

SEND TAX NOTICE TO
Wal-Mart Stores, Inc.
Property Tax Department 8013
1301 S.E. Tenth Street, Store #2111-01
Bentonville, AR 72716-0555

Inst # 2001-1002

STATE OF ALABAMA)

SHELBY COUNTY)

EXCHANGE STATUTORY WARRANTY DEED

THIS IS AN EXCHANGE STATUTORY WARRANTY DEED executed and delivered this 14th day of April, 2001, by **Eli T. Stevens**, a married man (the "Grantor"), to **Wal-Mart Real Estate Business Trust**, a Delaware business trust (the "Grantee").

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of the sum of Three Million Six Hundred Sixty Three Thousand Seventy Nine and 40/100 Dollars (\$3,663,079.40) paid by Grantee to the Qualified Intermediary of Grantor, in an Internal Revenue Code §1031 Tax-Free Exchange pursuant to the terms of an Exchange Agreement dated April 14th, 2001, the Grantor does by these presents grant, bargain, sell and convey unto the Grantee, its successors and assigns, the following described real estate situated in Shelby County, Alabama, (the "Property"), to wit:

A parcel of land located in the Northeast Quarter of the Southeast Quarter of Section 31, Township 18 South, Range 1 West in Shelby County, Alabama and being more particularly described as follows:

As a starting point, start at the Northeast corner of the Northeast Quarter of the Southeast Quarter of said Section 31; thence run in a Westerly direction and along the North boundary of said Northeast Quarter of the Southeast Quarter for a distance of 271.18 feet to the POINT OF BEGINNING of the property herein described; thence with a deflection angle of 90 degrees 38 minutes 30 seconds to the left run in a Southerly direction for a distance of 767.20 feet to the Northwest corner of Racetrack Petroleum property and being recorded in Deed Book 129, Page 749; thence with an interior angle of 180 degrees 06 minutes 29 seconds continue in a Southerly direction and along the West boundary of said Racetrack Petroleum property for a distance of 410.27 feet to a point on the North boundary of U.S. Highway No. 280; thence with an interior angle of 95 degrees 34 minutes 56 seconds to the chord run in a Westerly direction and along the North curving boundary of said U.S. Highway No. 280 for a chord distance of 273.43 feet to a point on the East boundary of James F. Donovan property, as recorded in Deed Book 1996, Page 21512; thence with an interior angle of 84 degrees 04 minutes 08 seconds run in a Northerly direction and along the East boundary of said James F. Donovan property for a distance of 239.39 feet to a point; thence with an interior angle of 179 degrees 59 minutes 24 seconds continue in a Northerly

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direction for a distance of 644.10 feet to a point; thence with an interior angle of 270 degrees 02 minutes 04 seconds run in a Westerly direction for a distance of 265.94 feet to a point; thence with an interior angle of 89 degrees 58 minutes 08 seconds run in a Northerly direction for a distance of 326.05 feet to a point on the North boundary of the Northeast Quarter of the Southeast Quarter of said Section 31; thence with an interior angle of 89 degrees 36 minutes 21 seconds run in an Easterly direction and along the North boundary of said Northeast Quarter of the Southeast Quarter for a distance of 532.04 feet to the POINT OF BEGINNING.

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

This conveyance is made subject to the following:

1. Taxes and assessments for the year 2001, and subsequent years;
2. Right(s) of Way(s) as shown by instrument(s) recorded in Deed Book 251 page 749 in the Office of the Judge of Probate of Shelby County, Alabama

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

And said Grantor does for himself, his heirs, executors and administrators, covenant with said Grantee, its successors and assigns, that he, his heirs, executors and administrators, shall warrant and defend the same to the said Grantee, its successors and assigns, forever, against the lawful claims of all persons claiming by or through the Grantor, but not further or otherwise.

The Property constitutes the Grantor's "relinquished property" conveyed in connection with Grantor's Deferred Tax-Free Exchange pursuant to IRC Section 1031.

The Grantor hereby warrants that the Property described above does not constitute the homestead of Grantor or Grantor's spouse.

All recorded documents referred to hereinabove were filed for record in the Office of the Judge of Probate of Shelby County, Alabama.

IN WITNESS WHEREOF, the undersigned, has caused this Exchange Statutory Warranty Deed to be executed on the date first above written.


ELI T. STEVENS

STATE OF ALABAMA)

Jefferson COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that **Eli T. Stevens**, whose name is signed to the foregoing Exchange Statutory Warranty Deed, and who is known to me, acknowledged before me on this day that, being informed of the contents of the Exchange Statutory Warranty Deed, he executed the same voluntarily on the day the same bears date.

Given under my hand this the 14th day of April, 2001.

Notary Public: 

My Commission Expires: 4-19-2004

THIS INSTRUMENT PREPARED BY:

Jason C. Edwards
Berkowitz, Lefkovits, Isom & Kushner
A Professional Corporation
420 North 20th Street
SouthTrust Tower, Suite 1600
Birmingham, Alabama 35203

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