

This instrument prepared by:  
S. Perry Given, Jr.  
Harbert Management Corporation  
P. O. Box 1297  
Birmingham, Alabama 35201

Send Tax Notice To:  
Automotive Real Estate of Alabama, Inc.  
700 8th Street, South  
Birmingham, Alabama 35233  
Attention: Sam Ito

Value - \$200,000

### STATUTORY WARRANTY DEED

STATE OF ALABAMA     )  
COUNTY OF JEFFERSON    )

KNOW ALL MEN BY THESE PRESENTS, that in consideration of the sum of One Thousand and 00/100 Dollars (\$1,000.00) in hand paid by Automotive Real Estate of Alabama, Inc. (hereinafter referred to as "Grantee"), to the undersigned, Harbert Properties Corporation, a corporation organized and existing under the laws of the State of Alabama (hereinafter referred to as "Grantor"), the receipt of which is hereby acknowledged, the said Grantor does by these presents grant, bargain, sell and convey unto the said Grantee the following described real estate situated in Shelby County, State of Alabama, to-wit:

Description: Part of the east one-half of the N.E. 1/4 of Section 31, Township 19 South, Range 2 West, Shelby County, Alabama, more particularly described as follows:

Commence at the northeast corner of said Section 31; thence run west along the north line of same for 836.90 feet to a point on the west right-of-way line of Interstate Highway I-65, said point being the point of beginning, thence continue west along the same course for 494.98 feet to the northwest corner of the N.E. 1/4 of the N.E. 1/4 of said Section 31, said point being also the northeast corner of Block 3 of Cahaba Valley Park North, as recorded in Map Book 13, Page 140, in the Probate Office of Shelby County, Alabama; thence 91°-56'-44" left, measured (91°-58'-00" left, record) and run south along the west line of said 1/4 1/4 section and the east line of said block 3 for 1,315.15 feet, measured (1,317.51 feet record); thence 69°-43'-00" left and run southeasterly along the east line of said Block 3 for 202.77 feet; thence 20°-33'-00" right and run southeasterly along said east line of said Block 3 for 174.53 feet; thence 08°-30'-00" right and run southeasterly for 37.46 feet to a point on the north boundary line of Lot 1 of Shelby Medical Center Baptist Medical Centers Resurvey, as recorded in Map Book 18, Page 27, in the Probate Office of Shelby County, Alabama; thence 74°-27'-53" left and run northeasterly along said property line for 291.65 feet to a point on the westerly right-of-way line of Interstate Highway I-65; thence 69°-33'-25" left and run northerly along said right-of-way line for 537.30 feet; thence 05°-43'-27" left and run northwesterly along said right-of-way line for 400.75 feet; thence 11°-22'-59" right and run northerly along said right-of-

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way for 100.68 feet, measured (100.00 feet, record); thence 08°-37'-26" right and run northerly along said right-of-way line for 120.96 feet; thence 14°-47'-15" left and run northerly along said right-of-way line for 238.71 feet to the point of beginning. Said parcel contains 772,834.22 square feet, more or less, or 17.74 acres, more or less.

Such land is conveyed subject to the following:

1. Ad valorem taxes due and payable October 1, 1997.
2. Mineral and mining rights not owned by Grantor.
3. Any applicable zoning ordinances.
4. Defects, liens, encumbrances, adverse claims, easements, rights-of-way, reservations, agreements, restrictions and setback lines, if any, of record, first appearing the public records, or attaching subsequent to the effective date hereof.
5. Said property conveyed by this instrument is subject to the Declaration of Restrictive Covenant, recorded in Real Volume 1497 beginning at page 243 in the office of the Judge of Probate of Shelby County, Alabama.
6. Transmission Line Permit(s) to Alabama Power Company as shown in Deed Book 179, Page 346 in the office of the Judge of Probate of Shelby County, Alabama.
7. An existing, future or potential common law or statutory rights of access between the right-of-way of I-65 and the subject property as conveyed and relinquished to the State of Alabama.
8. General and special taxes or assessments for 1997 and subsequent years not yet due and payable.

TO HAVE AND TO HOLD unto the said Automotive Real Estate of Alabama, Inc., its successors and assigns, forever.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal this 23rd day of January, 1997.

Witness:

S. Perry Green Jr.

**HARBERT PROPERTIES CORPORATION**

By:

Name:

Title:

Wm T. [Signature]  
William W. Brooke  
Vice-President

STATE OF ALABAMA     )  
COUNTY OF SHELBY    )

I, Shirley Henson, a Notary Public in and for said County, in said State, hereby certify that William W. Brooke, whose name as Vice President of Harbert Properties Corporation, an Alabama corporation, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, 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 official seal, this the 23<sup>rd</sup> day of January, 1997.

Shirley Henson  
Notary Public

My commission expires 3-15-97.

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