

THIS INSTRUMENT PREPARED BY:  
 SUSAN R. GIRARDEY  
 RUST ENVIRONMENT & INFRASTRUCTURE  
 3535 GRANDVIEW PARKWAY, SUITE 325  
 BIRMINGHAM, ALABAMA 35243

STATE OF ALABAMA )

COUNTY OF SHELBY )

TRACT NO. 3 REV

Inst # 1998-07163

FREE SIMPLE

## WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, for and in consideration of the sum of Forty-five Thousand and no/100 (\$45,000.00) dollars, cash in hand paid to the undersigned by the State of Alabama, the receipt of which is hereby acknowledged, we (I) the undersigned grantor(s), Interstate Restaurant Investors have (has) this day bargained and sold, and by these presents do hereby grant, bargain, sell and convey unto the State of Alabama the following described property, lying and being in SHELBY County, and being more particularly described as follows:

And as shown on the right-of-way map of Project No. STPAA-7136(1) of record in the Alabama Department of Transportation a copy of which is also deposited in the Office of the Judge of Probate of Shelby County, Alabama as an aid to persons and entities interested therein and as shown on the Property Plat attached hereto and made a part hereof:

A part of the SE¼ of the SW¼ of Section 31, Township 19 South, Range 2 West identified as Tract No. 3 on Project No. STPAA-7136(1) in Shelby County, Alabama and being more fully described as follows:

Commencing at the southeast corner of said SE¼ of the SW¼; thence north along the east line of said SE¼ of the SW¼ a distance of 830 feet, more or less, to the present south right-of-way line of Alabama Highway 119; thence westerly along said right-of-way line a distance of 1097 feet, more or less, to the northeast property line and the point of beginning of the property herein to be conveyed; thence continue westerly along said south right of way line a distance of 148 feet, more or less, to the west property line; thence southerly along said property line a distance of 30 feet, more or less, to a point that is 70 feet southerly of and at right angles to the centerline of said project; thence easterly, parallel with said centerline, a distance of 148 feet, more or less, to the east property line; thence northeasterly along said east property line a distance of 30 feet, more or less, to the point of beginning.

Containing 0.10 acre, more or less.

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03/03/1998-07163  
 09:44 AM CERTIFIED  
 SHELBY COUNTY JUDGE OF PROBATE  
 004 NCB 17.00

TO HAVE AND TO HOLD, unto the State of Alabama, it's successors and assigns in fee simple forever.

AND FOR THE CONSIDERATION AFORESTATED, we (I) do for ourselves (myself), for our (my) heirs, executors, administrators, successors and assigns covenant to and with the State of Alabama that we (I) are (am) lawfully seized and possessed in fee simple title for said tract or parcel of land hereinabove described; that we (I) have a good and lawful right to sell and convey the same as aforesaid; that the same is free of all encumbrances, liens and claims, except the lien for ad valorem taxes which attached on October 1, last past, and which is to be paid by the grantor, and that we (I) will forever warrant and defend the title thereto against the lawful claims of all persons whomsoever.

THE GRANTOR(S) HEREIN FURTHER COVENANT(S) AND AGREE(S), that the purchase price above stated is in full compensation to them (him-her) for this conveyance, and hereby release the State of Alabama and all of it's employees and officers from any and all damages to their (his-her) remaining property arising out of the location, construction, improvement, landscaping, maintenance or repair of any public road or highway that may be so located on the property herein conveyed.

IN WITNESS WHEREOF, we (I) have hereunto set our (my) hand(s) and seal(s) this the 16 day of OCTOBER, 1997.

Interstate Restaurant Investors

BY:

JOHN C. DENNEN L.S.  
Its GENERAL MANAGER  
JOHN C. DENNEN L.S.

## ACKNOWLEDGMENT

STATE OF ALABAMA )

COUNTY OF SHELBY)

I, the undersigned authority, a Notary Public, in and for said  
County, in said State, hereby certify that Frank C. Ellis, Jr.  
, whose name(s)   
 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 this conveyance, he executed  
the same voluntarily on the day the same bears date.

Given under my hand and official seal this 9th day of October 1997.

Paula Head NOTARY PUBLIC

My Commission Expires 01-19-2000

## ACKNOWLEDGMENT FOR CORPORATION

STATE OF ALABAMA

Deppa County

I, JOHN F. BURMAN JR., a NOTARY PUBLIC  
in and for said County, in said State, hereby certify that JOHN C. BOWEN  
whose name as GUYTON PARTWINE  
of the INDEPENDENT RETAILMENT INDUSTRIES Company, a GUYTON PARTWINE  
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 Partwine officer and with full  
authority, executed the same voluntarily for and as the act of said corporation Partwine

Given under my hand this 16 day of NOV A. D. 1997

Official Title

NOTARY PUBLIC

# ANNALS

RECEIVED  
JAN 21 1964

# ASSTY OF CITIES

100

—

Judge of Probate in and for said State and County.

entirely certain that the witness conveyance was in-

ent in my office at \_\_\_\_\_ o'clock \_\_\_\_\_ A.M., on \_\_\_\_\_

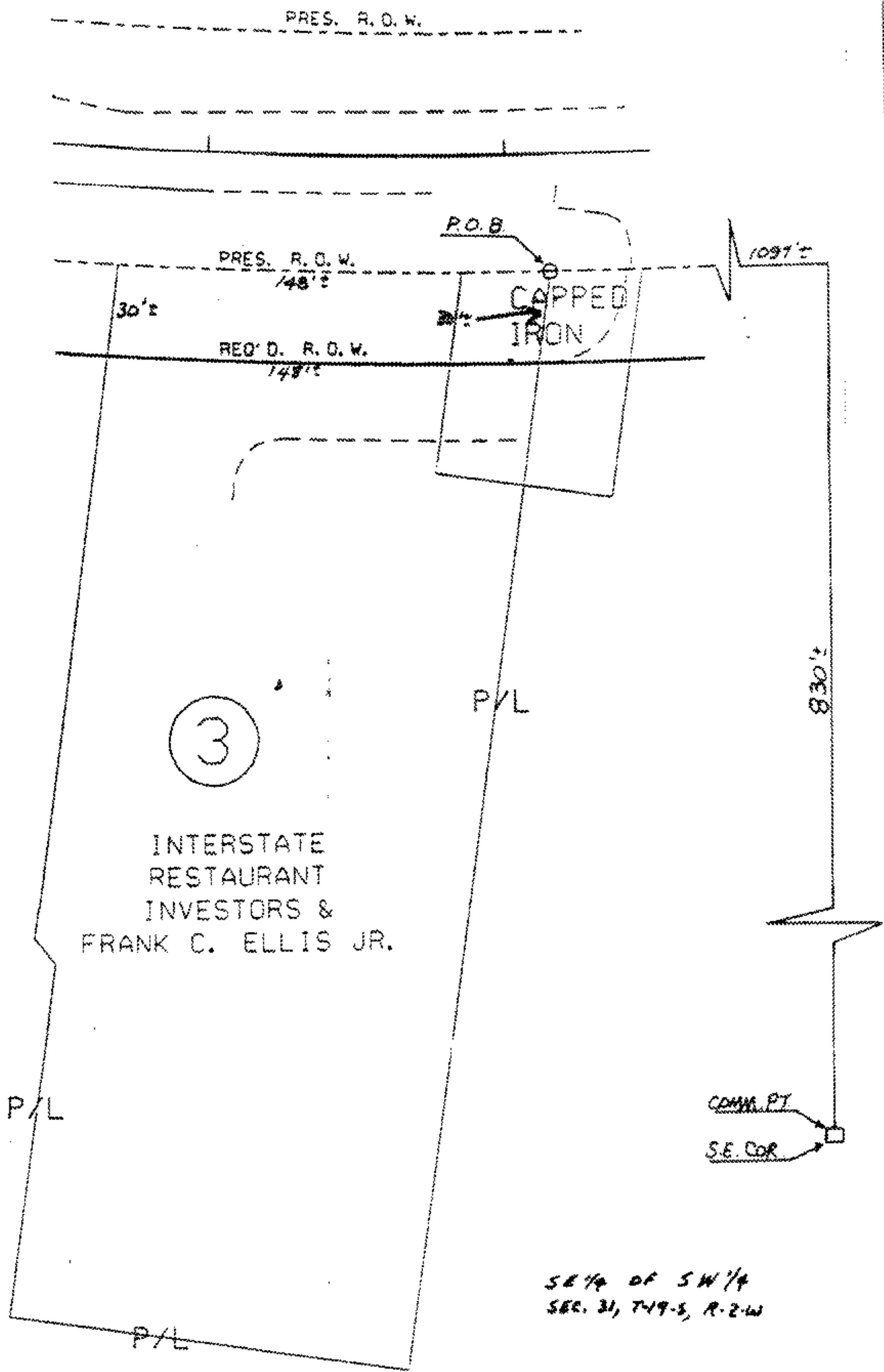
the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_ and duly

recorded in Deed Record page \_\_\_\_\_

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03/03/1998-07163  
09:44 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
DOH MCB 17.00

Inst. # 1998-07163

ALABAMA DEPARTMENT OF TRANSPORTATION  
SHELBY COUNTY  
PROJECT NO. STPAA-7136(1)

SCALE: 1"=50'

TOTAL ACRES: 1.17  
REQ'D. R/W: 0.10  
AC. REMAINING: 1.07

TRACT NO. 3  
OWNER : INTERSTATE RESTAURANT  
INVESTORS & FRANK C. ELLIS, JR.