved in writing by the Grantor. Such plans and specifications shall include (i) a site plan of the Subject Property (including proposed front, rear and side setbacks of all structures, and the number and location of all parking spaces and driveways on the Subject Property; (ii) architectural plans showing the nature, exterior color scheme, height and materials of all proposed structures and exterior signs; (iii) a grading plan for the Subject Property; (iv) a drainage plan; and (v) a plan for landscaping. In the event Grantor shall fail to approve or disapprove any such plans and specifications within thirty (30) days after submission thereof, the same should be deemed to have been approved.

\$148,000.00 of the purchase price was funded by a mortgage executed by Grantee in favor of Colonial Bank and recorded contemporaneously herewith.

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

Grantor reserves from this conveyance a non-exclusive, perpetual sanitary sewer easement running along the entire southern boundary of the Subject Property (the "Easement Area") as reflected on the Boundary and Topographic Survey prepared by Miller, Triplett & Miller Engineers, Inc. dated July 22, 1993.

01/18/1994 The foregoing sewer
09:16 AM CERTIFIED

SHELBY COUNTY JUDGE OF PROBATE
003 MCD 113.50

Inst # 1994-01699

easement (i) is and shall be a covenant running with the land and shall constitute a burden on the Subject Property; (ii) shall be binding on the Grantee, his heirs and assigns; and (iii) shall inure to the benefit of Grantor, its successors and assigns. Grantee may use the Easement Area in any manner which is not inconsistent with the intent and purpose of the sewer easement, including paving for ingress and egress and parking, it being understood that no building structures shall be erected or placed on the Easement Area.

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

IN WITNESS WHEREOF, the Grantor has caused this Statutory Warranty Deed to be executed this 13⁰² day of January, 1994.

119 PROPERTIES, LTD., an Alabama
limited partnership

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

By: Charles H. Stephens
Charles H. Stephens,
President

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, the undersigned authority, a Notary Public in and for said County, in said 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 Warranty Deed and who is known to me, acknowledged before me on this day that, being informed of the contents of the Warranty Deed, he, in his capacity as such President 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 this the 13⁰² day of January, 1994.

[Signature]
Notary Public

My Commission Exp: 8-6-96

THIS INSTRUMENT PREPARED BY:

David L. Silverstein
Berkowitz, Lefkovits, Isom & Kushner
1600 SouthTrust Tower
Birmingham, Alabama 35203

EXHIBIT A - STATUTORY WARRANTY DEED

EXECUTED BY 119 PROPERTIES, LTD.

Part of SE 1/4 of 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°-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°-00'-00" LEFT AND RUN NORTHWESTERLY FOR 349.02 FEET; THENCE 90°-00'-00" 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 A 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'-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°-00'-00" 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 03°-16'-07" ; THENCE 08°-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 09°-37'-54" LEFT AND RUN SOUTHEASTERLY ALONG SAID RIGHT OF WAY LINE FOR 46.32 FEET TO THE POINT OF BEGINNING OF SAID PROPERTY BEING DESCRIBED; THENCE CONTINUE SOUTHERLY ALONG THE LAST STATED COURSE AND ALONG SAID RIGHT OF WAY LINE FOR 49.76 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 02°-19'-55"; THENCE 13°-55'-51" RIGHT TO THE CHORD OF SAID CURVE AND RUN SOUTHERLY ALONG THE ARC OF SAID CURVE AND ALONG SAID RIGHT OF WAY LINE FOR 146.49 FEET TO A POINT AT THE INTERSECTION OF THE WESTERLY RIGHT OF WAY LINE OF SAID OAK MOUNTAIN STATE PARK ROAD AND THE NORTH RIGHT OF WAY OF A PROPOSED STREET; THENCE FROM THE CHORD OF SAID CURVE 97°-35'-27" RIGHT AND RUN SOUTHWESTERLY ALONG THE NORTH RIGHT OF WAY LINE OF SAID PROPOSED STREET FOR 300.49 FEET TO THE BEGINNING OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 50.00 FEET AND SUBTENDING A CENTRAL ANGLE OF 17°-54'-41"; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE AND ALONG SAID RIGHT OF WAY LINE FOR 15.63 FEET TO THE END OF SAID CURVE; THENCE FROM THE CHORD OF SAID CURVE 88°-10'-58" RIGHT AND RUN NORTHWESTERLY FOR 210.58 FEET TO A POINT ON THE FLOODWAY LINE OF BISHOPS CREEK; THENCE 58°-12'-05" RIGHT AND RUN NORTHEASTERLY ALONG SAID FLOODWAY LINE FOR 6.71 FEET; THENCE 06°-12'-14" RIGHT AND CONTINUE NORTHEASTERLY ALONG SAID FLOODWAY LINE FOR 71.34 FEET TO THE NORTHWEST CORNER OF THE PEACH HEAVEN SITE; THENCE 115°-35'-41" RIGHT AND RUN SOUTHERLY ALONG THE WEST LINE OF SAID PEACH HEAVEN SITE FOR 128.03 FEET TO THE SOUTHWEST CORNER OF SAID SITE; THENCE 95°-08'-53" LEFT AND RUN NORTHEASTERLY ALONG THE SOUTH LINE OF SAID PEACH HEAVEN SITE FOR 240.53 FEET TO THE POINT OF BEGINNING.

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