

This Instrument Prepared By:  
James F. Burford, III  
Attorney at Law  
Suite 200-A, 100 Vestavia Office Park  
Birmingham, Alabama 35216

Send Tax Notice To:  
R. C. Owen Company  
210 25<sup>th</sup> Avenue North  
Nashville, TN 37203

**STATUTORY WARRANTY DEED**

STATE OF ALABAMA )

SHELBY COUNTY )

**KNOW ALL MEN BY THESE PRESENTS:** That in consideration of Two Hundred Seventy-five Thousand and NO/100 Dollars (\$275,000.00), to the undersigned Grantor (whether one or more), in hand paid by the Grantee herein, the receipt whereof is acknowledged, I, FRANK C. ELLIS, JR. a married man (herein referred to as Grantor, whether one or more), grant, bargain, sell and convey unto R. C. OWEN COMPANY, A KENTUCKY CORPORATION (herein referred to as Grantee, whether one or more), an undivided Twenty Five Percent (25%) interest in the following described real estate, situated in Shelby County, Alabama, to-wit:

See Exhibit "A" attached hereto and incorporated by reference herein.

**SUBJECT TO:** (1) Taxes due in the year 1999 and thereafter; (2) Transmission Line Permit(s) to Alabama Power Company as shown by instrument(s) recorded in Deed Book 55, Page 586; Deed Book 121, Page 255; Deed Book 148, Page 297; Deed Book 194, Page 31 in Probate Office; (3) Right(s)-of-Way(s) granted to South Central Bell by instrument(s) recorded in Deed Book 285, Page 500 in Probate Office; (4) Easement(s) to Alabama Water Company for gas line as shown by instrument recorded in Deed Book 146, Page 211 in Probate Office; (5) Less and except any part of the land lying within road right of way (Parcel II); (6) Easement by and between Interstate Restaurant Investors, LLP, / and Frank C. Ellis, Jr. to the City of Alabaster dated September 20, 1996 as shown by instrument recorded in Inst. #1996-31472 in Probate Office; (7) Location of 10 feet utility easement, telephone line(s), gas lines, water main(s), optic fiber cables, all as shown on survey of Weygand Surveyors dated February 12, 1999, (Parcel II); (8) Encroachment of curb and tie wall onto property as shown on survey of Weygand Surveyors dated February 12, 1999, (Parcel II);

The Property conveyed herein is not the homestead of the Grantor or his spouse.

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

**IN WITNESS WHEREOF**, the undersigned has hereunto set his hand and seal, this the 02 day of March, 1999.

Frank C. Ellis, Jr.  
Frank C. Ellis, Jr.

STATE OF ALABAMA )

COUNTY OF SEKELBY )

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that FRANK C. ELLIS, JR., whose name 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 the foregoing instrument he/she executed the same voluntarily on the day the same bears date.

Given under my hand and seal this 2 day of MARCH, 1999.

  
\_\_\_\_\_  
Notary Public

My Commission Expires: 3-1-2002

# EXHIBIT A

## Parcel I

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

Commence at an iron pin found, purported to be the NE corner of the NW 1/4 of the SE 1/4 of Section 2, Township 21 South, Range 3 West, also being the point of beginning of said Parcel I; thence with a right interior angle of 33 deg. 07 min. 45 sec. from a point South on the East line of the NW 1/4 of the SE 1/4 of said Section 2, proceed in a Southwesterly direction, 180.57 feet to an iron pin set; thence with a left interior angle of 59 deg. 48 min. 13 sec., proceed in a Northwesterly direction, 361.47 feet to a cross set in a concrete curb, said point being in a curve to the right, said curve having a central (delta) angle of 8 deg. 51 min. 53 sec., a radius of 1284.89 feet and an arc length of 198.80 feet; thence with left interior angle of 90 deg. to tangent of said curve, proceed in a Northeasterly direction, along the arc of said curve, 198.80 feet to a cross set in a concrete curb; thence with a left interior angle of 129 deg. 01 min. 57 sec. from the tangent of said previous curve, proceed in a Southeasterly direction, 199.57 feet to a point; thence with a left interior angle of 90 deg. 01 min. 43 sec., proceed in a Southwesterly direction, 164.56 feet to the point of beginning of said parcel; being situated in Shelby County, Alabama.

## Parcel II

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

Commence at an iron pin found, purported to be the NE corner of the NW 1/4 of the SE 1/4 of Section 2, Township 21 South, Range 3 West; thence with a right interior angle of 33 deg. 07 min. 45 sec. from a point South on the East line of the NW 1/4 of the SE 1/4 of said Section 2, proceed in a Southwesterly direction 267.18 feet to an iron pin found, said point being the point of beginning of said parcel; thence continue in a Southwesterly direction, along said previous course, 72.81 feet to an iron pin found; thence with a left interior angle of 89 deg. 58 min. 47 sec.; proceed in a Northwesterly direction, 459.81 feet to an iron pin set on the Easterly right of way of 4th Place Southwest; thence with a left interior angle of 89 deg. 59 min. 30 sec. proceed in a Northeasterly direction, along said right of way, 83.02 feet to a cross set in a concrete curb, said point being on a curve to the left, said curve having a central

Inst # 1999-08966

03/04/1999-08966  
08:55 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
MMS 288.50