

SEND TAX NOTICE TO:  
First Tennessee Bank  
c/o Schilling, Incorporated  
7516 Enterprise Ave., Suite 2  
Germantown, TN 38138

STATE OF ALABAMA )

SHELBY COUNTY )

### STATUTORY WARRANTY DEED

**THIS IS A WARRANTY DEED** executed and delivered this 25th day of August, 1995 by **119 PROPERTIES, LTD.**, an Alabama limited partnership (hereinafter referred to as the "Grantor"), to **FIRST TENNESSEE BANK, NATIONAL ASSOCIATION** (hereinafter referred to as the "Grantee").

#### KNOW ALL MEN BY THESE PRESENTS:

That in consideration of the sum of (i) \$35,000 paid by Steel City Wholesalers a Division of Schilling, Incorporated to the Grantor herein named, pursuant to a Deferred Exchange Agreement with the Grantee, and (ii) \$197,500 paid by Grantee to the Grantor, representing a total of **TWO HUNDRED THIRTY-TWO THOUSAND FIVE HUNDRED and 00/100ths DOLLARS (\$232,500.00)** consideration required hereunder, the receipt and sufficiency of which is acknowledged by Grantor, in hand paid by Grantee to Grantor, the receipt and sufficiency of which is hereby acknowledged by Grantor, the Grantor does by these presents, grant, bargain, sell and convey unto the Grantee the real estate located in Shelby County, Alabama and particularly described as:

Part of Block 1 of Cahaba Valley Park North as recorded in Map Book 13, Page 140, in the Office of the Judge of Probate, Shelby County, Alabama, being situated in Section 31, Township 19 South, Range 2 West, more particularly described as follows: Commence at the centerline of point of tangent station 15+73.05 of Cahaba Valley Parkway; thence run Northwesterly along the centerline of said Cahaba Valley Parkway for 6.92 feet; thence 90 degrees 00 minutes 00 seconds left and run Southwesterly for 30.00 feet to a point on the Westerly right of way line of said Cahaba Valley Parkway, said point being the point of beginning of the property herein described; thence continue Southwesterly along the last described course for 210.00 feet to a point on the Southwesterly line of said Block 1; thence 90 degrees 00 minutes 00 seconds left and run Southeasterly along said line of Block One for 400.00 feet; thence 90 degrees 00 minutes 00 seconds left and run Northeasterly for 213.31 feet to a point on the Westerly right of way line of said Cahaba Valley Parkway; thence 89 degrees 58 minutes 36 seconds left and run Northeasterly along the said right of way line for 192.12 feet; thence 1 degree 57 minutes 23 seconds left to become tangent to a curve to the right; said curve subtending a central angle of 1 degree 56 minutes 00 seconds and having a radius of 5,956.59 feet; thence run 200.99 feet Northwesterly along the arc of said curve and along said right of way line to the end of said curve; thence at tangent to said curve; run Northwesterly along said right of way line for 6.92 feet to the point of beginning; being situated in Shelby County, Alabama;

**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 1995, which the Grantor herein agrees to pay;
2. Public easements as shown by recorded plat, including 3 feet on the Northeasterly side; 15 feet on the Southwesterly side; 10 feet on the Northwesterly sides and irregular easement on Northerly corner as shown on the survey of Joseph A. Miller, Jr. date January 26, 1995;
3. Restrictions, covenants and conditions as set out in instruments recorded in Real 268 page 140; Real 290 page 386; Real 325 page 929; as Instrument #1992-15856 and Instrument #1993-25691 in Probate Office;
4. Transmission Line Permit(s) to Alabama Power Company as shown by instruments recorded in Deed 101 page 520 and Deed 145 page 378 in Probate Office; and
5. Easement(s) to Alabama Power Company as shown by instrument recorded in Real 292 page 618 in Probate Office.

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

Inst # 1995-23633

08/28/1995-23633  
10:03 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 MCD 244.50

*Beckowitz*

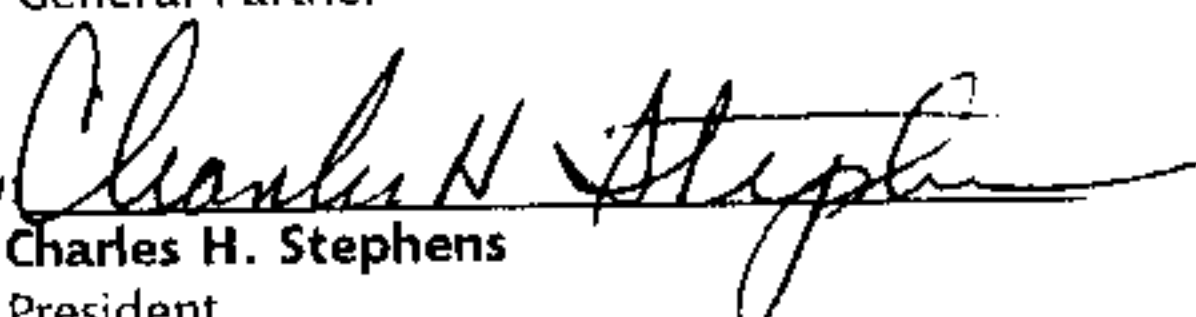
Inst # 1995-23633

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 Grantors, but not further or otherwise.

**IN WITNESS WHEREOF**, the Grantor has caused this Warranty Deed to be executed by its General Partner which is duly authorized hereunto, on this 25th day of August, 1995.

**119 PROPERTIES, LTD.** an  
Alabama limited partnership

By: **CAHABA VALLEY PROPERTIES, INC.**  
Its General Partner

By:   
**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 25th day of August, 1995.

  
Notary Public  
My Commission Expires: 10-27-97

Inst # 1995-23633

08/28/1995-23633  
10:03 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 MCD 244.50

**THIS INSTRUMENT PREPARED BY**

Chervis Isom  
Berkowitz, Lefkowitz, Isom & Kushner, P.C.  
1600 SouthTrust Tower  
Birmingham, Alabama 35203