

SEND TAX NOTICES TO:

ROBERT J. WOLFE
FLOSSIE D. WOLFE
4116 Moody Parkway
Moody, Alabama 35004

WARRANTY DEED

STATE OF ALABAMA
COUNTY OF SHELBY

KNOW ALL MEN BY THESE PRESENTS, that in consideration of the sum of Three Hundred Forty Thousand and 00/100 Dollars (\$340,000.00) to the undersigned grantors, in hand paid by the grantee herein, the receipt of which is hereby acknowledged, FRANK C. ELLIS, JR., a married man, and INTERSTATE RESTAURANT INVESTORS, an Alabama General Partnership (herein referred to as "Grantor"), hereby grants bargains, sells, and conveys unto ROBERT J. WOLFE and wife FLOSSIE D. WOLFE (herein referred to as "Grantee"), the real estate situated in Shelby County, Alabama, and described on Exhibit "A" attached hereto and incorporated herein by this reference.

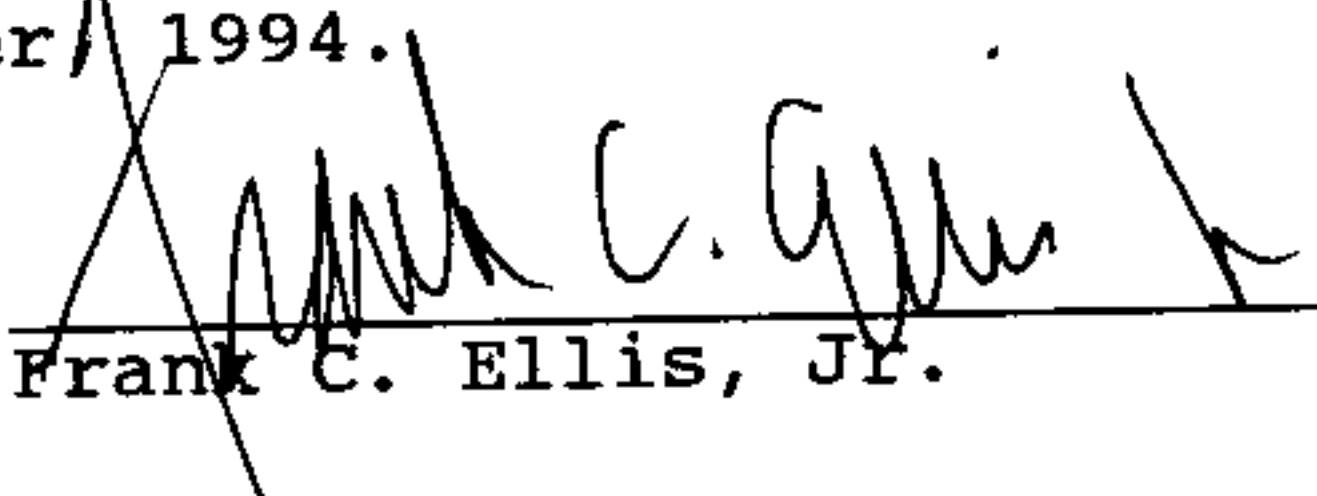
[The purchase price recited above was paid from a mortgage loan closed simultaneously herewith.]

[This property does not constitute the homestead of Grantor nor of Grantor spouse.]

TO HAVE AND TO HOLD the described premises to Grantee, their heirs, executors, successors and assigns forever.

AND THE GRANTOR does for themselves, and their heirs, executors, successors and assigns, covenant with said Grantee, their heirs, executors, successors and assigns, that Grantor is lawfully seized in fee simple of the premises, that they are free from all encumbrances, unless noted on Exhibit "A" attached hereto, that Grantor has good right to sell and convey the same as aforesaid, and that Grantor will and their heirs, executors, successors and assigns shall warrant and defend same to said Grantee, their heirs, executors, successors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the Grantor has signed and sealed this Deed on the 29 day of December, 1994.


Frank C. Ellis, Jr.

[SIGNATURES AND ACKNOWLEDGEMENTS CONTINUED ON NEXT PAGE]

ALA-War.ded 12/27/94 7:49am

12/29/1994-37694
01:00 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 MCD 14.50

Inst # 1994-37694

Handwritten: 11/27/94

INTERSTATE RESTAURANT INVESTORS, an
Alabama General Partnership

By: William B. Hairston III
(Its General Partner)

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Frank C. Ellis, Jr., whose name 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 this instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this the 29 day of December, 1994.

W B H
NOTARY PUBLIC
My Commission Expires: 3.1.98

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that WILLIAM B. ROBERTSON, whose name as General Partner of INTERSTATE RESTAURANT INVESTORS, an Alabama General 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 said instrument, he, as such general partner, and with full authority, executed the same voluntarily, as an act of said partnership, acting in his capacity as aforesaid.

Given under my hand and official seal, this the 29 day of December, 1994.

W B H
NOTARY PUBLIC
My Commission Expires: 3.1.98

THIS INSTRUMENT PREPARED BY AND AFTER
RECORDATION SHOULD BE RETURNED TO:
William B. Hairston III
Engel, Hairston, & Johanson P.C.
P.O. Box 370027
Birmingham, AL 35237
(205) 328-4600

EXHIBIT "A"

to

WARRANTY DEED
SALE CLOSING STATEMENT
NON-FOREIGN AFFIDAVIT
SELLER'S/OWNER'S AFFIDAVIT AND INDEMNITY

GRANTOR: FRANK C. ELLIS, Jr. and INTERSTATE RESTAURANT INVESTORS

GRANTEE: ROBERT J. WOLFE and FLOSSIE D. WOLFE

A parcel of land situated in the SE 1/4 of Section 25 and the NE 1/4 of Section 36, all in Township 19 South, Range 3 West, Shelby County, Alabama more particularly described as follows:
Commence at the Northeast corner of said Section 36, Township 19 South, Range 3 West, thence run South along the East line of Section 36 a distance of 266.80 feet to a point; thence 117 deg. 40 min. 00 sec. right and run northwesterly a distance of 165.21 feet to a point on the Westerly right of way line of U.S. Highway No. 31, and the point of beginning. Thence continue on last described course North 62 deg. 00 min. 00 sec. West a distance of 236.92 feet to a point on the Southeasterly right of way line of Valleydale Road, thence 120 deg. 24 min. right and run North 58 deg. 24 min. 00 sec. East along Southerly right of way line of Valleydale Road a distance of 254.53 feet to a point, thence 73 deg. 57 min. 50 sec. right and run South 47 deg. 38 min. 11 sec. East 29.41 feet to a point on the West right of way line of U.S. Highway 31; thence turn 55 deg. 03 min. 31 sec. right and run South 7 deg. 25 min. 20 sec. West along said right of way line a distance of 226.70 feet to the point of beginning; being situated in Shelby County, Alabama.

Subject to: i) 1995 taxes, a lien but not yet payable; ii) transmission line permits to Alabama Power Company as shown by instruments recorded in Deed 111, page 153, Deed 251, page 504 and Deed 130, page 302; iii) title to all minerals within and underlying the premises, which are not owned by Grantor, together with all mining rights and other rights, privileges and immunities relating thereto, including rights set out in Deed 109, page 312, and Deed 121, page 437; iv) reservations of right of re-entry, release of damages, and all other provision matters, all as set out in Instrument #1993-23541; and v) rights acquired by State of Alabama as set out in Deed 345 page 342.

Ex-A.ded 12/27/94 7:50am

12/29/1994-37694
01:00 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 MCD 14.50

Inst # 1994-37694