

Send Tax Notice To:

Southbrook Village Shopping Center  
c/o Mr. Ernest Joseph  
1560 Montgomery Highway  
Suite 212  
Birmingham, Alabama 35216

STATE OF ALABAMA )

JEFFERSON COUNTY )

WARRANTY DEED

Value: 500.00

Inst # 1997-05120

THIS IS A WARRANTY DEED executed and delivered this 31st day of December 1996 by JOE J. JOSEPH and ERNEST A. JOSEPH (hereinafter referred to as the "Grantors"), to SOUTHBROOK VILLAGE SHOPPING CENTER, LTD., (hereinafter referred to as the "Grantee") an Alabama limited partnership formed by Agreement dated June 12, 1986.

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of the sum of Ten and NO/100 Dollars (\$10.00) in hand paid by Grantee to Grantors, the sufficiency of which is acknowledged by Grantors, the Grantors do by these presents, grant, bargain, sell and convey unto the Grantee, the real estate described in Exhibit "A" attached hereto and made a part hereof by reference, 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 1997, but not due and payable until October 1, 1997 and for year 1996 (unpaid)
2. Transmission Line Permit to Alabama Power Company as shown by instrument recorded in Deed Book 55, Page 586;
3. Right-of-Way granted to Alabama Power Company as shown by instrument recorded in Real 41, Page 945;
4. Right-of-Way granted South Central Bell by instrument recorded in Deed Book 342, Page 939 and Real 42, Page 966; and
5. Indenture of Establishment of Protective Covenants, Conditions and Restrictions and Grants of Easements as recorded in Misc. Book in Real 106, Page 700.
6. Mortgage granted to National Bank of Commerce by instrument recorded in Inst # 1995-22566.

All of the recorded instruments referred to hereinabove are recorded in the Probate Records of Shelby County, Alabama.

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

And said Grantors do for themselves, their heirs and assigns, covenant with said Grantee, its successors and assigns, that they are lawfully seized in fee simple of said premises; that said premises are free from all encumbrances, except as noted above; that they have a good right to sell and convey the same as aforesaid; and that they will, and their successors and assigns shall warrant and defend the same to the said Grantee, its successors and assigns forever, against the lawful claims of all persons.

02/18/1997-05120  
10:07 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
003 HCB 14.00

The Subject Property does not constitute the homestead of either Grantor. The Grantors intend that this conveyance, for federal income tax purposes, be treated as a contribution to the capital of the Grantee.

IN WITNESS WHEREOF, the Grantors have executed this Warranty Deed this 31<sup>st</sup> day of December 1996

Joe J. Joseph  
JOE J. JOSEPH

Ernest Joseph  
ERNEST JOSEPH

STATE OF ALABAMA )

JEFFERSON COUNTY )

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that JOE J. JOSEPH, whose name 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 executed the same voluntarily on the day the same bears date.

Given under my hand this 31<sup>st</sup> day of December 1996

TAMMY H. LANIER  
Notary Public  
My Commission Expires: \_\_\_\_\_

STATE OF ALABAMA )

MY COMMISSION EXPIRES OCTOBER 20, 1999

JEFFERSON COUNTY )

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that ERNEST JOSEPH, whose name 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 executed the same voluntarily on the day the same bears date.

Given under my hand this 31<sup>st</sup> day of December 1996

TAMMY H. LANIER  
Notary Public  
My Commission Expires: MY COMMISSION EXPIRES OCTOBER 20, 1999

"EXHIBIT A"

A parcel of land being situated in the North 1/2 of the SW 1/4 of the NE 1/4 of Section 2, Township 21 South, Range 3 West in Shelby County, Alabama, and being described as follows:

Commence at the SW corner of the North 1/2 of the SW 1/4 of the NE 1/4 of Section 2, Township 21 South, Range 3 West; thence South 87 deg. 44 min. 22 sec. East along the South line of said North 1/2 of said 1/4 1/4 section a distance of 1132.88 feet to the northwesterly right of way line of Alabama Highway 119; thence North 35 deg. 02 min. 19 sec. East and run along said right of way a distance of 307.74 feet; thence North 33 deg. 13 min. 58 sec. East and run along said right of way a distance of 12.92 feet to the point of beginning; thence North 33 deg. 13 min. 58 sec. East and run a distance of 147.51 feet; thence North 50 deg. 04 min. 54 sec. West and leaving said right of way run a distance of 126.60 feet; thence North 51 deg. 47 min. 04 sec. West and run a distance of 23.52 feet; thence South 41 deg. 52 min. 49 sec. West and run a distance of 140.00 feet; thence South 48 deg. 07 min. 16 sec. East and run a distance of 172.18 feet to the point of beginning; being situated in Shelby County, Alabama.

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