

51-143

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RETURN TO AFTER RECORDING:

LandAmerica National Commercial Services
450 S. Orange Avenue, Suite 170
Orlando, Florida 32801
Attn: Virginia Youngman

PREPARED BY:

Dale A. Burket, Esquire
Lowndes, Drosdick, Doster,
Kantor & Reed, P.A.
215 North Eola Drive
P. O. Box 2809
Orlando, Florida 32802

Inst # 2001-44495

10/15/2001-44495
10:37 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
SHELBY COUNTY CLERK
\$18.00
MFL

STATUTORY WARRANTY DEED

STATE OF ALABAMA)

KNOW ALL MEN BY THESE PRESENTS

COUNTY OF SHELBY)

THAT **CNL FUNDING 2001-A, LP**, a Delaware limited partnership ("Grantor"), whose address is CNL Center and City Commons, 450 South Orange Avenue, Orlando, Florida 32801, for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable consideration paid to the undersigned by **SALVADOR S. SANCHEZ**, an unmarried man ("Grantee"), whose address is P.O. Box 300637, Escondido, California 92030-0637, the receipt of which is hereby acknowledged, has **GRANTED, BARGAINED, SOLD, AND CONVEYED**, and by these presents does **GRANT, BARGAIN, SELL AND CONVEY** unto Grantee, all of the real property in Shelby County, Alabama described on Exhibit "A" attached hereto and incorporated herein by reference, together with all improvements attached thereto (collectively, "Property"), subject to all covenants, conditions, restrictions, easements, and others matter of record.

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereto in anywise belonging, unto Grantee, its successors, legal representatives and assigns forever, and Grantor does hereby bind itself, its successors, legal representatives and assigns to **WARRANT AND FOREVER DEFEND** all and singular the Property unto Grantee, its successors, legal representatives and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through or under Grantor, but not otherwise.

[Signatures on Next Page]

Executed as of the 11th day of October, 2001.

"GRANTOR"

CNL FUNDING 2001-A, LP, a Delaware limited partnership

By: CNL FUNDING 2001-A, INC., a Delaware corporation, as General Partner

By: *Rosemary Q. Mills*

Name: Rosemary Q. Mills

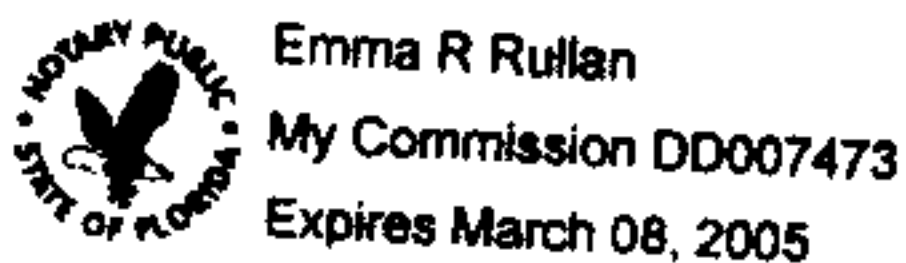
Its: Senior Vice President
Finance & Strategic Planning

STATE OF FLORIDA
COUNTY OF ORANGE

I, the undersigned, A Notary Public in and for said County and in said State, hereby certify that Rosemary Q. Mills whose name as SUPPES P of **CNL FUNDING 2001-A, INC.**, a Delaware corporation, as General Partner of **CNL FUNDING 2001-A, LP**, a Delaware limited partnership, 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, he/she, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation on behalf of the limited partnership on the day the same date bears.

Given under my hand and seal this 11 day of October 2001.

Emma R. Rullan
Notary Signature



Printed Name _____
Notary Public, State of Florida
Commission Number: _____
My Commission Expires: _____

SEND TAX NOTICES TO:

Salvador S. Sanchez
P.O. Box 300637
Econdido, CA 92030-0637

EXHIBIT "A"

Legal Description

PARCEL 1:

Lot 2B, according to the Map and Survey of Brook Highland Plaza Resurvey, recorded in Map Book 18, page 99, in the Probate Office of Shelby County, Alabama.

PARCEL 2:

(A) Perpetual, non-exclusive easements, appurtenant to Parcel 1, for vehicular and pedestrian ingress and egress, vehicular parking, utility lines and facilities, and stormwater drainage, over, under and across certain portions of that certain adjoining property, as set forth and described in that certain Easement Agreement dated December 30, 1994, by and between Brook Highland Limited Partnership, a Georgia Limited Partnership and Developers Diversified of Alabama, Inc., an Alabama Corporation, recorded in Instrument Number 1995-27233, in the Probate Office of Shelby County, Alabama, as affected by that certain "AGREEMENT RE ACCESS EASEMENT" dated November 13, 1998, by and between Brook Highland Limited Partnership, a Georgia limited partnership and Ihop Realty Corp., a Delaware Corporation, as recorded in Instrument #1998-46413, in the Probate Office of Shelby County, Alabama.

(B) Perpetual, non-exclusive easement, appurtenant to Parcel 1, for utility lines, over, under and across certain portions of that certain adjoining property, as set forth and described in that certain Reciprocal Easement Agreement dated August 9, 1988, by and among Billy D. Eddleman and Douglas D. Eddleman, Eddleman & Associates, an Alabama General Partnership and AmSouth Bank, N.A. as Ancillary Trustee for NCNB National Bank of North Carolina, as Trustee of the Public Employees Retirement System of Ohio, recorded in Real Volume No. 199, page 18, in the Probate Office of Shelby County, Alabama.

Inst # 2001-44495

914033/82847
IHOP #4447, Birmingham, AL

10/15/2001-44495
10:37 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 MEL 18.00