

THIS INSTRUMENT PREPARED BY:

Russell L. Irby III, Esq.
JOHNSTON, BARTON, PROCTOR, SWEDLAW & NAFF
2900 AmSouth/Harbert Plaza
1901 Sixth Avenue North
Birmingham, Alabama 35203-2618

SEND TAX NOTICE TO:

David's Discount Pharmacy &
Gift Shop, Inc.
Box G
Sumiton, Alabama 35148

WARRANTY DEED

STATE OF ALABAMA)

SHELBY COUNTY)

KNOW ALL MEN BY THESE PRESENTS, that for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable considerations to the undersigned **WEATHERLY ENTERPRISES, INC.**, an Alabama corporation (hereafter referred to as "Grantor"), in hand paid by **DAVID'S DISCOUNT PHARMACY & GIFT SHOP, INC.**, an Alabama Corporation (hereafter referred to as "Grantee"), the receipt of which is hereby acknowledged, the said Grantor does by theses presents grant, bargain, sell and convey unto said Grantee, the following described real estate situated in Shelby County, Alabama, to-wit:

Lot 68, according to the Survey of WEATHERLY KING'S CREST, SECTOR 3, PHASE 3, as recorded in Map Book 18, Page 38 A & B, in the Probate Office of Shelby County, Alabama.

This conveyance is made subject to the following:

1. Taxes for the year 1995 and subsequent years which are a lien, but not yet due and payable.
2. Easement(s) and building line as shown on recorded map.
3. Restrictions as shown on recorded map.
4. Right-of-way granted to Alabama Power Company recorded in Deed Volume 127, Page 434.
5. Reservation of easement as reserved in Real Volume 189, Page 733.
6. Declaration of Restrictions as set out in Real Volume 189, Page 736 and Instrument Number 1994-06966.
7. Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto.

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

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Inst # 1995-01213

And the Grantor does, for itself and its successors and assigns, covenant with the said Grantee that it is lawfully seized of said premises in fee simple, that it is free from all encumbrances except as hereinabove stated; 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 unto the said Grantee, its successors and assigns forever, against the lawful claims of any and all persons.

IN WITNESS WHEREOF, the said Grantor has hereto set its hands and seals, this 5th day of January, 1995.

WEATHERLY ENTERPRISES, INC.

By:

Steven E. Chambers
Print Name: STEVEN E. CHAMBERS
Print Title: PRESIDENT

STATE OF ALABAMA)
 :
JEFFERSON COUNTY)

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Steven E. Chambers, whose name as President of WEATHERLY ENTERPRISES, INC., an Alabama corporation, 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 the said instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

GIVEN under my hand and seal, this 5th day of January, 1995.

[NOTARIAL SEAL]

[Signature]

Notary Public

My Commission Expires: 2-2-98

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