

SEND TAX NOTICE TO:

Dayton Hudson Corporation
DHC Property Development
1000 Nicollet Mall
Minneapolis, Minnesota 55403
Attention: Property Administration

STATE OF ALABAMA)

SHELBY COUNTY)

GENERAL WARRANTY DEED

THIS IS A GENERAL WARRANTY DEED executed and delivered by **RIVER RIDGE RETAIL COMPANY, L.L.C.**, a Delaware limited liability company (hereinafter referred to as the "Grantor"), to **DAYTON HUDSON CORPORATION**, a Minnesota corporation (hereinafter referred to as the "Grantee").

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of the sum of Four Million Six Hundred Twenty Thousand and 00/100 Dollars (\$4,620,000.00) paid by the Grantee to the Grantor, Grantor does by these presents grant, bargain, sell and convey unto the Grantee that certain real estate located in the City of Birmingham, Shelby County, Alabama and more particularly described in **Exhibit "A"** attached hereto and made a part hereof (the "Property").

TOGETHER WITH all improvements thereon and appurtenances thereto belonging or in anywise appertaining, and all right, title and interest of Grantor in and to any and all roads, alleys and ways bounding the Property.

This conveyance is subject to the Permitted Encumbrances as set forth on **Exhibit "B"** attached hereto and made a part hereof.

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

The Grantor does for itself, and its successors and assigns, covenant with the Grantee, its successors and assigns, that the Grantor is lawfully seized in fee simple of the Property, that the Property is free from all encumbrances unless otherwise noted above, that the Grantor has good right to sell and convey the same as aforesaid, that the Grantor and the Grantor's successors and assigns shall warrant and defend the same to the Grantee, its successors and assigns forever, against the lawful claims of all persons.

Inst # 1999-38040

1 **09/10/1999-38040**
10:23 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
005 1999 4639.30

IN WITNESS WHEREOF, the Grantor has caused this General Warranty Deed to be executed on the date stated below, and delivered as of September 9, 1999.

RIVER RIDGE RETAIL COMPANY, L.L.C., a
Delaware limited liability company

By: [Signature]

Its: Authorized Member

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that DAVID L. SILVERSTEIN, whose name as Member of **River Ridge Retail Company, L.L.C., a Delaware limited liability company**, 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 this Deed, he, in his capacity as such Member and with full authority, executed the same voluntarily for and as the act of said limited liability company on the day the same bears date.

Given under my hand this the 9th day of September, 1999.

[Signature]

NOTARY PUBLIC

MY COMMISSION EXPIRES: 3/17/2002

THIS INSTRUMENT PREPARED BY:

Denise W. Killebrew, Esq.
Berkowitz, Lefkovits, Isom & Kushner
SouthTrust Tower
420 North 20th Street, Suite 1600
Birmingham, Alabama 35203-5202

Exhibit "A"
Legal Description

Lot 4 according to the Map of River Ridge Plaza, as recorded in Map Book 26, Page 14 in the Probate Office of Shelby County, Alabama, being more particularly described as follows:

Begin at the Southernmost corner of the aforementioned Lot 4, River Ridge Plaza and run North 45 degrees 35'58" East a distance of 874.32 feet to the Southernmost corner of Lot 3 of said River Ridge Plaza; thence North 44 degrees 24' West along the property boundary of said Lot 3 a distance of 776.03 feet to a point on the Southeasterly right-of-way line of Riverview Parkway, said point being on a curve to the left having a radius of 738.50 feet, a central angle of 6 degrees 19'32" and a chord bearing of South 25 degrees 59'43" West; thence along the arc of said curve and the Southeasterly right-of-way line of Riverview Parkway a distance of 81.53 feet to the P.R.C. (point of reverse curve) of a curve to the right having a radius of 538.50 feet, a central angle of 10 degrees 56'43" and a chord bearing of South 28 degrees 15'56" West; thence along the arc of said curve and the Southeasterly right-of-way line of Riverview Parkway a distance of 102.87 feet to the P.C.C. (point of compound curve) of a curve to the right having a radius of 275.00 feet, a central angle of 37 degrees 16'59" and a chord bearing of South 52 degrees 22'47" West; thence along the arc of said curve and the Southeasterly right-of-way line of Riverview Parkway a distance of 178.95 feet to the P.T. (point of tangent) of said curve; thence tangent to said curve South 71 degrees 01'16" West along the Southeasterly right-of-way line of Riverview Parkway a distance of 36.99 feet to the P.C. (point of curve) of a curve to the left having a radius of 225.00 feet, a central angle of 25 degrees 25'39" and a chord bearing of South 58 degrees 18'27" West; thence along the arc of said curve and the Southeasterly right-of-way line of Riverview Parkway a distance of 99.85 feet to the P.T. (point of tangent) of said curve; thence tangent to said curve South 45 degrees 35'37" West along the Southeasterly right-of-way line of Riverview Parkway a distance of 395.00 feet to a point on the Northeasterly property boundary of Lot 6 of said River Ridge Plaza; thence South 44 degrees 24'23" East along the property boundary of said Lot 6 a distance of 776.47 feet to the POINT OF BEGINNING.

The above described Lot 4 was, prior to the recordation of the Map of River Ridge Plaza in Map Book 26, Page 14, in said Probate Office, known as the following two parcels:

PARCEL I:

A part of Lot 1-A, St. Vincent's Resurvey as recorded in Map Book 16, page 72, in the Office of the Judge of Probate of Shelby County, Alabama, being more particularly described as follows:

Begin at the Southernmost corner of Lot 1-A, St. Vincent's Resurvey, and run in a Northeasterly direction along the Southeasterly line of said Lot 1-A a distance of 479.32 feet to a point; thence 89°59'58" to the left in a Northwesterly direction a distance of 776.03 feet to a point, said point being on a right of way line of Riverview Parkway and on a curve to the left having a radius of 738.50 feet and central angle of 6°19'32"; thence 106°28'54" to the left (angle measured to tangent) in a Southwesterly direction along the arc of said curve a distance of 81.53 feet to the P.R.C. (point of reverse curve) of a curve to the right having a radius of 538.50 feet and central angle of 10°56'43"; thence in a Southwesterly direction along the arc of said curve a distance of

102.87 feet to the P.C.C. (point of compound curve) of a curve to the right having a radius of 275.00 feet and a central angle of $37^{\circ}16'59''$; thence along the arc of said curve in a Southwesterly direction a distance of 178.95 feet to the P.T. (point of tangent) of said curve; thence in the tangent to said curve in a Southwesterly direction a distance of 36.99 feet to the P.C. (point of curve) of a curve to the left having a radius of 225.00 feet and central angle of $25^{\circ}25'39''$; thence along the arc of said curve in a Southwesterly direction a distance of 99.85 feet to a point; said point being on the Southwesterly line of Lot 1-A, St. Vincent's Resurvey; thence $90^{\circ}00'$ to the left (angle measured to tangent) in a Southeasterly direction along the Southwesterly line of said Lot 1-A a distance of 776.51 feet to the point of beginning.

PARCEL II:

A part of Lot 2-C, according to a Resurvey of Lot 2-B, Cahaba River Park, as recorded in Map Book 8, page 95, in the Probate Office of Shelby County, Alabama, being more particularly described as follows:

Begin at the Easternmost corner of Lot 2-C, Resurvey of Lot 2-B, Cahaba River Park and run Northwesterly along the Northeasterly line of said Lot 2-C a distance of 776.51 feet to a point; thence $90^{\circ}00'$ to the left in a Southwesterly direction a distance of 395.00 feet to a point; thence $90^{\circ}00'$ to the left in a Southeasterly direction a distance of 776.47 feet to a point on the Southeasterly line of said Lot 2-C; thence $89^{\circ}59'39''$ to the left in a Northeasterly direction a distance of 395.00 feet to the point of beginning.

Exhibit "B"
Permitted Encumbrances

1. Ad valorem taxes for tax year 1999;
2. 20 foot Sanitary Sewer Easement crossing lot, as shown on the Map of River Ridge Plaza recorded in Map Book 26, Page 14, in the Office of the Judge of Probate of Shelby County, Alabama;
3. 15 foot Drainage Easement crossing lot, as shown on the Map of River Ridge Plaza recorded in Map Book 24, Page 4, in the Office of the Judge of Probate of Shelby County, Alabama;
4. Mineral and mining rights and rights incident thereto recorded in Volume 289, Page 374, in the Probate Office of Shelby County, Alabama (as to Parcel I);
5. Declaration of Covenants and Restrictions for Cahaba River Park appearing of record in Misc. Volume 9, Page 513 in said Probate Office; Amendment to Restrictive Covenants filed for record in Misc. Volume 42, Page 428, in said Probate Office; Second Amendment to Restrictive Covenants recorded in Misc. Volume 52, Page 969, in said Probate Office; Third Amendment to Restrictive Covenants recorded in Real 238, Page 916, in said Probate Office; Easement and Fourth Amendment to Restrictive Covenants recorded in Real 271, Page 363, in said Probate Office; Fifth Amendment to Restrictive Covenants recorded in Real 271, Page 380 in said Probate Office; Sixth Amendment and Restatement of Certain Provisions of Restrictive Covenants recorded in Instrument 1992/10301, as modified by the Consent and Waiver as to Restrictive Covenants by St. Vincent's Hospital recorded in Instrument 1999 3803, in said Probate Office (as to Parcels I and II);
6. Mineral and mining rights incident thereto; Release of Damages, covenants; exceptions and reservations recorded in Deed Book 335, Page 58, in said Probate Office (as to Parcel I);
7. Restrictions set forth in Item 10 of Exhibit B to Warranty Deed from St. Vincent's Hospital, an Alabama non-profit corporation, to Beyer Construction, L.L.C., an Alabama limited liability company, recorded in Instrument 1999 3803, in said Probate Office (as to Parcel I); and
8. Mineral and mining rights and rights incident thereto recorded in Deed Book 344, Page 93, in said Probate Office (as to Parcel II).

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