

This Instrument Prepared By:  
James F. Burford, III  
Attorney at Law  
1318 Alford Avenue Suite 101  
Birmingham, Alabama 35226

Send Tax Notice To:  
Inst # 2000-37928

**WARRANTY DEED**

11/01/2000-37928  
11:01 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 MMB 267.00

STATE OF ALABAMA )  
SHELBY COUNTY )

**KNOW ALL MEN BY THESE PRESENTS:** That in consideration of Two Hundred Fifty Thousand and No/100 Dollars (\$250,000.00), to the undersigned Grantor (whether one or more), in hand paid by the Grantee herein, the receipt whereof is acknowledged, Jesse Edward Jowers, Sr. and wife Hilda W. Jowers herein referred to as Grantor, whether one or more), grant, bargain, sell and convey unto Interstate Restaurant Investors, LLP, an undivided 60% interest; Frank C. Ellis, Jr., an undivided 20% interest and Ellis Investments, LLC an undivided 20% interest, (herein referred to as Grantee, whether one or more), the following described real estate, situated in Shelby County, Alabama, to-wit:

As described on Exhibit A attached hereto and incorporated by reference herein, AND *[Signature]*  
**SIGNED FOR IDENTIFICATION**

**SUBJECT TO:** (1) Taxes due in the year 2001 and thereafter; (2) Easements, restrictions, and rights-of-way of record; (3) Mineral and mining rights not owned by the Grantor.

Grantor and Grantee agree that the property conveyed is under a current use assessment. Grantor acknowledges that Grantee intends to change the use of the property conveyed and accordingly, Grantor agrees to pay any current use roll-back occasioned by Grantees' change in use.

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

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

And we do for ourselves and for our heirs, executors and administrators, covenant with said Grantee, their successors and assigns, that we are lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise stated above; that we have a good right to sell and convey the same as aforesaid; that we will, and our heirs, executors and administrators shall warrant and defend the same to the said Grantee, his successors and assigns forever, against the lawful claims of all persons.

**IN WITNESS WHEREOF**, the undersigned has hereunto set his hand and seal, this the 30<sup>TH</sup> day of OCTOBER, 2000.

*Jesse Edward Jowers, Sr.*  
\_\_\_\_\_  
Jesse Edward Jowers, Sr.

*Hilda W. Jowers*  
\_\_\_\_\_  
Hilda W. Jowers

STATE OF ALABAMA )  
*SHELBY* COUNTY )

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Jesse Edward Jowers, Sr., and wife Hilda W. Jowers, whose names are 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 they executed the same voluntarily on the day the same bears date.

Given under my hand and seal this 30 day of OCTOBER, 2000.

*[Signature]*  
\_\_\_\_\_  
Notary Public  
My Commission Expires: 3-1-02

EXHIBIT A

SCHEDULE A, CONTINUED  
LEGAL DESCRIPTION

A tract of land situated in the East 1/2 of the SE 1/4 of Section 19, Township 20 South, Range 2 West, and being more particularly described as follows:  
Commence at the SW corner of the NE 1/4 of the SE 1/4 of Section 19, Township 20 South, Range 2 West, being the point of beginning; thence North 00 degrees 04 minutes 54 seconds West along the West line of said 1/4-1/4 Section for a distance of 125.77 feet to the Southerly right of way of Shelby County Highway 52; thence South 63 degrees 59 minutes 10 seconds East along said right of way for a distance of 125.32 feet to a point on a curve to the right having a central angle of 3 degrees 16 minutes 00 seconds and a radius of 1787.73 feet, said curve subtended by a chord bearing South 62 degrees 21 minutes 10 seconds East and a chord distance of 101.91 feet; thence along the arc of said curve and along said right of way for a distance of 101.93 feet; thence South 14 degrees 20 minutes 47 seconds East along said right of way for a distance of 132.75 feet to the point of intersection of the right of way of Shelby County Highway 52 and the Northwesterly right of way of Shelby County Highway 11; thence South 37 degrees 40 minutes 46 seconds West along said Highway 11 right of way and leaving said Highway 52 right of way for a distance of 383.15 feet; thence North 00 degrees 11 minutes 54 seconds West and leaving said right of way for a distance of 408.33 feet to the point of beginning.

SIGNED FOR IDENTIFICATION

*Jesse Edward Jowers, Sr.*  
*Hilda W. Jowers*

SCHEDULE A, PAGE 2, COMMITMENT NO. SS-00-7929

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**STEWART TITLE**  
GUARANTY COMPANY