

SEND TAX NOTICE TO:
Birmingham Realty Company
2118 First Avenue North
Birmingham, Alabama 35203

STATE OF ALABAMA)

SHELBY COUNTY)

WARRANTY DEED

THIS IS A WARRANTY DEED dated this 4th day of November, 1996, by **Columbiana Associates, L.L.C.**, an Alabama limited liability company, (hereinafter referred to as the "Grantor") to **Birmingham Realty Company**, an Alabama corporation (hereinafter referred to as the "Grantee").

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of **Two Hundred Thousand Dollars (\$200,000)**, in hand paid by the Grantee to the Grantor, the receipt and sufficiency of which is hereby acknowledged, the Grantor does, by these presents, grant, bargain, sell and convey unto the Grantee, **Birmingham Realty Company**, 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.

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

IN WITNESS WHEREOF, the Grantor has caused this Warranty Deed to be executed on the date first written above.

Columbiana Associates, L.L.C., an
Alabama limited liability company

By: 
Emris H. Graham, Jr., Manager

By: 
Scott R. Hinkle, Manager

Inst # 1996-36675

Inst # 1996-36675

11/05/1996-36675
09:07 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 WED 214.50

C. Chubb & Little

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that Emris H. Graham, Jr. and Scott R. Hinkle, whose names as Managers of Columbiana Associates, L.L.C. are signed to the foregoing Warranty Deed and who are known to me, acknowledged before me on this day that, being informed of the contents of the Warranty Deed, they, in their capacity as such Managers, executed the same voluntarily on the day the same bears date.

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

Michael E. Hill
Notary Public
My Commission Expires: MAY 12, 1997

THIS INSTRUMENT PREPARED BY:
Chervis Isom
Berkowitz, Lefkovits, Isom & Kushner, P.C.
1600 SouthTrust Tower
Birmingham, AL 35203

OUT PARCEL

A PARCEL OF LAND LOCATED IN THE NE 1/4 OF THE NW 1/4 AND THE NW 1/4 OF THE NE 1/4 OF SECTION 26, TOWNSHIP 21 SOUTH, RANGE 1 WEST, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NE CORNER OF THE NW 1/4 OF SAID SECTION 26; THENCE IN A NORTHERLY DIRECTION ALONG THE PROJECTION OF THE EASTERLY LINE OF SAID SECTION 26, A DISTANCE OF 2.82 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF DEPOT STREET SAID POINT ALSO BEING AN OLD REBAR CORNER WHICH IS ALSO THE SE CORNER OF THE ELLIOT LOT DESCRIBED IN DEED BOOK 12, PAGE 496; THENCE 137 DEGREES 14 MINUTES 28 SECONDS RIGHT IN A SOUTHEASTERLY DIRECTION ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 70.15 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG LAST DESCRIBED COURSE AND RIGHT OF WAY LINE, A DISTANCE OF 72.72 FEET; THENCE 86 DEGREES 37 MINUTES 09 SECONDS RIGHT IN A SOUTHWESTERLY DIRECTION AND ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 15.05 FEET TO A CONCRETE MONUMENT WHICH IS 40 FEET FROM THE CENTERLINE OF SAID DEPOT STREET; THENCE 93 DEGREES 25 MINUTES 46 SECONDS LEFT IN A SOUTHEASTERLY DIRECTION, A DISTANCE OF 47.55 FEET TO A MONUMENT AT THE INTERSECTION OF THE WESTERLY RIGHT OF WAY LINE OF DEPOT STREET AND ALABAMA HIGHWAY NO. 25; THENCE 43 DEGREES 45 MINUTES 52 SECONDS RIGHT IN A SOUTHERLY DIRECTION AND ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 94.24 FEET TO A MONUMENT 60 FEET FROM THE CENTERLINE OF ALABAMA HIGHWAY NO. 25; THENCE 31 DEGREES 41 MINUTES 22 SECONDS RIGHT IN A SOUTHWESTERLY DIRECTION AND ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 77.00 FEET; THENCE 90 DEGREES RIGHT IN A NORTHWESTERLY DIRECTION, A DISTANCE OF 171.49 FEET; THENCE 21 DEGREES 21 MINUTES 23 SECONDS RIGHT IN A NORTHWESTERLY DIRECTION, A DISTANCE OF 77.68 FEET; THENCE 93 DEGREES 46 MINUTES 21 SECONDS RIGHT IN A NORTHEASTERLY DIRECTION, A DISTANCE OF 200.73 FEET TO THE POINT OF BEGINNING,

Inst # 1996-36675

11/05/1996-36675
09:07 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 MCD 214.50