

SEND TAX NOTICE TO:  
Ellis Investments, LLC  
111 N. Main Street  
Columbiana, AL 35051

STATE OF ALABAMA )  
SHELBY COUNTY )

56,250.00

STATUTORY WARRANTY DEED

THIS IS A STATUTORY WARRANTY DEED executed and delivered as of June 26, 1998 by JOHN MCGEEVER, in his capacity as attorney-in-fact for FRANK C. ELLIS, JR., a married man (the "Grantor"), pursuant to Durable Power of Attorney dated June 25, 1998, and recorded as Instrument No. 1998-23940, to ELLIS INVESTMENTS, LLC, an Alabama limited liability company (the "Grantee").

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of the sum of Ten Dollars and No/100 (\$10) paid to the Grantor, the receipt and sufficiency of which is acknowledged, the Grantor does by these presents, grant, bargain, sell and convey unto the Grantee an undivided 12.5% interest in and to the real estate located in Pelham, Shelby County, Alabama and described in Exhibit "A" attached hereto, together with all appurtenances, roads, alleys and ways bounding said premises, belonging to, or in any way appertaining to said premises.

This conveyance is subject to easements and restrictions of record.

This property is not the homestead of Grantor.

TO HAVE AND TO HOLD unto the said Grantee, together with all and singular tenements, hereditaments and appurtenances belonging or appertaining to and unto their heirs and assigns forever.

The Grantor does hereby covenant with the said Grantee, its successors and assigns, that the Grantor will, and its successor and assigns shall, warrant and defend the same to the said Grantee against the lawful claims of all persons claiming by, through or under the Grantor, but not further, or otherwise.

IN WITNESS WHEREOF, the Grantor has caused this Statutory Warranty Deed to be executed and delivered as of the date first shown above.



FRANK C. ELLIS, JR., by John McGeever, his attorney-in-fact

Inst # 1998-23947


06/26/1998-23947  
03:28 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
003 MEL 50.00

Inst # 1998-23947

STATE OF ALABAMA )  
JEFFERSON COUNTY )

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that John McGeever, whose name as attorney-in-fact for Frank C. Ellis, Jr. is signed to the foregoing Statutory Warranty Deed and who is known to me, acknowledged before me on this day that, being informed of the contents of said instrument, he, executed the same, as such attorney-in-fact, voluntarily on the day the same bears date, for and as the act of Frank C. Ellis, Jr.

GIVEN under my hand and official seal this the 26 day of June, 1998.

  
NOTARY PUBLIC

My Commission Expires: 3/12/2001

THIS INSTRUMENT PREPARED BY:

William R. Sylvester  
Walston, Wells, Anderson, & Bains, LLP  
505 20th Street North  
Suite 500  
Birmingham, AL 35203

F:\USERS\JCARLSON\MCGEEVER\ELIS-LLC.SWD

## DESCRIPTION

EXHIBIT "A"

A parcel of land containing 7.183 Acres more or less (312,872.931 square feet), located in the Southwest Quarter of Section 31, Township 19 South, Range 2 West and the Northwest Quarter of Section 6, Township 20 South, Range 2 West, Shelby County, Alabama; more particularly described as follows:

Commence at the Southeast corner of the Southwest Quarter of Section 31; thence run North along the Quarter line 506.79 feet; thence left  $121^{\circ}25'36''$ , 517.90 feet; to the Point of Beginning; thence continue Southwesterly along the same course a distance of 808.06 feet to the Southeast corner of Jenkins Brick Company; thence right  $129^{\circ}39'08''$  Northerly along the East line of Jenkins Brick Company 727.32 feet to the Northeast corner of Interstate Restaurant Investors being also a point on a curve on the Southerly Right-of-Way line of Alabama Highway No. 119 (an 80' R.O.W.) having a radius of 1949.89 feet, a central angle of  $14^{\circ}34'51''$  and a chord of 494.92 feet; thence turn right  $74^{\circ}24'29''$  to the chord of said curve and run Easterly then Northeasterly along the arc of said curve 496.22 feet, concave Northerly; thence with an interior angle left of  $97^{\circ}17'26''$  from said chord Southeasterly 374.13 feet to the Point of Beginning.

LESS AND EXCEPT the following described right-of-way:

A part of the SE 1/4 of the SW 1/4 of Section 31, Township 19 South, Range 2 West, identified as Tract No. 4 on Project No. STPAA-7136(1) in Shelby County, Alabama and being more fully described as follows:

Commencing at the SE corner of said SE 1/4 of the SW 1/4; thence North along the East line of said SE 1/4 of the SW 1/4 a distance of 830 feet, more or less, to a point on the present South right-of-way line of Alabama Highway 119; thence Southwesterly along said right-of-way line a distance of 590 feet, more or less, to the NE property line, and the Point of Beginning of the property herein to be conveyed; thence southeasterly along said Northeast property line a distance of 30 feet, more or less, to a point that is 70 feet Southeasterly of and at right angles to the centerline of said project; thence Southwesterly, parallel with said centerline a distance of 108 feet, more or less, to a point that is 70 feet Southeasterly of and at right angles to said centerline at Station 18+00; thence Southwesterly a distance of 402 feet, more or less, to the West property line; thence northerly along said property line a distance of 30 feet, more or less, to the South right-of-way line of Alabama Highway 119; thence Northeasterly along said right-of-way line a distance of 498 feet, more or less, to the Point of Beginning.

NOTES CORRESPONDING TO SCHEDULE B - PART II ITEMS

FIRST AMERICAN TITLE INSURANCE COMPANY

COMMITMENT NO. 114266

Dated 11/13/97

Revised 12/3/97

Revised 2/1/98

03:28 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
DOUGLAS W. NELSON

CARR + ASSOCIATES ENGINEERS

REVISIONS

DESCRIPTION

BY

PREVIEW

DATE