

SEND TAX NOTICE TO:
Columbiana Associates, L.L.C.
c/o Marc Eason
2101 Highland Avenue, Suite 700
Birmingham, Alabama 35205

Inst # 1996-36674

STATE OF ALABAMA)

SHELBY COUNTY)

STATUTORY WARRANTY DEED

THIS IS A STATUTORY WARRANTY DEED dated this 4th day of November, 1996, by Myra Browne Koenig Lewis a widow, and Donald Clayton Koenig and wife, Lynda Mixson Koenig, also known as Lynda M. Koenig, (hereinafter referred to as the "Grantors") to Columbiana Associates, L.L.C., an Alabama limited liability company (hereinafter referred to as the "Grantee").

KNOW ALL MEN BY THESE PRESENTS:

That in consideration the execution of Five Hundred Thousand Dollars (\$500,000), in hand paid by the Grantee to the Grantors, the receipt and sufficiency of which is hereby acknowledged, the Grantors do, by these presents, grant, bargain, sell and convey unto the Grantee, Columbiana Associates, L.L.C., the real estate described in Exhibit "A" attached hereto and 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 due in 1996; and
2. Right-of-way granted to the City of Columbiana by instrument recorded in Inst. #1994-34679.

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

The Grantors hereby covenant and agree with Grantee, its successors and assigns, that the Grantors 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.

The parties intend by the execution of this conveyance to vest one hundred percent (100%) interest in and to the Subject Property in the Grantee, Columbiana Associates, L.L.C.

Inst # 1996-36674

11/05/1996-36674
09:04 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
006 MCD 521.00

Columbiana, Little

IN WITNESS WHEREOF, the Grantors have caused this Statutory Warranty Deed to be executed on the date first written above.

Myra Browne Koenig Lewis
Myra Browne Koenig Lewis

Donald Clayton Koenig
Donald Clayton Koenig

Rhannon Tidwell
Witness

Helen Dade
Witness

Lynda M. Koenig
Lynda Mixson Koenig, also known as Lynda M. Koenig

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that Myra Browne Koenig Lewis, 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 the instrument, she executed the same voluntarily on the day the same bears date.

Given under my hand this the 31 day of October, 1996.

Mary Elizabeth Mullins
Notary Public My Commission Expires 12/07/98
My Commission Expires: _____

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that Donald Clayton Koenig 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 the instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand this the 4th day of November, 1996.

Don E. Harkins
Notary Public
My Commission Expires: 9-19-96

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that Lynda Mixson Koenig, also known as Lynda M. Koenig, 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 the instrument, she executed the same voluntarily on the day the same bears date.

Given under my hand this the 20 day of September, 1996.



Notary Public

My Commission Expires: May 10, 1997

THIS INSTRUMENT PREPARED BY:

Chervis Isom

Berkowitz, Lefkovits, Isom & Kushner, P.C.

1600 SouthTrust Tower

Birmingham, AL 35203



EXHIBIT A

Miller, Triplett & Miller Engineers, Inc.

Consulting Engineers

108 North 40th Place P.O. Box 321607
Birmingham, Alabama 35232

Telephone (205) 592-0391
Telecopier (205) 592-0392

PARCEL I

PAGE 1 OF 3

DESCRIPTION: PART OF THE N.E. 1/4 OF THE N.W. 1/4 AND PART OF THE N.W. 1/4 OF THE N.E. 1/4 OF SECTION 26; PART OF THE S.E. 1/4 OF THE S.W. 1/4 AND PART OF THE S.W. 1/4 OF THE S.E. 1/4 OF SECTION 23, ALL IN TOWNSHIP 21 SOUTH, RANGE 1 WEST, IN COLUMBLANA, SHELBY COUNTY, ALABAMA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHEAST CORNER OF THE N.W. 1/4 OF SAID SECTION 26; THENCE RUN NORTH ALONG THE EAST LINE OF SAID SECTION 26 PROJECTED NORTHWARD FOR 2.82 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF DEPOT STREET, SAID POINT ALSO BEING AN OLD REBAR CORNER WHICH IS ALSO THE SOUTHEAST CORNER OF THE "ELLIOTT LOT" DESCRIBED IN DEED BOOK 12, PAGE 496; THENCE 137°-14'-28" RIGHT AND RUN SOUTHEAST ALONG SAID RIGHT OF WAY LINE FOR 30.06 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG THE LAST STATED COURSE AND ALONG SAID RIGHT OF WAY LINE OF DEPOT STREET FOR 112.81 FEET; THENCE 86°-37'-09" RIGHT AND RUN SOUTHWESTERLY ALONG SAID RIGHT OF WAY LINE FOR 15.05 FEET TO A CONCRETE MONUMENT WHICH IS 40.0 FEET FROM THE CENTERLINE OF SAID DEPOT STREET; THENCE 93°-25'-46" LEFT AND RUN SOUTHEASTERLY ALONG SAID RIGHT OF WAY LINE FOR 47.55 FEET TO A MONUMENT AT THE INTERSECTION OF THE WEST LINE OF DEPOT STREET AND ALABAMA HIGHWAY 25; THENCE 43°-45'-52" RIGHT AND RUN SOUTHERLY ALONG SAID RIGHT OF WAY LINE FOR 94.24 FEET TO A MONUMENT 60 FEET FROM THE CENTERLINE OF ALABAMA HIGHWAY 25; THENCE 31°-41'-22" RIGHT AND RUN SOUTHWESTERLY ALONG SAID RIGHT OF WAY LINE FOR 648.64 FEET TO A 1" SOLID IRON AT THE NORTHEAST CORNER OF THAT PARCEL DESCRIBED IN VOLUME 305, PAGE 237; THENCE 59°-03'-43" RIGHT AND RUN WESTERLY ALONG THE NORTH LINE OF SAID PARCEL FOR 289.44 FEET (RECORD 290.35 FEET)

PARCEL I DESCRIPTION

PAGE 2 OF 3

OPEN TOP IRON; THENCE 00°-11'-30" LEFT AND RUN WESTERLY ALONG THE NORTH LINE OF PARCEL DESCRIBED IN VOLUME 228, PAGE 49, FOR 110.98 FEET (RECORD 110.00 FEET) TO A 1" OPEN TOP IRON; THENCE 00°-14'-42" RIGHT AND RUN WEST ALONG THE NORTH LINE OF THAT PARCEL DESCRIBED IN VOLUME 303, PAGE 413, FOR 170.30 FEET (RECORD 175.0 FEET) TO A 1" REBAR; THENCE 05°-48'-53" LEFT AND RUN WEST ALONG THE NORTH LINE OF PARCELS DESCRIBED IN VOLUME 342, PAGE 739, AND VOLUME 284, PAGE 863 FOR 180.02 FEET (RECORD 187.50 FEET) TO A 1 1/4" OPEN TOP IRON; THENCE 03°-09'-00" LEFT AND RUN WEST ALONG THE NORTH LINE OF PARCELS DESCRIBED IN VOLUME 250, PAGE 379, AND VOLUME 262, PAGE 849, FOR 170.89 FEET (RECORD 171.34 FEET) TO A 1/2" REBAR; THENCE 01°-58'-56" RIGHT AND RUN WESTERLY ALONG THE NORTH LINE OF THAT PARCEL DESCRIBED IN VOLUME 300, PAGE 111 FOR 85.61 FEET (RECORD 85.67 FEET) TO A POINT ON THE EAST LINE OF LOT 15 OF CUMBLANA HOUSE, INC. SUBDIVISION AS RECORDED IN MAP BOOK 3, PAGE 82, IN THE OFFICE OF THE JUDGE OF PROBATE OF SHELBY COUNTY, ALABAMA; THENCE 103°-00'-12" RIGHT AND RUN NORTH ALONG THE EAST LINE OF LOTS 15, 14, AND 13 OF SAID SUBDIVISION FOR 271.08 FEET (RECORD 260 FEET); THENCE 99°-02'-50" (RECORD 98°-56'-00") LEFT AND RUN WEST ALONG THE NORTH LINE OF SAID LOT 13 AND ITS WESTWARD EXTENSION FOR 222.05 FEET (RECORD 210.00 FEET); THENCE 98°-56'-00" RIGHT AND RUN NORTH ALONG THE EAST LINE OF SAID SUBDIVISION FOR 257.6 FEET TO A POINT ON THE SOUTHEASTERLY RIGHT OF WAY LINE OF THE SOUTHERN RAILWAY; THENCE 55°-05'-00" RIGHT AND RUN NORTHEASTERLY ALONG SAID RIGHT OF WAY LINE (PARALLEL TO AND 50 FEET AS MEASURED PERPENDICULARLY FROM THE MAIN TRACK) FOR 624.31 FEET; THENCE 90°-00'-00" RIGHT AND RUN SOUTHEASTERLY FOR 50.0 FEET; THENCE 90°-00'-00" LEFT AND RUN NORTHEASTERLY ALONG SAID RIGHT OF WAY LINE FOR 300.00 FEET; THENCE 90°-00'-00" RIGHT AND RUN SOUTHEASTERLY FOR 92.0 FEET; THENCE 90°-00'-00" LEFT AND RUN NORTHEASTERLY ALONG SAID RIGHT OF WAY LINE FOR 235.48 FEET TO A POINT ON THE

PARCEL I DESCRIPTION

PAGE 3 OF 3

WEST LINE OF SAID ELLIOTT LOT; THENCE 81°-14'-47" RIGHT AND RUN SOUTHEASTERLY ALONG SAID WEST LINE OF THE ELLIOTT LOT (AND PARALLEL WITH THE WEST RIGHT OF WAY LINE OF DEPOT STREET FOR 146.98 FEET TO THE WESTERNMOST CORNER OF THAT PARCEL DESCRIBED IN VOLUME 169, PAGE 734; THENCE 93°-46'-21" RIGHT AND RUN SOUTHWESTERLY FOR 10.02 FEET TO A POINT; THENCE 93°-46'-21" LEFT AND RUN SOUTHEASTERLY FOR 10 FEET FROM AND PARALLEL TO THE WESTERNMOST LINE OF SAID PARCEL FOR 130.06 FEET TO A POINT; THENCE 86°-13'-39" LEFT AND RUN NORTHEASTERLY FOR 30 FEET FROM AND PARALLEL TO THE SOUTHERNMOST LINE OF THOSE PARCELS DESCRIBED IN VOLUME 169, PAGE 734 AND VOLUME 221, PAGE 46 FOR 200.73 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 965,427 SQUARE FEET, MORE OR LESS, OR 22.163 ACRES, MORE OR LESS.

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