

SEND TAX NOTICE TO:
Rogers Trading Company, Inc.
2500 First Avenue North
Birmingham, Alabama 35203

STATE OF ALABAMA)
SHELBY COUNTY)

STATUTORY WARRANTY DEED

THIS IS A WARRANTY DEED executed and delivered this 20th day of August, 1996 by **119 PROPERTIES, LTD.**, an Alabama limited partnership (hereinafter referred to as the "Grantor"), to **ROGERS TRADING COMPANY, INC.**, an Alabama corporation (hereinafter referred to as the "Grantee").

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of (I) Seventeen Thousand Five Hundred Dollars (\$17,500.00) in hand paid by Grantee to Grantor, and (II) a purchase money mortgage in the amount of One Hundred Fifty-Seven Thousand Five Hundred and 00/100ths Dollars (\$157,500.00), 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 following described real estate located in Shelby County, Alabama, to-wit:

Part of the 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 degrees 59 minutes 53 seconds 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 degrees 18 minutes 39 seconds right and run Northeasterly for 152.01 feet; thence 90 degrees 00 minutes 00 seconds left and run Northwesterly for 349.02 feet; thence 90 degrees 00 minutes 00 seconds left and run Southwesterly for 160.00 feet; thence 88 degrees 41 minutes 21 seconds right and run Northwesterly for 25.0 feet to a point on the South right of way line of Alabama Highway 119; thence 91 degrees 18 minutes 39 seconds right and run Northeasterly along said right of way line for 253.07 feet; thence 14 degrees 02 minutes 10 seconds right and continue Northeasterly for 9.51 feet to a point on the Southerly right of way line of a County Road; thence 30 degrees 57 minutes 50 seconds 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 degrees 00 minutes 00 seconds 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 degrees 00 minutes 00 seconds 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 degrees 19 minutes 31 seconds right and run Southeasterly along said right of way line for 142.98 feet; thence 22 degrees 07 minutes 10 seconds 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 degrees 16 minutes 07 seconds; thence 08 degrees 19 minutes 34 seconds 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 degrees 37 minutes 54 seconds left and run Southeasterly along said right of way line for 96.08 feet to the beginning of a curve to the right, said curve having a radius of 3599.42 feet and subtending a central angle of 02 degrees 19 minutes 55 seconds; thence 13 degrees 55 minutes 51 seconds 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 line of Bishop Circle; thence from the chord of said curve 97 degrees 35 minutes 27 seconds right and run southwesterly along the North right of way line of said Bishop Circle 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 degrees 54 minutes 41 seconds; thence run Southwesterly along the arc of said curve and along said right of way line for 15.63 feet to the Eastern most corner of the Cock of the Walk site; thence continue Southwesterly along said Bishop Circle right of way line and along a curve to the left, said curve having a radius of 50 feet and subtending a central angle of 85 degrees 26 minutes 04 seconds for 74.55 feet to the end of said curve, said point being the point of beginning of the property herein described; thence from the tangent of said curve 60 degrees 46 minutes 27 seconds right and run Southwesterly along the Southerly property line of said Cock of the Walk site for 276.49 feet; thence 87 degrees 23 minutes 54 seconds left and run Southeasterly for 139.79 feet to a point on the North right of way line of Amphitheater Road; thence 45 degrees 21 minutes 12 seconds left and run Southeasterly along the North right of way line of Amphitheater Road for 192.14 feet; thence 94 degrees 40 minutes 36 seconds left and run Northeasterly for 280.69 feet to a point on the right of way line of said Bishop Circle, said point being on a curve to the right, said curve having a radius of 50 feet and subtending a central angel of 112 degrees 09 minutes 41 seconds; thence 125 degrees 30 minutes 26 seconds left to become tangent to said curve and run Southwesterly, Westerly and Northwesterly along the arc of said curve and along said right of way line of Bishop Circle for 97.88 feet to the point of beginning.

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11:27 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
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Inst # 1996-27568

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 1996;
2. Front building set back line of 35 feet from the public roadway, and side and rear set back lines of 20 feet. No paving shall be allowed within 12 feet of the property line, except for driveways. The unimproved 12 feet shall be landscaped in a neat and orderly manner;
3. Multi-colored painting only on the front exterior of the building and no sign painted on the exterior walls of said buildings, except front face of building;
4. At least 10% of the land shall be landscaped in a neat and orderly manner;
5. Public easements as shown by recorded plat, including a 10 foot private sanitary sewer easement from Bishop Creek as shown on survey by Joseph A. Miller, dated September 7, 1994; and
6. Restrictions, covenants and conditions as set out in instruments recorded in Instrument #1994-1702 in said Probate Office.


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

The Grantor hereby covenants and agrees with Grantee, its successors, executors 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 Warranty Deed to be executed by its General Partner which is duly authorized hereunto, on the date first above written.

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 20th day of August, 1996.


Notary Public
My Commission Expires: 10-27-97

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

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