

STATE OF ALABAMA)

SHELBY COUNTY)

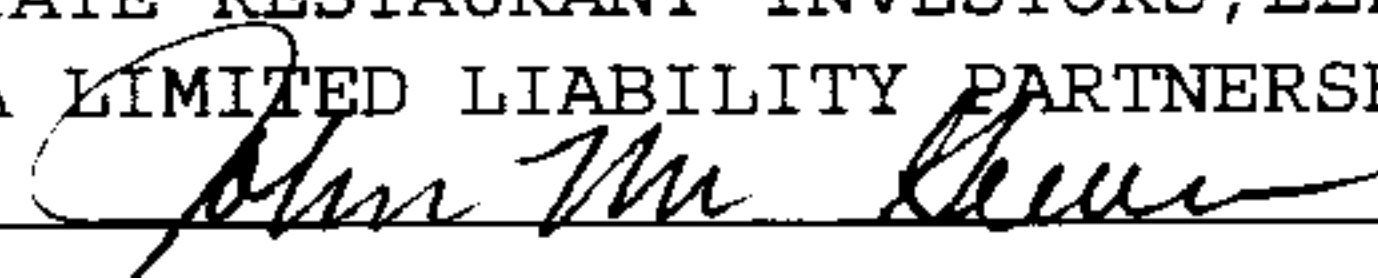
IMPOSITION OF SET BACK LINE

KNOW ALL MEN BY THESE PRESENTS; that, the undersigned, INTERSTATE RESTAURANT INVESTORS, LLP, AN ALABAMA LIMITED LIABILITY PARTNERSHIP and FRANK C. ELLIS, JR., a married man and ELLIS INVESTMENTS, LLC,, BENNER INVESTMENTS, LLC,, McGEEVER INVESTMENTS, LLC, AND ROBERTSON INVESTMENTS, LLC, by their signatures hereto, hereby impose the following set back line restriction on that certain real property (The Property) located in Shelby County, Alabama which is described on Exhibit 'A' attached hereto and incorporated by reference herein:

No building, other than a patio or porch shall be constructed within sixty (60) feet of the north line of The Property.

REGIONS BANK, being the mortgagee of The Property has executed this instrument in order to consent to this imposition and to expressly acknowledge that it's mortgage appearing in Instrument Number 1998-17195, Probate Office of Shelby County, Alabama, is subordinate to and subject to this imposition.

Done this 22 day of Feb, 2000

INTERSTATE RESTAURANT INVESTORS, LLP, AN  
ALABAMA LIMITED LIABILITY PARTNERSHIP  
By: 

John McGeever

Its: Partner

By: 

John G. Benner

Its: Partner

By: 

William R. Robertson

Its: Partner

02/23/2000-05683  
02:31 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE

006 SNA 21.00

Inst # 2000-05683

Frank C. Ellis, Jr.

Frank C. Ellis, Jr.

ELLIS INVESTMENTS, LLC

By: Frank C. Ellis, Jr.

Its: Member

BENNER INVESTMENTS, LLC

By: [Signature]

Its: MEMBER

MCGEEVER INVESTMENTS, LLC

By: John M. McGeever

Its: Member

ROBERTSON INVESTMENTS, LLC

By: William R. Robertson

Its: MEMBER

REGIONS BANK

By: [Signature]

Its: V.P.

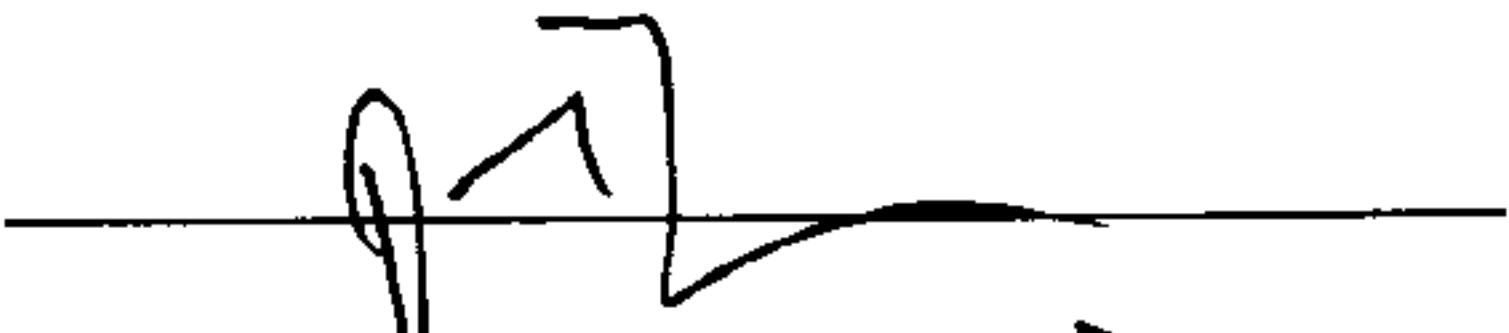
STATE OF ALABAMA )

COUNTY OF Jeff )

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that CITANUS L. WATKINS, whose name as V.P. of REGIONS BANK, a national

banking institution, 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/she, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation on the day the same bears date.

Given under my hand and seal this 22 day of Feb, 2000.

  
Notary Public

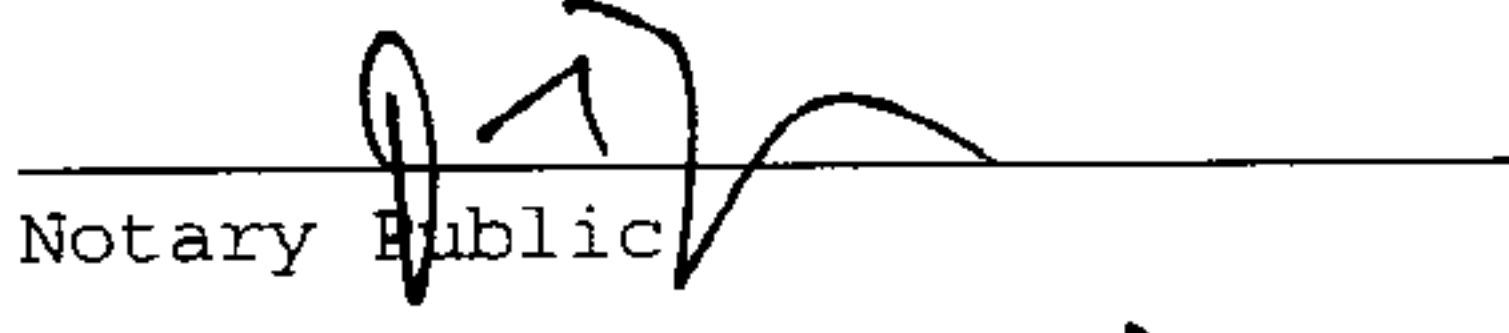
My Commission Expires: 3.1.2002

STATE OF ALABAMA )

COUNTY OF JEFFERSON )

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that JOHN MCGEEVER, JOHN G. BENNER and WILLIAM R. ROBERTSON, whose names as Partners of INTERSTATE RESTAURANT INVESTORS, LLP AN ALABAMA LIMITED LIABILITY PARTNERSHIP, are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day that, being informed of the contents of said conveyance, they, as such General Partners and with full authority, executed the same voluntarily for and as the act of said general partnership on the day the same bears date.

Given under my hand and seal this 22 day of Feb, 2000.

  
Notary Public

My Commission Expires: 3.1.2002

STATE OF ALABAMA )

COUNTY OF SHELBY JEFFERSON )

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 conveyance, and who is known to me, acknowledged before me on this day, that being informed of

the contents of the foregoing conveyance he executed the same voluntarily on the day the same bears date.

Given under my hand and seal this 22 day of February, 2000.

Paula Head  
Notary Public

My Commission Expires: 2/19/2004

STATE OF ALABAMA )  
~~JEFFERSON COUNTY~~  
SHELBY

I, the undersigned, a Notary Public, in and for said County in said State, hereby certify that FRANK C. ELLIS, Jr. as managing member of ELLIS INVESTMENTS, LLC, 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 this instrument, he, in their capacity as such member, executed the same voluntarily, for and as the act of said limited liability company.

Given under my hand and official seal this 22 day of February, 2000.

Paula Head  
Notary Public

My Commission Expires: 2/19/2004

STATE OF ALABAMA )  
JEFFERSON COUNTY)

I, the undersigned, a Notary Public, in and for said County in said State, hereby certify that JOHN G. BENNER as managing member of BENNER INVESTMENTS, LLC, 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 this instrument, he, in their capacity as such member, executed the same voluntarily, for and as the act of said limited liability company.

Given under my hand and official seal this 22 day of Feb, 2000.

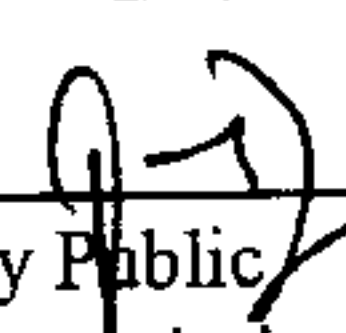
[Signature]  
Notary Public

My Commission Expires: 3-1-2012

STATE OF ALABAMA )  
JEFFERSON COUNTY )

I, the undersigned, a Notary Public, in and for said County in said State, hereby certify that JOHN McGEEVER as managing member of McGEEVER INVESTMENTS, LLC, 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 this instrument, he, in their capacity as such member, executed the same voluntarily, for and as the act of said limited liability company.

Given under my hand and official seal this 22 day of Feb, 2000.

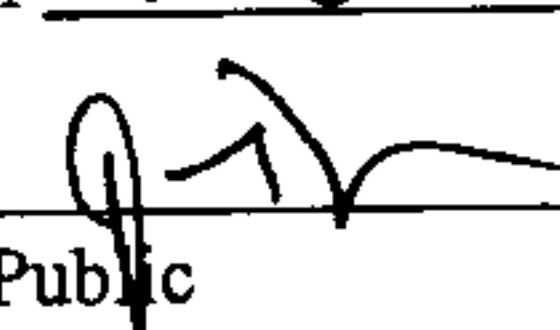
  
Notary Public

My Commission Expires: 3.1.2002

STATE OF ALABAMA )  
JEFFERSON COUNTY )

I, the undersigned, a Notary Public, in and for said County in said State, hereby certify that WILLIAM R. ROBERTSON as managing member of ROBERTSON INVESTMENTS, LLC, 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 this instrument, he, in their capacity as such member, executed the same voluntarily, for and as the act of said limited liability company.

Given under my hand and official seal this 22 day of Feb, 2000.

  
Notary Public

My Commission Expires: 3.1.2002

~~XXXXXXXXXX~~  
A parcel of land containing 0.846 Acres (36,841.887 Square feet) located in the Southwest Quarter of Section 31, Township 19 South, Range 2 West, City of Pelham, Shelby County, Alabama; being more particularly described as follows:

**Commence** at the Southeast Corner of the Southwest Quarter of Section 31, Township 19 South, Range 2 West, Shelby County, Alabama; thence run Northerly along the Quarter line 506.79 feet; thence left  $121^{\circ}25'36''$  Southwesterly 517.90 feet; thence right  $106^{\circ}46'08''$  Northwesterly 188.10 feet; thence left  $82^{\circ}42'48''$  Westerly 27.00 feet; thence left  $90^{\circ}00'00''$  Southerly 79.46 feet; thence right  $86^{\circ}49'01''$  Westerly 129.18 feet to the Point of Beginning; thence left  $00^{\circ}29'40''$  Westerly 151.35 feet; thence right  $85^{\circ}55'12''$  Northerly 190.41 feet; thence right  $90^{\circ}00'00''$  Northeasterly 7.00 feet; thence left  $90^{\circ}00'00''$  Northerly 47.08 feet to the Southerly new right-of-way line of Alabama Highway No. 119, being seventy feet South of the roadway centerline; thence right  $97^{\circ}14'20''$  Northeasterly to the chord of a curve concave Northerly with a radius of 1979.89 feet, a central angle of  $4^{\circ}42'35''$  and a chord length of 162.70 feet; thence run Easterly, then Northeasterly along the arc of said curve 162.75 feet; thence turn an interior angle left  $92^{\circ}51'41''$  from the chord of said curve Southerly 228.42 feet to the Point of Beginning.

# EXHIBIT 'A'

## IMPOSITION OF SET BACK LINE

NOTE: The property described herein are set forth on Boundary and Easement Map performed by Carr & Associates Engineers, Inc, DWG. No. 99.1108/23.25-R3, 2/2/2000 revision.

02/23/2000-05683  
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