

Send Tax Notice To:

GAC Footstore LLC  
111 South Broadway, Suite 301  
Rochester, Minnesota 55904  
Attention: Mr. Henry Dion

STATE OF ALABAMA )

SHELBY COUNTY )

**STATUTORY WARRANTY DEED**

**THIS IS A STATUTORY WARRANTY DEED** executed and delivered this 28<sup>th</sup> day of August, 2001, by **River Ridge Retail Company, L.L.C.**, a Delaware limited liability company (hereinafter referred to as the "Grantor"), to **GAC Footstore LLC**, a Delaware limited liability company (hereinafter referred to as the "Grantee").

**KNOW ALL MEN BY THESE PRESENTS:**

That in consideration of Ten and 00/100 Dollars (\$10.00), in hand paid by Grantee to Grantor and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by Grantor, the Grantor does by these presents, grant, bargain, sell and convey unto the Grantee, the following described real estate situated in Shelby County, Alabama, (the "Property"), to-wit;

Lot 2, according to the Survey of River Ridge, as recorded in Map  
Book 26, Page 14, in the Probate Office of Shelby County, Alabama;

**TOGETHER WITH** all appurtenances and easements thereto belonging or in anywise appertaining and all right, title and interest of Grantor in and to any and all roads, alleys and ways bounding said premises.

This conveyance is subject to those matters described in **Exhibit "A"** attached hereto.

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

And said Grantor does for itself, its successors and assigns, covenant with said Grantee, its successors and assigns, that it, and its successors and assigns 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.

**Inst # 2001-37115**

**08/29/2001-37115**  
**09:00 AM CERTIFIED**  
**SHELBY COUNTY JUDGE OF PROBATE**  
**003 MSB 24.00**

**IN WITNESS WHEREOF**, the Grantor has caused this Deed to be executed by David L. Silverstein, its Authorized Agent, on the date first above written.

**RIVER RIDGE RETAIL COMPANY, L.L.C.**

By: \_\_\_\_\_

David L. Silverstein

Its: \_\_\_\_\_

Authorized Agent

**STATE OF ALABAMA     )**

**JEFFERSON COUNTY     )**

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that David L. Silverstein, whose name as Authorized Agent of **River Ridge Retail Company, L.L.C.**, a Delaware limited liability company, is signed to the foregoing Statutory Warranty Deed and who is known to me, acknowledged before me on this day that, being informed of the contents of said conveyance, he, in his capacity as such officer and with full authority, executed the same voluntarily for and as the act of said limited liability company on the day the same bears date.

Given under my hand this the 23<sup>rd</sup> day of August, 2001.

(Notary Seal)

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

My Commission Expires: 11/4/2002

THIS INSTRUMENT PREPARED BY:  
Lynn Reynolds  
Berkowitz, Lefkovits, Isom & Kushner, P.C.  
420 20<sup>th</sup> Street North, Suite 1600  
Birmingham, Alabama 35203

**Exhibit "A"**  
**Permitted Encumbrances**

1. Taxes and assessments for the year 2001, and subsequent years;
2. Mineral and mining rights and rights incident thereto recorded in Volume 289, page 374 and Deed Volume 335, page 58, in the Probate Office of Shelby County, Alabama;
3. Restrictions or Covenants recorded in Instrument 1999/38032, in the Probate Office of Shelby County, Alabama;
4. Rights of others in and to the Reciprocal Easement as recorded in Instrument 1999-38039 in the Probate Office of Shelby County, Alabama;
5. Operation and Easement Agreement recorded in Instrument 1999-38041, and corrected by Scrivener's Affidavit recorded in Instrument 200104/4979, in the Probate Office of Shelby County, Alabama;
6. 20 foot sanitary sewer easement crossing east corner of lot, as shown by recorded Map in Map Book 26, page 14 in the Probate Office of Shelby County, Alabama;
7. Construction, Operation and Reciprocal Easement Agreement recorded in Instrument 2001-37114 in the Probate Office of Shelby County, Alabama; and
8. Declaration of Covenants and Restrictions for Cahaba River Park appearing of record in Misc. Volume 9, page 513. Amendment to Restrictive Covenants filed for record in Misc. Volume 42, page 428. Second Amendment to Restrictive Covenants recorded in Misc. Volume 52, page 969. Third Amendment to Restrictive Covenants recorded in Real 238, page 916. Easement and Fourth Amendment to Restrictive Covenants recorded in Real 271, page 363. Fifth Amendment to Restrictive Covenants recorded in Real 271, page 380, in the Probate Office of Shelby County, Alabama. Sixth Amendment and Restatement of Certain Provisions of Restrictive Covenants recorded in Instrument 1992/10301, as modified by Consent and Waiver as to Restrictive Covenants recorded in Instrument 1999-38031. All in the Probate Office of Shelby County, Alabama.
9. The following matters of survey, as delineated on the survey of Joseph F. Breighner, Jr. with Walter Schoel Engineering Company, Inc., dated July 2, 2001, last revised \_\_\_\_\_:  
(a) location of slope maintenance easement along Southeast and Southwest property lines; and (b) location of yard inlet near Southwest property line.

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