

Send Tax Notice To:

The Industrial Development Board
of the Town of Pelham

N/A

STATE OF ALABAMA)

SHELBY COUNTY)

STATUTORY WARRANTY DEED

THIS IS A STATUTORY WARRANTY DEED executed and delivered this 26th day of January, 1994, by 119 PROPERTIES, LTD., an Alabama limited partnership (hereinafter referred to as the "Grantor"), to THE INDUSTRIAL DEVELOPMENT BOARD OF THE TOWN OF PELHAM, a public corporation and instrumentality under the laws of the State of Alabama (hereinafter referred to as the "Grantee").

KNOW ALL MEN BY THESE PRESENTS THAT:

For and in consideration of the conveyance of other like-kind, and equal value, real estate in Shelby County, Alabama, to Grantor by Grantee, the receipt and sufficiency of which are hereby acknowledged by Grantor, Grantor does by these presents, grant, bargain, sell and convey unto the Grantee 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. Restrictions, covenants and conditions as set out in instrument(s) recorded in Real 268, Page 140; Real 290, Page 386 and Real 325, Page 929 and as Instrument #1992-15856 in the Office of the Judge of Probate of Shelby County, Alabama;
3. Transmission Line Permit(s) to Alabama Power Company as shown by instrument(s) recorded in Deed 101, Page 520 and 521; Deed 113, Page 281; Deed 118, Page 29; Real 5, Page 159 and Deed 145, Page 378 in said Probate Office;
4. Easement(s) to Alabama Power Company as shown by instrument recorded in Real 292, Page 618 in said Probate Office;
5. Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto, including rights set out in Deed 5, Page 706 in said Probate Office; and
6. This conveyance is subject further to the restriction that the Subject Property shall not be used as a professional medical office building, medical clinic or diagnostic center for as long as The Baptist Medical Centers and Shelby County Health Care Authority (or a

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Inst # 1994-02810

related entity of either of them) shall own property in Cahaba Valley Park North; provided, however, an office building occupied by three (3) or fewer physicians shall not be deemed a professional medical office building. The foregoing restrictive covenant shall run with the land and shall be binding on the Grantee, its successors and assigns.

TO HAVE AND TO HOLD, to the said Grantee, its successors and assigns forever.

The Grantor hereby covenants and agrees with Grantee, its successors 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 21st 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 21st day of January, 1994.

David L. Silverstein
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

DESCRIPTION:

PART OF BLOCK 4 OF CAHABA VALLEY PARK NORTH, AS RECORDED IN MAP BOOK 13, PAGE 140, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT P.C. STATION 13+54.43 ON THE WESTERLY RIGHT OF WAY LINE OF CAHABA VALLEY PARKWAY; THENCE RUN SOUTHEASTERLY ALONG SAID RIGHT OF WAY LINE FOR 214.33 FEET TO THE SOUTHEAST CORNER OF THE WALKER DRUG COMPANY SITE, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE 87°-14'-14" RIGHT AND RUN SOUTHWESTERLY ALONG THE SOUTHERLY PROPERTY LINE OF SAID WALKER DRUG COMPANY SITE FOR 509.03 FEET; THENCE 35°-13'-39" LEFT AND CONTINUE SOUTHWESTERLY ALONG SAID WALKER DRUG COMPANY PROPERTY LINE FOR 161.67 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF CAHABA VALLEY PARKWAY; THENCE 90°-00'-00" LEFT TO BECOME TANGENT TO A CURVE TO THE RIGHT, SAID CURVE SUBTENDING A CENTRAL ANGLE OF 17°-16'-53" AND HAVING A RADIUS OF 202.39 FEET; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE AND ALONG SAID EAST RIGHT OF WAY LINE OF CAHABA VALLEY PARKWAY FOR 61.04 FEET TO A POINT AT THE INTERSECTION OF THE NORTH RIGHT OF WAY LINE OF A PROPOSED ROAD AND THE RIGHT OF WAY LINE OF CAHABA VALLEY PARKWAY, SAID POINT BEING THE END OF SAID CURVE TO THE RIGHT AND THE BEGINNING OF A CURVE TO THE LEFT, SAID CURVE SUBTENDING A CENTRAL ANGLE OF 78°-34'-26" AND HAVING A RADIUS OF 50.00 FEET; THENCE RUN EASTERLY ALONG THE ARC OF SAID CURVE AND ALONG THE NORTHERLY RIGHT OF WAY LINE OF SAID PROPOSED ROAD FOR 68.57 FEET TO THE END OF SAID CURVE; THENCE AT TANGENT TO SAID CURVE RUN NORTHEASTERLY ALONG THE NORTH RIGHT OF WAY LINE OF SAID PROPOSED ROAD FOR 439.99 FEET TO THE BEGINNING OF A CURVE TO THE LEFT, SAID CURVE SUBTENDING A CENTRAL ANGLE OF 80°-43'-01" AND HAVING A RADIUS OF 139.44 FEET; THENCE RUN NORTHERLY ALONG THE ARC OF SAID CURVE AND ALONG THE WESTERLY RIGHT OF WAY LINE OF SAID PROPOSED ROAD FOR 196.43 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 87,143.15 SQUARE FEET OR 2.00 ACRES, MORE OR LESS.

EXHIBIT A

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