

STATE OF ALABAMA )

COUNTY OF SHELBY )

✓ This instrument was prepared by  
Rachel J. Moore  
2125 Morris Avenue  
Birmingham, AL 35203

**VERIFIED CLAIM OF LIEN**

McGinnis Farms, Inc., a corporation qualified under the laws of the State of Alabama, by and through Scott Gaskins, who has personal knowledge of the facts herein set forth, files this statement in writing, verified by his oath. McGinnis Farms, Inc. claims a lien upon certain real property located at 800 Corporate Ridge Drive, Birmingham, Alabama and situated in Shelby County, Alabama, more particularly described as follows, to-wit:

**SEE ATTACHED EXHIBIT A**

This lien is claimed, separately and severally, as to the land, buildings and improvements thereon to the extent of the entire lot or parcel which is contained within a city or town. If said land is not within a city or town, this lien is claimed, separately and severally, as to the buildings and improvements located on the above-described real property, plus one (1) acre of land surrounding and contiguous thereto.

This lien is claimed on the above mentioned land, buildings and improvements to secure the indebtedness owed by Enviro-scape, Inc. in the amount of FIVE THOUSAND SIX HUNDRED NINETY DOLLARS and 13/100s (\$5,690.13), said sum being due and owing after all credits have been given from the 15th day of December, 1997, and which sum, plus attorney fees and interest thereon, is presently due and unpaid.

Inst # 1998-12463

04/07/1998-12463  
03:06 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
004 MCD 17.00

Inst # 1998-12463

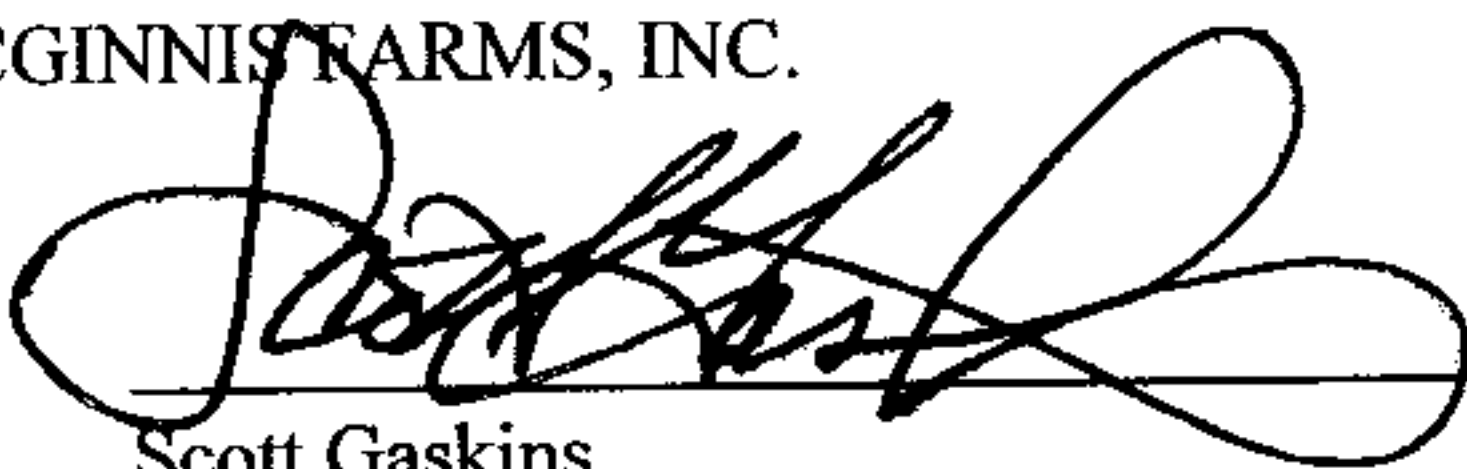


This sum of money is due and owing for materials supplied by McGinnis Farms, Inc., said materials and labor being used for the construction of the buildings and improvements on the above-described real property.

The owner or proprietor of the above-described real property is Rafiki Hotels, L.L.C. The mortgage holder is Aliant Bank.

MCGINNIS FARMS, INC.

By:

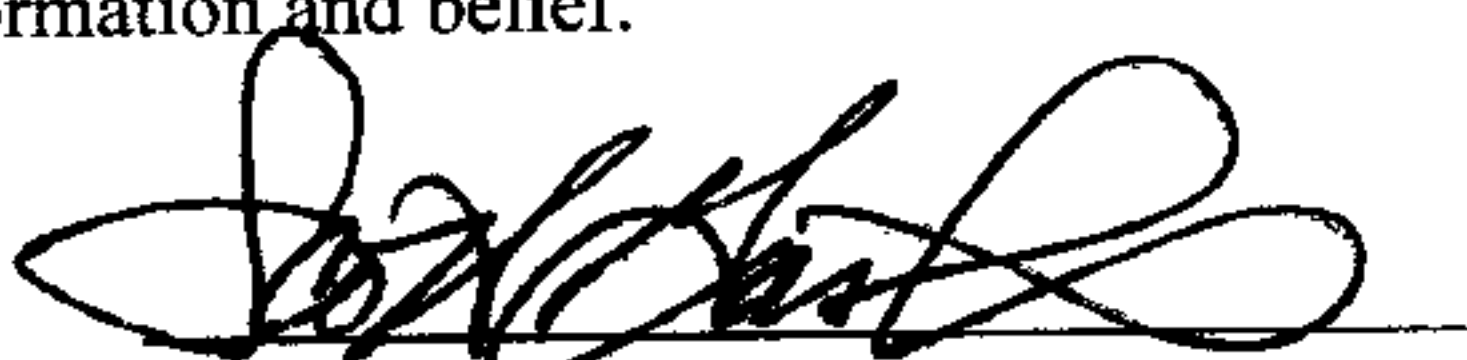
  
Scott Gaskins

Its: Branch Manager

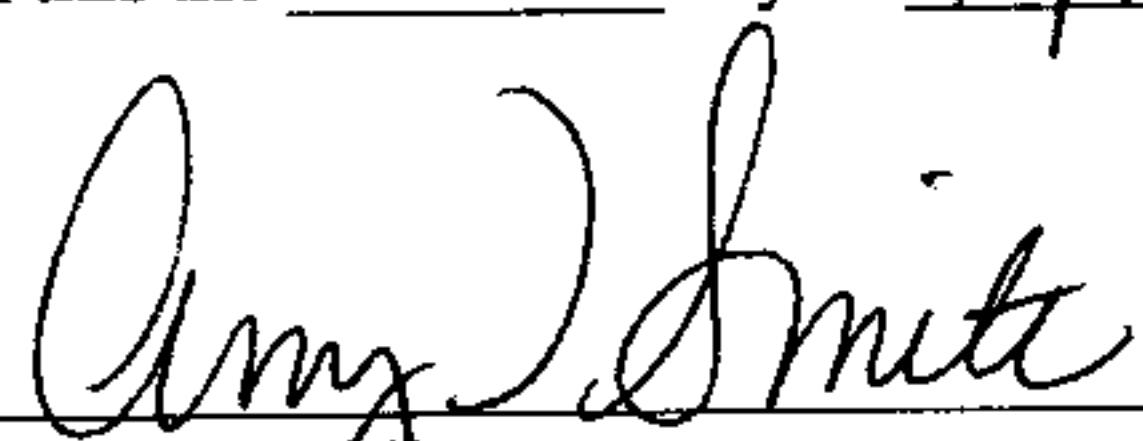
STATE OF ALABAMA )

COUNTY OF SHELBY )

Before me, the undersigned, a Notary Public, in and for the County in said State, personally appeared, Scott Gaskins, who being duly sworn, deposes and says as follows: That he has personal knowledge of the facts set forth in the foregoing statement of lien and that the same are true and correct to the best of his knowledge, information and belief.

  
Scott Gaskins

Sworn to and Subscribed before me on this the 7th day of April, 1998.

  
Notary Public

My Commission Expires: 12-9-99



Exhibit "A"

SEND TAX NOTICE TO:  
Rafiki Hotels, L.L.C.  
c/o Mr. Kirit Patel  
4981 Heather Pointe  
Birmingham, AL 35242

**STATUTORY WARRANTY DEED**

THIS STATUTORY WARRANTY DEED is executed and delivered on this 30<sup>th</sup> day of August, 1996 by DANIEL U.S. PROPERTIES LIMITED PARTNERSHIP II, an Alabama limited partnership ("Grantor"), in favor of RAFIKI HOTELS, L.L.C., an Alabama limited liability company ("Grantee").

KNOW ALL MEN BY THESE PRESENTS, that for and in consideration of the sum of Ten and No/100 Dollars (\$10.00), in hand paid by Grantee to Grantor and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by Grantor, Grantor does by these presents, GRANT, BARGAIN, SELL and CONVEY unto Grantee the following described real property (the "Property") situated in Shelby County, Alabama:

Lot 2D-2, according to the Resurvey of Lot 2D, Meadow Brook Corporate Park-Phase I, as recorded in Map Book 21, Page 92 in the Office of the Judge of Probate of Shelby County, Alabama.

The Property is conveyed subject to the following:

1. Ad valorem taxes due and payable October 1, 1996 and all subsequent years thereafter.
2. Fire district dues and library district assessments for the current year and all subsequent years thereafter.
3. Declaration of Covenants, Conditions and Restrictions for Meadow Brook Corporate Park, dated as of October 17, 1984 and recorded in Book 005, Page 772 in the Office of the Judge of Probate of Shelby County, Alabama (the "Probate Office"), as amended by First Amendment thereto dated March 28, 1988 and recorded in Book 177, Page 269 in the Probate Office, Second Amendment thereto dated June 22, 1993 and recorded as Instrument No. 1993-18243 in the Probate Office, Third Amendment thereto dated August 26, 1996 and recorded as Instrument No. 1996-27981 in the Probate Office and Fourth Amendment thereto dated August 27, 1996 and recorded as Instrument No. 1996-28517 in the Probate Office.
4. All easements, restrictions, rights-of-way, reservations and other matters of record.

TO HAVE AND TO HOLD unto the said Grantee, his heirs, executors, personal representatives and assigns, forever.

R:\MDWBROOK\WARRANTD.KIR

09/04/1996-28947  
08:23 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 REC 811.00

Inst # 1996-28947

Alabama



IN WITNESS WHEREOF, the undersigned DANIEL U.S. PROPERTIES LIMITED PARTNERSHIP II has caused this Statutory Warranty Deed to be executed as of the day and year first above written.

**DANIEL U.S. PROPERTIES  
LIMITED PARTNERSHIP II, an  
Alabama limited partnership**

By: Daniel Realty Investment  
Corporation, a Virginia corporation  
Its General Partner

By: *Charles T. Carlisle*  
Its: Sr. Vice President

Inst # 1998-12463

04/07/1998-12463

03:06 PM CERTIFIED

SHELBY COUNTY JUDGE OF PROBATE

004 NCD 17.00

STATE OF ALABAMA )

SHELBY COUNTY )

I, the undersigned, a Notary Public in and for said county, in said state, hereby certify that CHARLES T. CARLISLE whose name as Sr. Vice President of DANIEL REALTY INVESTMENT CORPORATION, a Virginia corporation, as General Partner of DANIEL U.S. PROPERTIES LIMITED PARTNERSHIP II, an Alabama limited partnership, 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 said instrument, he, as such officer and with full authority, executed the same voluntarily on the day the same bears date for and as the act of such corporation in its capacity as general partner.

Given under my hand and official seal, this the 30th day of August, 1996.

*Sheila A. Ellis*

Notary Public

My Commission Expires: 2/26/98

THIS INSTRUMENT PREPARED BY  
AND UPON RECORDING SHOULD BE  
RETURNED TO:  
Stephen R. Monk  
Daniel Corporation  
P.O. Box 385001  
Birmingham, Alabama 35238-5001

Inst # 1996-28947

R:\MDWBROOK\WARRANTD.KIR

-2-

09/04/1996-28947  
08:23 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 NCD 811.00