

THIS INSTRUMENT WAS PREPARED BY:  
Richard W. Theibert, Attorney  
NAJJAR DENABURG, P.C.  
2125 Morris Avenue  
Birmingham, Alabama 35203

Inst # 2001-31863

08/01/2001-31863  
11:47 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
003 CH 19.50

SEND TAX NOTICE TO:  
Nella Properties, L.L.C.

1425 Roseland Drive  
Birmingham, AL 35209

STATUTORY WARRANTY DEED

*\$550,000. consideration*

THE STATE OF ALABAMA )

: KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF JEFFERSON )

That for and in consideration of Ten Dollars and other good and valuable consideration, in hand paid to the undersigned, D&G31, LLC, a limited liability company (hereinafter referred to as "GRANTOR"), by Nella Properties, L.L.C., a limited liability company (hereinafter referred to as "GRANTEE"), the receipt of which is hereby acknowledged, the said GRANTOR does by these presents, grant, bargain, sell and convey unto GRANTEE the following described real estate, located and situated in Shelby County, Alabama, to wit:

See attached Exhibit "A" for legal description

Subject to:

1. Ad valorem taxes for the current tax year, 2001.
2. 24 foot easement on front for ingress and egress, as shown by recorded map.
3. 20 foot for private sanitary sewer on rear portion of lot, as shown by recorded map.
4. Easement recorded in Instrument 2000-41626 and Instrument 2000-41627, in the Probate Office of Shelby County, Alabama.
5. Easement and reservation on that certain deed recorded in Instrument 2000-6948, in the Probate Office of Shelby County, Alabama.
6. Easement to the City of Pelham recorded in Deed Book 337, page 525 and Instrument 1999-18797, in the Probate Office of Shelby County, Alabama and as shown by recorded Map.
7. Proposed sanitary sewer easement and existing sewer easement along the Westerly side of said property, as shown on the survey by Robert C. Farmer, dated 8-7-1996, revised 8-18-98, as shown by recorded map.
8. Any prior reservation or conveyance, together with release of damages and minerals of every kind and character, including, but not limited to gas, oil, sand and gravel in, on and under the subject property, as recorded in Instrument 2000-06948, in the Probate Office of Shelby County, Alabama.
9. 20 foot easement on rear for sanitary sewer and 30 foot easement on rear for sanitary sewer as recorded in Deed Book 337, page 525 and Instrument 1999-18797, in the Probate Office of Shelby County, Alabama.

ALL of the consideration recited above was paid by a purchase money mortgage executed simultaneously with delivery of this deed.

TO HAVE AND TO HOLD to the said above described property unto the said Grantee, together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining and unto his successors and assigns forever.

IN WITNESS WHEREOF, we have hereunto set my our hand and seal, this 3rd day of July, 2001.

D&G31, L.L.C.

Gail Dixon (SEAL)  
By: Gail Dixon, Member

THE STATE OF ALABAMA )

COUNTY OF JEFFERSON )

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Gail Dixon, whose name as Member of D&G31, L.L.C., a limited liability company, 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 conveyance, she, as such member and with full authority, executed the same for and as the act of said limited liability company.

Given under my hand and official seal this 3rd day of July, 2001.

Del H. A  
NOTARY PUBLIC  
My commission expires: My Commission Expires May 21, 2004

EXHIBIT "A"

Lot 1, according to the Survey of Pelham Parkway Commercial Subdivision, as recorded in Map Book 26, page 116, in the Probate Office of Shelby County, Alabama.

TOGETHER WITH a non-exclusive perpetual easement running with the land for vehicular and pedestrian ingress and egress, (the "Access Easement") over and across that property described as the Access Easement in Exhibit "A" attached hereto and incorporated herein by this reference, and more particularly as follows:

Begin at the Southeast corner of Lot 1, Pelham Parkway Commercial Subdivision, as recorded in Map Book 26, page 116, in the Probate Office of Shelby County, Alabama; thence North  $81^{\circ}40'33''$  West, along the South line of said Lot 1, a distance of 45.00 feet; thence South  $08^{\circ}19'27''$  West, a distance of 18.00 feet to the beginning of a curve to the left having a radius of 2111.61 feet, a central angle of  $00^{\circ}36'36''$  and subtended by a chord which bears South  $08^{\circ}01'09''$  West a chord distance of 22.48 feet; thence along the arc of said curve 22.48 feet; thence South  $82^{\circ}17'09''$  East along a line radial to said curve, a distance of 45.00 feet to its point of intersection with the West right of way line of U.S. Highway No. 31, said point also lying on a curve to the right, having a radius of 2066.61 feet, a central angle of  $00^{\circ}36'36''$  and subtended by a chord which bears North  $08^{\circ}01'09''$  East, a chord distance of 22.00 feet; thence along the arc of said curve and said right of way line a distance of 22.0 feet to the end of said curve; thence North  $08^{\circ}19'27''$  East along said right of way line a distance of 18.00 feet to the point of beginning; being situated in Shelby County, Alabama.

06/21/2001 THU 11:28 [TX/RX NO 8670] 003

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