

# Delaware

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20040206000062300 Pg 1/3 15.00  
Shelby Cnty Judge of Probate, AL  
02/06/2004 09:47:00 FILED/CERTIFIED

18140729-1 I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF

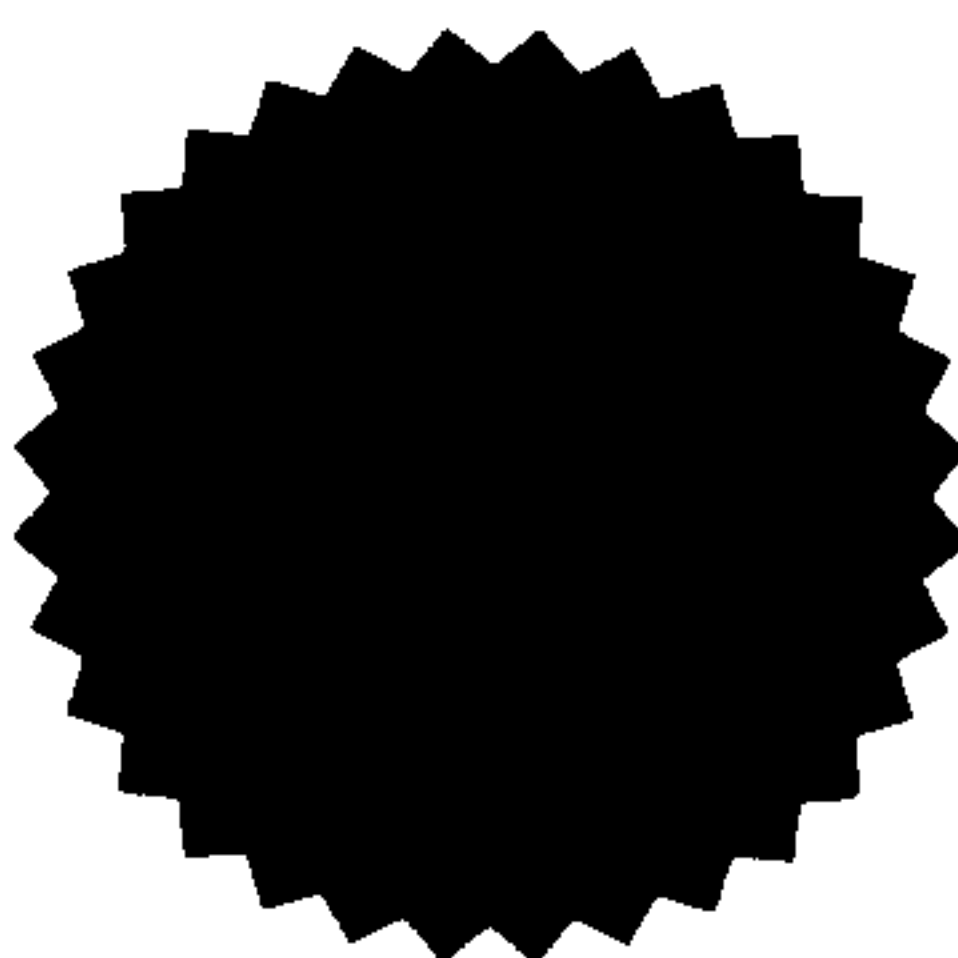
DELAWARE DO HEREBY CERTIFY THAT THE ATTACHED IS A TRUE AND  
CORRECT COPY OF THE CERTIFICATE OF CONVERSION OF A DELAWARE  
CORPORATION UNDER THE NAME OF "CAPTAIN D'S, INC." TO A DELAWARE  
LIMITED LIABILITY COMPANY, CHANGING ITS NAME FROM "CAPTAIN D'S,  
INC." TO "CAPTAIN D'S, LLC", FILED IN THIS OFFICE ON THE FIFTH  
DAY OF AUGUST, A.D. 2002, AT 11:30 O'CLOCK A.M.

20040406000176940 Pg 1/4 20.00  
Shelby Cnty Judge of Probate, AL  
04/06/2004 10:37:00 FILED/CERTIFIED

This document is being re-recorded to add an additional Legal  
Description.

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*Harriet Smith Windsor*

Harriet Smith Windsor, Secretary of State

AUTHENTICATION: 2117220

DATE: 12-02-02

**STATE OF DELAWARE CERTIFICATE OF CONVERSION  
FROM A CORPORATION TO A LIMITED LIABILITY COMPANY  
PURSUANT TO SECTION 266 OF THE  
DELAWARE GENERAL CORPORATION LAW**

**August 5, 2002**

- (1) The name of the corporation is Captain D's, Inc., a Delaware corporation (the "Corporation").
- (2) The original Certificate of Formation for this entity was filed on June 25, 1999, and a Certificate of Conversion, converting the entity to its current corporate form, was filed on August 30, 2000.
- (3) The name of the limited liability company into which the Corporation is being converted is Captain D's, LLC.
- (4) The conversion of the Corporation into a limited liability company has been approved in accordance with Section 266 of the Delaware General Corporation Law and such conversion shall be effective August 5<sup>th</sup>, 2002.

CAPTAIN D'S, INC.

By: 

Name: Glen W. Allen, Jr.

Its: Vice-President

Exhibit A

Land in Shelby County, Alabama, being more particularly described as follows:

Tract I:

A part of the SW $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 25, Township 20 South, Range 3 West, being more particularly described as follows: Commence at the Southwest corner of the SW $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 25, Township 20 South, Range 3 West and run East along the South line of said  $\frac{1}{4}$ - $\frac{1}{4}$  section a distance of 130.60 feet to a point on the Westerly right-of-way line of U. S. Highway No. 31; thence an angle left of 75 degrees 29 minutes and run Northerly along said Westerly right-of-way line a distance of 560 feet to the point of beginning; thence an angle left of 90 degrees and run Northwesterly a distance of 200 feet; thence an angle right of 90 degrees and run Northerly a distance of 115 feet; thence an angle right of 90 degrees and run Easterly a distance of 200 feet to the Westerly right-of-way line of U. S. Highway No. 31; thence an angle right of 90 degrees and run along said Westerly right-of-way line 115 feet to the point of beginning.

Tract II:

A parcel of land situated in the Southwest 1/4 of the Southwest 1/4 of Section 25, Township 20 South, Range 3 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the Southwest corner of the Southwest one quarter of the Southwest one quarter of Section 25, Township 20 South, Range 3 West, Shelby County, Alabama, and run East along the South line of said quarter-quarter section 130.60 feet to a point on the westerly right of way of U. S. Highway No 31; thence 75 degrees 29 minutes left and run northerly along said westerly right of way 560 feet; thence 90 degrees left leaving said right of way and run northwesterly 200 feet to the point of beginning; thence continue along last stated course 118.23 feet to the easterly right of way of the Louisville-Nashville Railroad; thence 82 degrees 21 minutes thirty seconds right along said railroad right of way 116.03 feet; thence 97 degrees 38 minutes 30 seconds right leaving said railroad right of way and run 133.66 feet; thence 90 degrees right 115 feet to the point of beginning.

Address of Property: 1381 First St. N., Alabaster, Alabama

Tax: 13-7-25-3-001-008.006 and 13-7-25-3-001-008.010

NCS<sup>#</sup>02-740

**Exhibit A**

Land in the Town of Pelham, Shelby County, Alabama, being more particularly described as follows:

A parcel of land lying in the Southeast Quarter of Section 31, Township 19 South, Range 2 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the Southwest corner of the Southeast Quarter of Section 31, Township 19 South, Range 2 West, Shelby County, Alabama; thence Easterly along the South line of said Quarter Section 1,826.71 feet to a point; thence turn a right interior angle of 57° 00'07" and run Northwesterly 1,620.77 feet to a point on the Southeast right-of-way line of Alabama Highway No. 119, being 100 feet Southeasterly of the centerline of said highway; thence turn a left interior angle of 88 degrees 41 minutes 21 seconds and run Northeasterly and parallel to said highway centerline 160.62 feet to the point of beginning of said parcel; thence continue on last described course a distance of 92.45 feet to a point that is 100 feet Southeasterly of and at right angles to the centerline of said highway at Station 37+00; thence turn a left interior angle of 165 degrees 57 minutes 50 seconds and run Northeasterly 9.51 feet; thence turn a left interior angle of 149 degrees 02 minutes 10 seconds and run Southeasterly 62.56 feet; thence turn a left interior angle of 135 degrees 00 minutes 00 seconds and run in a Southeasterly direction a distance of 167.00 feet; thence turn a left interior angle of 90 degrees 00 minutes and run in a Southwesterly direction a distance of 145.83 feet; thence turn a left interior angle of 90 degrees 00 minutes and run in a Northwesterly direction a distance of 213.46 feet to the point of beginning.



**U18140729-01L004**

CERT./CONVERSION  
LOAN# 3573  
US Recordings

Address of Property: 420 Cahaba Valley Rd., Pelham, Alabama

Tax: 10-9-31-4-001-007.008

NCS No. 02-741