


THIS INSTRUMENT PREPARED BY:

David N. Condon, Esq.
Kane, Russell, Coleman & Logan, P.C.
3700 Thanksgiving Tower
1601 Elm Street
Dallas, Texas 75201

SEND TAX NOTICE TO:

Kimco Birmingham, L.P.
3333 New Hyde Park Road
New Hyde Park, NY 11042
Attn: Bruce Kauderer, Esq.


20030731000493800 Pg 1/3 180.00
Shelby Cnty Judge of Probate, AL
07/31/2003 11:24:00 FILED/CERTIFIED

STATE OF ALABAMA)
COUNTY OF SHELBY)

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That in consideration of Ten and No/100 Dollars (\$10.00), and other good and valuable consideration, to the undersigned grantor, **CHAMPIONS II, LLC**, an Alabama limited liability company (the "Grantor"), in hand paid by **KIMCO BIRMINGHAM, L.P.**, an Alabama limited partnership (the "Grantee"), the receipt and sufficiency of which is hereby acknowledged, the said Grantor does by these presents, grant, bargain, sell and convey unto said Grantee, its successors and assigns, that certain real estate situated in Shelby County, Alabama, and described on Exhibit "A" attached hereto and by reference made a part hereof (hereinafter referred to as the "Property").

The conveyance by this Warranty Deed is subject only to taxes for the year 2003, a lien but not yet due and payable.

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

The Grantor hereby covenants and agrees with Grantee, its successors and assigns, that the Grantor, its successors and assigns, will warrant and defend the above described real estate against the lawful claims (unless otherwise noted above) of all persons.

IN WITNESS WHEREOF, the Grantor has by its respective duly authorized officer set its signature and seal, this the 30th day of July, 2003.

GRANTOR:

CHAMPIONS II, LLC,
an Alabama limited liability company

By: H. Michael Graham
Name: H. Michael Graham
Title: Member

STATE OF Alabama }
COUNTY OF Jefferson }

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that H. Michael Graham as Member of **CHAMPIONS II, LLC**, an Alabama limited liability company, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day, that being informed of the contents of this instrument, (s)he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal, this the 9 day of July, 2003.

[Signature]
Notary Public

[SEAL]

Exhibit A

20030731000493800 Pg 3/3 180.00
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(Legal Description)

ALL THAT TRACT OR PARCEL OF LAND situated in the Northwest one-quarter of the Southwest one-quarter of Section 31, Township 18 South, Range 1 West, Shelby County, Alabama, as shown on that certain ALTA/ACSM Boundary Survey for Kimco Birmingham L.P. by Gonzalez-Strength & Associates, Inc., Jon P. Strength, Alabama Registered Land Surveyor No. 21181, dated February 13, 2002, last revised June 6, 2003, being more particularly described as follows:

Commence at the Southwest corner of said Section 31, Township 18 South, Range 1 West and run in a Northerly direction along the West line for a distance of 1471.17 feet to a point on the Northern most right of way line of U.S. Highway 280; thence run along last described course for a distance of 577.10 feet to the POINT OF BEGINNING; thence continue along last described course for a distance of 472.39 feet; thence turn a deflection angle of 90 degrees 17 minutes 26 seconds to the right and run in a Easterly direction for a distance of 419.70 feet; thence turn a deflection angle of 104 degrees 04 minutes 56 seconds to the right and run in a Southwesterly direction for a distance of 483.03 feet; thence turn a deflection angle of 75 degrees 10 minutes 42 seconds to the right and run in a Westerly direction for a distance of 299.80 feet to the POINT OF BEGINNING. Said parcel contains 169,191 square feet 3.88 acres more or less.