

THIS INSTRUMENT PREPARED BY:  
James J. Odom, Jr.  
P.O. Box 11244  
Birmingham, AL 35202-1244

SEND TAX NOTICE TO:  
Highway 52, TIC  
c/o Crest Realty - 162 Cahaba Valley Rd.  
Pelham, AL 35124

STATE OF ALABAMA )  
COUNTY OF SHELBY )

**WARRANTY DEED**

KNOW ALL MEN BY THESE PRESENTS THAT in consideration of Five Hundred Twenty-Five Thousand and No/100 Dollars (\$525,000.00), and other good and valuable consideration, paid to the undersigned grantor, Commercial Corner, L.L.C., an Alabama limited liability company ("Grantor"), by Interstate Restaurant Investors, LLP and Southmark Properties, LLC, d/b/a Highway 52, TIC ("Grantee"), the receipt and sufficiency whereof are hereby acknowledged, Grantor does by these presents, grant, bargain, sell and convey unto the Grantees the following described real estate situated in Shelby County, Alabama (the "Premises"), to-wit:

**SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION.**

**SUBJECT TO:** (1) Current taxes; (2) Less and except any part lying within road right-of-way and as set out in Deed Book 275, at Page 44, in the Office of the Judge of Probate of Shelby County, Alabama; and (3) Less and except any part lying within the railroad right-of-way; (4) Transmission Line Permit to Alabama Power Company as set out in Deed Book 170, Page 287, in Probate Office; (5) Sanitary sewer line running through the Southerly portion of the land, a 6' concrete flume running through the Southerly portion of the land, and pavement for Shelby County Highway 52, all as shown on the Survey of R. C. Farmer & Associates dated December 21, 2000, and revised January 10, 2001.

This instrument is executed as required by the Articles of Organization and Operating Agreement and that same have not been modified or amended.

**TO HAVE AND TO HOLD** to the Grantees, their successors and assigns forever.

And Grantor does for itself, its successors and assigns, covenant with Grantees, their successors and assigns, that it is lawfully seized in fee simple of the Premises; that the Premises are free from all encumbrances, except as noted above; that Grantor has a good right to sell and convey the Premises as aforesaid; that Grantor will, and its successors and assigns shall, warrant and defend the same to the Grantees, their successors and assigns forever, against the lawful claims of all persons.

**IN WITNESS WHEREOF**, the undersigned has executed this conveyance on this the 16<sup>th</sup> day of January, 2001.

**WITNESS:**

\_\_\_\_\_  
  
\_\_\_\_\_

**Commercial Corner, L.L.C.**

By:   
**Rodney D. Denman, as its Manager**

By:   
**Jack McGuire, as its Manager**

01/23/2001-02481  
01:12 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
003 001 348.00

Inst # 2001-02481

STATE OF ALABAMA )  
COUNTY OF SHELBY )

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Rodney D. Denman, whose name as Manager of Commercial Corner, L.L.C., an Alabama limited liability company, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day, that, being informed the contents of the conveyance, he, as such Manager and with full authority, executed the same voluntarily for and as the act of said limited liability company.

Given under my hand and official seal this 16<sup>th</sup> day of January, 2001

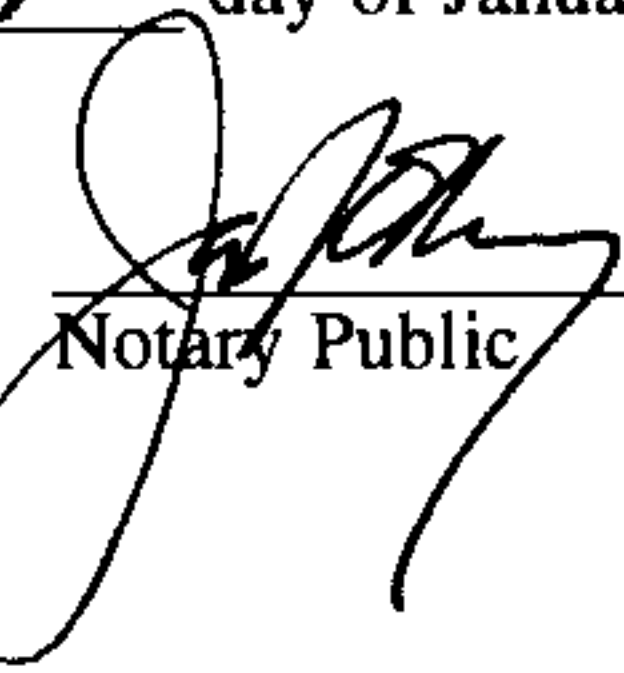
  
\_\_\_\_\_  
Notary Public

My commission expires: 7/14/2003

STATE OF ALABAMA )  
COUNTY OF SHELBY )

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Jack McGuire, whose name as Manager of Commercial Corner, L.L.C., an Alabama limited liability company, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day, that, being informed the contents of the conveyance, he, as such Manager and with full authority, executed the same voluntarily for and as the act of said limited liability company.

Given under my hand and official seal this 16<sup>th</sup> day of January, 2001

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

My commission expires: 7/14/2003

**EXHIBIT A**

**Parcel I**

A parcel of land situated in the NW 1/4 of Section 24, Township 20 South, Range 3 West, Shelby County, Alabama and being more particularly described as follows:

Commence at the NW corner of the above said Section, Township and Range; thence S 87 deg. 46 min. 0 sec. E a distance of 1669.02 feet; thence S 18 deg. 40 min. 0 sec. W a distance of 190.46 feet; thence S 11 deg. 40 min. 0 sec. W a distance of 369.40 feet; thence N 81 deg. 15 min. 0 sec. E a distance of 37.50 feet; thence S 14 deg. 37 min. 0 sec. W a distance of 75.0 feet; thence S 81 deg. 15 min. 0 sec. W a distance of 37.50 feet; thence S 11 deg. 50 min. 58 sec. W a distance of 209.97 feet to the point of beginning; thence S 17 deg. 10 min. 22 sec. W a distance of 410.69 feet; thence S 03 deg. 57 min. 22 sec. W a distance of 370.75 feet to a point, said point lying on the Northerly right of way line of Shelby County Highway #52 (Variable right of way), said point also being the beginning of a non-tangent curve to the left, having a radius of 663.94 feet, a central angle of 09 deg. 39 min. 54 sec. and subtended by a chord which bears S 67 deg. 44 min. 03 sec. E and a chord distance of 111.86 feet; thence along the arc of said curve and said right of way a distance of 112.00 feet; thence S 73 deg. 20 min. 32 sec. E and along said right of way a distance of 49.43 feet; thence S 14 deg. 32 min. 22 sec. W and along said right of way a distance of 59.90 feet; thence S 73 deg. 08 min. 32 sec. E along said right of way, a distance of 66.81 feet to a point, said point lying on the Westerly right of way line of Shelby County Highway #33 (80 foot right of way), said point also being the beginning of a non-tangent curve to the left, having a radius of 791.34 feet, a central angle of 11 deg. 03 min. 08 sec., and subtended by a chord which bears N 22 deg. 29 min. 34 sec. E and a chord distance of 152.41 feet; thence along the arc of said curve and said right of way a distance of 152.65 feet; thence N 16 deg. 43 min. 24 sec. E and along said right of way a distance of 732.86 feet; thence N 80 deg. 32 min. 29 sec. W and leaving said right of way a distance of 326.52 feet to the point of beginning; being situated in Shelby County, Alabama.

**Parcel II**

Commence at the NW corner of said Section 24, Township 20 South, Range 3 West, thence S 87 deg. 46 min. 00 sec. E a distance of 1669.02 feet; thence S 18 deg. 40 min. 00 sec. W a distance of 190.46 feet; thence S 11 deg. 40 min. 00 sec. W a distance of 369.40 feet; thence N 81 deg. 15 min. 00 sec. E a distance of 37.50 feet; thence S 14 deg. 37 min. 00 sec. W a distance of 75.00 feet; thence S 81 deg. 15 min. 00 sec. W a distance of 37.50 feet; thence S 11 deg. 50 min. 58 sec. W a distance of 209.97 feet; thence S 17 deg. 12 min. 34 sec. W a distance of 410.69 feet; thence S 3 deg. 59 min. 34 sec. W a distance of 609.44 feet to the point of beginning; thence continue along last described course a distance of 58.12 feet; thence N 81 deg. 02 min. 26 sec. W a distance of 246.20 feet; thence S 39 deg. 02 min. 26 sec. E a distance of 359.54 feet; thence N 52 deg. 53 min. 34 sec. E a distance of 307.97 feet; thence N 19 deg. 57 min. 38 sec. E a distance of 41.95 feet to a point lying on the Southerly right-of-way line of a CSX Railroad Right-of-Way (100' right-of-way); thence N 72 deg. 52 min. 51 sec. W along said right-of-way line a distance of 250.24 feet to the point of beginning; being situated in Shelby County, Alabama.

Inst # 2001-02481

01/23/2001-02481  
01:12 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
003 CJ1 542.00