

This document prepared by:  
Mary Patricia Burns, Esq.  
Burke Burns & Pinelli, Ltd.  
Three First National Plaza  
Suite 3910  
Chicago, Illinois 60602

Inst # 1998-38439

10/02/1998-38439  
09:29 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
007 CRH 24.00

### **QUITCLAIM DEED**

**MOA-TL CORP.**, a Delaware corporation, located at 701 Lee Street, Des Plaines, Illinois, pursuant to a resolution by its Board of Directors, (hereinafter called "**Grantor**"), for and in consideration of the sum of TEN AND NO/ DOLLARS (\$10.00) and other good and valuable consideration to it paid by **KANTA S. PATEL**, a Mississippi resident, located at c/o Royal Inn, 2905 South Frontage Road, Meridian, Mississippi 39301 (hereinafter called "**Grantee**"), the receipt and sufficiency of which are hereby acknowledged and confessed, by these presents does hereby **REMISE, REMIT, RELEASE, QUITCLAIM AND CONVEY** unto Grantee, her successors and assigns forever, all of its right, title and interest in and to the following described Property, in the City of Pelham, County of Shelby and State of Alabama, to-wit:

**PROPERTY ADDRESS:** 410 Oak Mountain Road, Pelham, Alabama 35124.

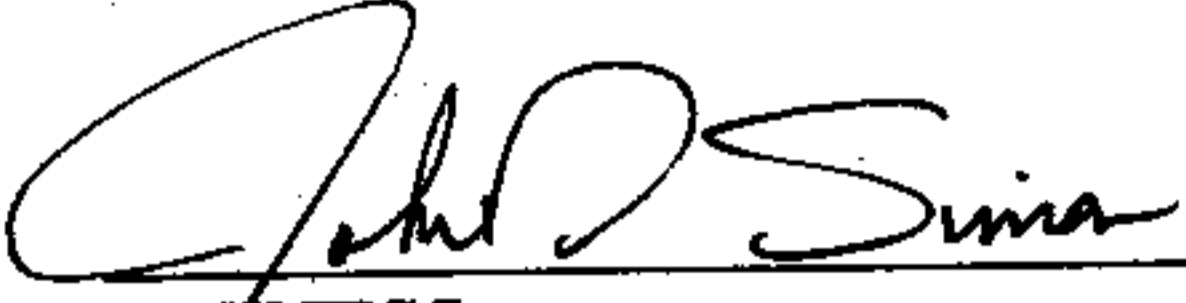
SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF; subject, however, to covenants, conditions, restrictions, limitations and easements of record.

Together with (i) all and singular, all of Grantor's right, title and interest in and to all rights, benefits, privileges, easements, tenements, and appurtenances thereon and pertaining thereto, including all of Grantor's right, title and interest in and to any adjacent streets, roads, alleys, easements and rights-of-way, (ii) all of Grantor's right, title and interest in and to any and all improvements and buildings located on the real property, and (iii) all of Grantor's right, title and interest in and to any and all fixtures affixed or attached to, or situated upon, or acquired or used in connection therewith (the real property, together with the rights, appurtenances and interests, improvements, buildings, and fixtures being collectively called the "**Property**"), subject to, however, those exceptions and encumbrances set forth on Exhibit "B" attached hereto and made a part hereof for all purposes (the exceptions and encumbrances being called the "**Permitted Encumbrances**").

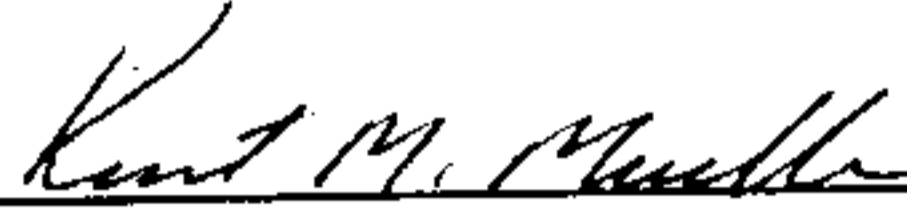
TO HAVE AND TO HOLD the Property unto Grantee, her successors and assigns  
FOREVER.

**GRANTOR:**

**MOA-TL CORP.,**  
a Delaware corporation

  
WITNESS

  
WITNESS

By:   
Kurt Mueller  
as Chief Financial Officer

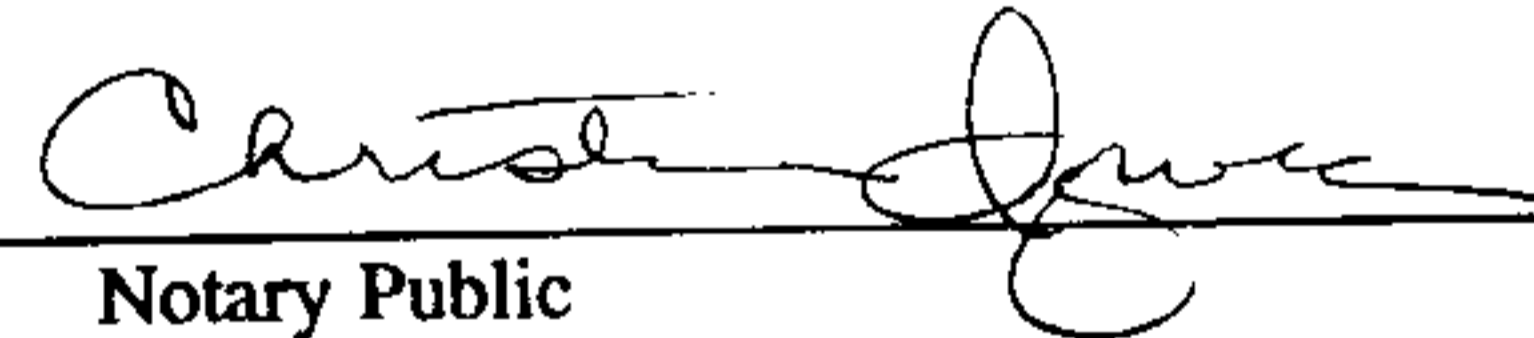
Date of Execution: 9/25/98

STATE OF ILLINOIS     )  
                                  ) SS:  
COUNTY OF COOK     )

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that **KURT MUELLER** as Chief Financial Officer of **MOA-TL CORP.**, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that he signed, sealed and delivered said instrument for said corporation and that he is authorized to do so, for the uses and purposes therein set forth.

Given under my hand and official seal, this 25 day of September, 1998.

~~~~~  
"OFFICIAL SEAL"  
Christina Szewc  
Notary Public, State of Illinois  
My Commission Exp. 06/20/2001  
~~~~~

  
Notary Public

My Commission Expires: 6/20/2001

## **EXHIBIT A**

### **LEGAL DESCRIPTION**

#### **PARCEL I:**

Part of the Southeast 1/4 of Section 31, Township 19 South, Range 2 West, Shelby County Alabama, more particularly described as follows:

Commence at the Southwest corner of said 1/4 Section; thence run East along the South line of same for 1,826.71 feet; thence 122° 59' 53" left and run Northwesterly for 399.97 feet to a point on the Northerly right of way line of Oak Mountain Park Road; thence continue Northwesterly along the same course for 846.69 feet; thence 91° 18' 39" right and run Northeasterly for 152.01 feet; thence 90° 00' left and run Northwesterly for 349.02 feet; thence 90° 00' left and run Southwesterly for 160.00 feet; thence 88° 41' 21" right and run Northwesterly for 25.0 feet to a point on the South right of way line of Alabama Highway 119, thence 91° 18' 39" right and run Northeasterly along said right of way for 253.07 feet; thence 14° 02' 10" right and continue Northeasterly for 9.51 feet to a point on the Southerly right of way line of a County Road; thence 30° 57' 50" right and run Easterly along said right of way line for 62.56 feet to an angle point in said right of way; thence 45° 00' right and run Southeasterly along said right of way line for 390.67 feet to an angle point in said right of way; thence 90° 00' left and run Northeasterly for 132.98 feet to the point of beginning; thence continue along same course for 243.00 feet; thence 90° 00' right and run Southeasterly for 222.83 feet to the approximate Floodway Location of Bishop Creek; thence 123° 03' 13" right and run Northwesterly along said floodway line for 40.58 feet to an angle point; thence 7° 52' 59" left and run Northwesterly along said floodway line for 230.91 feet; thence 64° 49' 46" right and run Northwesterly for 102.50 feet to the point of beginning; being situated in Shelby County, Alabama.

#### **PARCEL II:**

Part of Southeast 1/4 of Section 31, Township 19 South, Range 2 West, Shelby County, Alabama, more particularly described as follows:

Commence at the Southwest corner of said 1/4 Section; thence run East along the South line of same for 1,826.71 feet; thence 122° 59' 53" left and run Northwesterly for 399.97 feet to a point on the Northerly right of way line of Oak Mountain Park Road; thence continue Northwesterly along the same course for 846.69 feet; thence 91° 18' 39" right and run Northeasterly for 152.01 feet; thence 90° 00' left and run Northwesterly for 349.02 feet; thence 90° 00' left and run Southwesterly for 160.00 feet; thence 88° 41' 21" right and run Northwesterly for 25.0 feet to a point on the South right of way line of Alabama Highway 119 thence 91° 18' 39" right and run Northeasterly along said right of way line for 253.07 feet; thence 14° 02' 10" right and continue Northeasterly for 9.51 feet to a point on the Southerly right of way line of a County Road thence 30° 57' 50" right and run Easterly along said right of way line for 62.56 feet to an angle point in said right of way; thence 45° 00' right and run Southeasterly along said right of way line for 390.67 feet to an angle point in said right of way; thence 90° 00' left and run Northeasterly for 575.90 feet to a point on the Westerly right of way line of I-65 Service Drive; thence 86° 19' 31" right and run Southeasterly along said right of way line for 142.98 feet; thence 22° 07' 10" right and run Southeasterly along said right of way line for 187.31

feet to a point on the approximate floodway line of Bishop Creek; thence  $104^{\circ} 36' 32''$  right and run Northwesterly along said floodway line for 144.84 feet to the point of beginning; thence continue Northwesterly along the same line for 34.0 feet thence  $56^{\circ} 56' 47''$  right and run Northwesterly for 95.24 feet; thence  $100^{\circ} 30' 00''$  right and run Northeasterly for 78.50 feet; thence  $105^{\circ} 34' 45''$  right and run Southerly for 110.75 feet to the point of beginning; being situated in Shelby County, Alabama.

#### PARCEL III:

A non-exclusive easement for the purpose of providing access, said easement being more particularly described as follows:

All that tract or parcel lying and being in Shelby County, in the City of Pelham, Alabama, and being more particularly described as follows:

Beginning at the Northeasterly property corner at the right of way of Oak Mountain Park Circle of the Thriftlodge Motel site; thence run South  $56^{\circ} 03' 03''$  West a distance of 22.00 feet to a point, the TRUE POINT OF BEGINNING; thence run South  $33^{\circ} 02' 57''$  East a distance of 75.60 feet to a point; thence run South  $53^{\circ} 45' 49''$  East a distance of 76.66 feet to a point; thence run South  $78^{\circ} 31' 01''$  East a distance of 60.70 feet to a point, thence run South  $06^{\circ} 53' 04''$  East a distance of 22.07 feet to a point; thence run North  $78^{\circ} 31' 01''$  West a distance of 68.67 feet to a point; thence run North  $53^{\circ} 45' 49''$  West a distance of 90.41 feet to a point; thence run North  $33^{\circ} 02' 57''$  West a distance of 79.62 feet to a point; thence run North  $56^{\circ} 57' 03''$  East a distance of 22.0 feet to a point, the TERMINUS POINT of this description.

#### PARCEL IV:

A 6 foot wide sign easement; being a part of Southeast 1/4 of Section 31, Township 19 South Range 2 West, Shelby County, Alabama, more particularly described as follows:

Commence at the Southwest corner of said 1/4 section; thence run East along the South line of same for 1,826.71 feet; thence  $122^{\circ} 59' 53''$  left and run Northwesterly for 399.97 feet to a point on the Northerly right of way line of Oak Mountain Park Road; thence continue Northwesterly along the same course for 846.69 feet; thence  $91^{\circ} 18' 39''$  right and run Northeasterly for 152.01 feet; thence  $90^{\circ} 0'$  left and run Northwesterly for 349.02 feet; thence  $90^{\circ} 0'$  left and run Southwesterly for 160.00 feet; thence  $88^{\circ} 41' 21''$  right and run Northwesterly for 25.0 feet to a point on the South right of way line of Alabama Highway 119; thence  $91^{\circ} 18' 39''$  right and run Northeasterly along said right of way line for 253.07 feet; thence  $14^{\circ} 02' 10''$  right and continue Northeasterly for 9.51 feet to a point on the Southerly right of way line of a county road; thence  $30^{\circ} 57' 50''$  right and run Easterly along said right of way line for 62.56 feet to an angle point in said right of way; thence  $45^{\circ} 0'$  right and run Southeasterly along said right of way line for 390.67 feet to an angle point in said right of way; thence  $90^{\circ} 0'$  left and run Northeasterly for 575.98 feet to a point of the Westerly right of way line of 1-65 service drive; thence  $86^{\circ} 19' 31''$  right and run Southeasterly along said right of way line for 142.98 feet; thence  $22^{\circ} 07' 10''$  right and run Southeasterly along said right of way line for 187.31 feet to a point on the approximate floodway line of Bishop Creek; thence  $104^{\circ} 36' 32''$  right and run Northwesterly along said floodway for 144.84 feet; thence  $83^{\circ} 1$  minute  $32''$  right and run

Northwesterly for 104.53 feet to the point of beginning of said easement; thence continue Northwesterly along the same course of 6.22 feet; thence run  $74^{\circ} 25' 15''$  right and run Northeasterly for 53.00 feet; thence  $90^{\circ} 0'$  right and run Southeasterly for 6.0 feet; thence  $90^{\circ} 0'$  right and run Southwesterly for 54.67 feet to the point of beginning.

#### PARCEL V:

A 22 foot wide ingress egress easement; said easement being 11 feet wide on each side of the following described center line:

Part of Southeast 1/4 of Section 31, Township 19 South, Range 2 West, Shelby County, Alabama more particularly described as follows:

Commence at the Southwest corner of said 1/4 section; thence run East along the South line of same for 1,826.71 feet; thence  $122^{\circ} 59' 53''$  left and run Northwesterly for 399.97 feet to a point on the Northerly right-of-way line of Oak Mountain Park Road; thence continue Northwesterly along the same course for 846.69 feet; thence  $91^{\circ} 18' 39''$  right and run Northeasterly for 152.01 feet; thence  $90^{\circ} 0'$  left and run Northwesterly for 349.02 feet; thence  $90^{\circ} 0'$  left and run Southwesterly for 160.00 feet; thence  $88^{\circ} 41' 21''$  right and run Northwesterly for 25.0 feet to a point on the South right-of-way line of Alabama Highway 119; thence  $91^{\circ} 18' 39''$  right and run Northeasterly along said right-of-way line for 253.07 feet; thence  $14^{\circ} 2' 10''$  right and continue Northeasterly for 9.51 feet to a point on the Southerly right-of-way line of a county road; thence  $30^{\circ} 57' 50''$  right and run Easterly along said right-of-way line for 62.56 feet to an angle point in said right-of-way thence  $45^{\circ} 0'$  right and run Southeasterly along said right-of-way line for 390.67 feet to an angle point in said right-of-way; thence  $90^{\circ} 0'$  left and run Northeasterly for 575.98 feet to a point on the Westerly right-of-way line of I-65 service drive; thence  $86^{\circ} 19' 31''$  right and run Southeasterly along said right-of-way line for 142.98 feet; thence  $22^{\circ} 7' 0''$  right and run Southeasterly along said right-of-way line for 187.31 feet to a point on the approximate floodway line of Bishop Creek; thence  $104^{\circ} 36' 32''$  right and run Northwesterly along said floodway for 144.84 feet; thence  $83^{\circ} 01' 32''$  right and run Northwesterly for 69.75 feet to the point of beginning of said center line of said easement; thence  $85^{\circ} 24' 5''$  right and run along said center line Northeasterly for 31.25 feet; thence  $11^{\circ} 34' 23''$  right and run East for 103.01 feet to a point on the West right-of-way of Oak Mountain State Park Road; said point being the end of the center line of said ingress-egress easement.

#### PARCEL VI:

A non-exclusive easement for the purpose of use as a Dumpster Pad site, said easement being more particularly described as follows:

All that tract or parcel lying and being in Shelby County in the City of Pelham, Alabama, and being more particularly described as follows:

Beginning at the Northeast property corner at the right of way of Oak Mountain Park Circle of the Thriftlodge Motel site; thence run South  $56^{\circ} 57' 03''$  West a distance of 22.0 feet to a point; thence run South  $33^{\circ} 02' 57''$  East a distance of 75.60 feet to a point; thence run South  $53^{\circ} 45' 49''$  East a distance of 76.66 feet; thence run South  $78^{\circ} 31' 01''$  East a distance of 60.70 feet to a point; thence

run South  $06^{\circ} 53' 04''$  East a distance of 22.00 feet to a point; thence run South  $78^{\circ} 31' 01''$  West a distance of 6.80 feet to a point, the TRUE POINT OF BEGINNING; thence run South  $60^{\circ} 15' 38''$  East a distance of 15.36 feet to a point; thence run South  $29^{\circ} 44' 22''$  West a distance of 19.5 feet to a point; thence run North  $60^{\circ} 15' 38''$  West a distance of 15.36 feet to a point; thence run North  $29^{\circ} 44' 22''$  East a distance of 19.50 feet to a point, the TERMINUS POINT of this description.

## EXHIBIT B

### PERMITTED ENCUMBRANCES

1. Taxes and assessments for the year 1998, and subsequent years, which are not yet due and payable.
2. 12 ½ foot utility and drainage easement on Northwesterly side of subject property, including gas and water lines, as shown on Survey of Joseph A. Miller, Jr., dated 1-12-96. (Parcel I).
3. 20 Foot sanitary sewer easement as shown on Survey of Joseph A. Miller, Jr., dated 1-12-96. (Parcel III).
4. Non-exclusive access easement and maintenance agreement between Forte Hotels International, Inc. and Treetop Enterprises, Inc., recorded in Real 283, page 521, in the Probate Office of Shelby County, Alabama. (Parcel III).
5. Sign easement and agreement executed by Treetop Enterprises, Inc. and Forte Hotels International, Inc., as set out by instrument recorded in 283, page 525, in the Probate Office of Shelby County, Alabama.
6. Easement agreement between Treetop Enterprises, Inc. and Forte Hotels International, Inc. for access easement and maintenance thereof recorded in Real 283, page 527, in the Probate Office of Shelby County, Alabama. (Parcel V).
7. Dumpster easement agreement between Treetop Enterprises, Inc. and Forte Hotels International, Inc. including construction and maintenance thereof, as recorded in Real 283, page 523, in the Probate Office of Shelby County, Alabama. (Parcel VI).
8. Right of way granted to Alabama Power Company recorded in Real 311, page 733, in the Probate Office of Shelby County, Alabama.
9. Any rights, interests or claims which may exist by reason of the following matters disclosed by the ALTA Survey prepared January 12, 1996 by Miller Triplett and Miller Engineers, Inc., and certified by Joseph A. Miller, Jr., P.L.S. #2875:
  - (a) A twenty foot (20') wide unrecorded sanitary sewer easement benefits the subject property and burdens Parcel II.
  - (b) The Travelodge sign intended to lie within the bounds of Parcel IV lies entirely outside the description of said Parcel IV.
  - (c) A concrete curb encroaches onto the Southeast corner of the subject property.
  - (d) Flood light and guard rails protrude over the Southeast property line of Parcel II.
  - (e) An unrecorded 12½ foot wide utility and drainage easement lies along the North property line.

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