



20040507000243190 Pg 1/5 3,859.50  
Shelby Cnty Judge of Probate, AL  
05/07/2004 15:53:00 FILED/CERTIFIED

Prepared by:

Bradley G. Siegal  
Leitman, Siegal & Payne, P.C.  
600 North 20th Street, Suite 400  
Birmingham, Alabama 35203

\$ 3,833,379.00

Send Tax Notice to:

Wal-Mart Stores, Inc.  
Property Tax Department #8013  
1301 S.E. Tenth Street, Store #423-03  
Bentonville, AR 72716-0555

**STATUTORY WARRANTY DEED**

STATE OF ALABAMA )

SHELBY COUNTY )

COLONIAL PROPERTIES SERVICES, INC., an Alabama corporation ("Grantor")  
owns certain property in Shelby County, Alabama;

WHEREAS, Grantor hereby executes the following deed so as to convey the property  
described herein to Wal-Mart Real Estate Business Trust, a Delaware Statutory Trust  
("Grantee").

NOW, THEREFORE, in consideration of Ten and No/100 Dollars and other good and  
valuable consideration, in hand paid by the Grantee herein, the receipt of which is hereby  
acknowledged, Grantor does by these presents, grant, bargain, sell and convey unto Grantee, the  
following described real estate, situated in Shelby County, Alabama, to-wit:

See Exhibit "A" which is attached hereto and incorporated herein by reference.

SUBJECT TO:

1. Taxes for the year 2004 which are not yet due and payable.
2. Those matters appearing on Exhibit "B" which is attached hereto and incorporated  
herein by reference.

jjk\cp\crip\alabaster\walmart\  
closing\statwarr.deed1 4/22/04

Title Group

The Grantor hereby covenants and agrees with Grantee, its successors and assigns, that Grantor and its successors and assigns will warrant and defend the above-described real estate against the lawful claims (unless otherwise noted above) of all persons claiming by, through, or under the Grantor, but not further or otherwise.

IN WITNESS WHEREOF, Grantor has executed this deed under seal on this 7th day of ~~April~~, 2004.  
May

COLONIAL PROPERTIES SERVICES, INC.

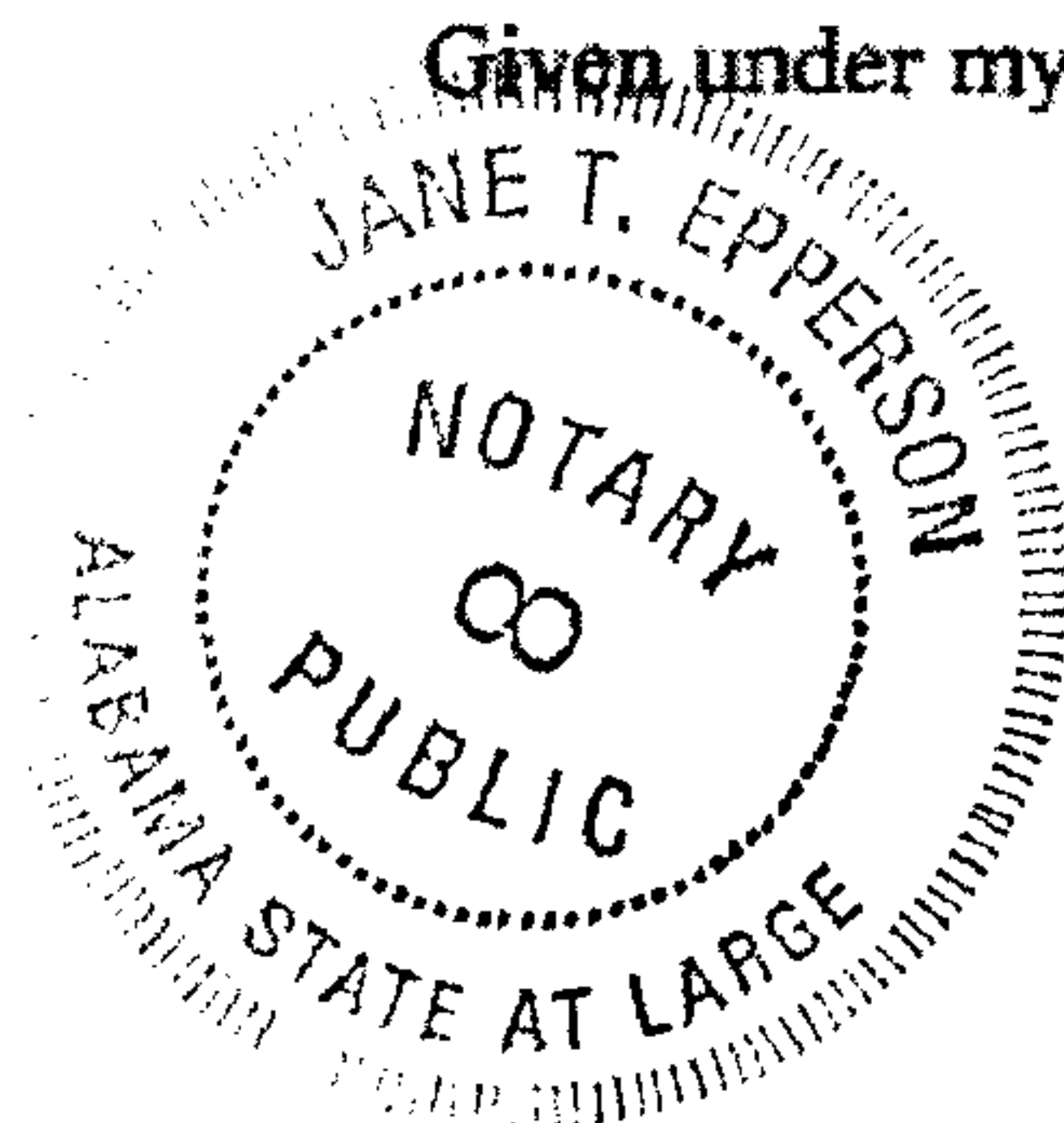
By: RB [Signature]  
Its: VP

STATE OF ALABAMA )  
Jefferson COUNTY )

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that Debra Battist, whose name as V.P. of Colonial Properties Services, Inc., is signed to the foregoing document, and who is known to me, acknowledged before me on this day, that, being informed of the contents thereof, 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 7th day of May, 2004.

Jane T. Epperson  
Notary Public  
My Commission Expires: JANUARY 15, 2008





## EXHIBIT "A"

### LEGAL DESCRIPTION

A parcel of land situated in the East ½ of Section 1, Township 21 South, Range 3 West, Shelby County, Alabama being more particularly described as follows:

Commence at the Southeast corner of Section 1, Township 21 South, Range 3 West; thence in a Westerly direction along the South line of said Section 1 a distance of 1965.36 feet to a point; thence  $84^{\circ}15'29''$  to the right in a Northerly direction a distance of 428.78 feet to the P.C. (point of curve) of a curve to the right having a radius of 25.00 feet and a central angle of  $86^{\circ}31'11''$ ; thence in a Northerly, Northeasterly and Easterly direction along the arc of said curve a distance of 37.75 feet to the P.T. (point of tangent) of said curve; thence tangent to said curve in an Easterly direction a distance of 491.10 feet to a point; thence  $93^{\circ}42'51''$  to the left in a Northerly P.C. (point of curve) of a curve to the left having a radius of 65.00 feet and a central angle of  $43^{\circ}14'23''$ ; thence in a Northeasterly and Northerly direction along the arc of said curve a distance of 49.05 feet to the P.T. (point of tangent) of said curve; thence tangent to said curve in a Northerly direction a distance of 320.64 feet to the P.C. (point of curve) of a curve to the right having a radius of 60.00 feet and a central angle of  $50^{\circ}38'01''$ ; thence in a Northerly and Northeasterly direction along the arc of said curve a distance of 53.02 feet to the P.R.C. (point of reverse curve) of a curve to the left having a radius of 70.00 feet and a central angle of  $96^{\circ}14'51''$ ; thence in a Northeasterly, Northerly and Northwesterly direction along the arc of said curve a distance of 117.59 feet to the P.R.C. (point of reverse curve) of a curve to the right having a radius 60.00 feet and a central angle of  $70^{\circ}36'50''$ ; thence in a Northwesterly, Northerly and Northeasterly direction along the arc of said curve a distance of 73.95 feet to the P.T. (point of tangent) of said curve; thence tangent to said curve in a Northeasterly direction a distance of 111.29 feet to a point; thence  $95^{\circ}00'$  to the right in a Southeasterly direction a distance of 196.66 feet to a point; thence  $90^{\circ}00'$  to the left in a Northeasterly direction a distance of 60.00 feet to the POINT OF BEGINNING of the parcel described herein; thence  $90^{\circ}00'$  to the left in a Northwesterly direction a distance of 840.36 feet to a point; thence  $48^{\circ}39'24''$  to the right in a Northwesterly direction a distance of 34.63 feet to a point; thence  $48^{\circ}39'24''$  to the left in a Northwesterly direction a distance of 79.38 feet to the P.C. (point of curve) of a curve to the right having a radius of 1045.00 feet and a central angle of  $5^{\circ}30'48''$ ; thence in a Northwesterly direction along the arc of said curve a distance of 100.55 feet to the P.T. (point of tangent) of said curve; thence tangent to said curve in a Northwesterly direction a distance of 67.30 feet to the P.C. (point of curve) of a curve to the right having a radius of 25.00 feet and a central angle of  $90^{\circ}00'$ ; thence in a Northwesterly, Northerly and Northeasterly direction along the arc of said curve a distance of 39.27 feet to the P.T. (point of tangent) of said curve; thence tangent to said curve in a Northeasterly direction a distance of 258.78 feet to a point; thence  $85^{\circ}06'07''$  to the right in a Southeasterly direction a distance of 112.00 feet to a point; thence  $90^{\circ}36'54''$  to the left in a Northeasterly direction a distance of 89.17 feet to the P.C. (point of curve) of a curve to the right having a radius of 338.50 feet and a central angle of  $22^{\circ}58'43''$ ; thence in a Northeasterly direction along the arc of said curve a distance of 135.76 feet to the P.T. (point of tangent) of said curve; thence tangent to said curve in a Northeasterly direction a distance of 165.27 feet to a point; thence  $72^{\circ}32'06''$  to the right in a Southeasterly direction a distance of 14.15 feet to a point;

thence  $72^{\circ}32'06''$  to the left in a Northeasterly direction a distance of 119.53 feet to a point; thence  $68^{\circ}45'21''$  to the right in a Southeasterly direction a distance of 88.28 feet to a point; thence  $68^{\circ}45'21''$  to the left in a Northeasterly direction a distance of 109.58 feet to a point; thence  $67^{\circ}01'20''$  to the right in a Southeasterly direction a distance of 264.34 feet to a point; thence  $30^{\circ}00'$  to the right in a Southeasterly direction a distance of 143.28 feet to a point; thence  $30^{\circ}01'39''$  to the left in a Southeasterly direction a distance of 222.69 feet to a point on a curve to the left having a radius of 55.00 feet and a central angle of  $67^{\circ}33'31''$ ; thence  $70^{\circ}08'37''$  to the right (angle measured to tangent) in a Southerly and Southeasterly direction along the arc of said curve a distance of 64.85 feet to the P.R.C. (point of reverse curve) of a curve to the right having a radius of 72.00 feet and a central angle of  $118^{\circ}23'41''$ ; thence in a Southeasterly, Southerly and Southwesterly direction along the arc of said curve a distance of 148.78 feet to the P.R.C. (point of reverse curve) of a curve to the left having a radius of 45.00 feet and a central angle of  $30^{\circ}57'07''$ ; thence in a Southwesterly direction along the arc of said curve a distance of 24.31 feet to the P.T. (point of tangent) of said curve; thence tangent to said curve in a Southwesterly direction a distance of 307.13 feet to the P.C. (point of curve) of a curve to the left having a radius of 45.00 feet and a central angle of  $40^{\circ}14'52''$ ; thence in a Southwesterly and Southerly direction along the arc of said curve a distance of 31.61 feet to the P.R.C. (point of reverse curve) of a curve to the right having a radius of 72.00 feet and a central angle of  $80^{\circ}29'58''$ ; thence in a Southerly and Southwesterly direction along the arc of said curve a distance of 101.16 feet to the P.R.C. (point of reverse curve) of a curve to the left having a radius of 45.00 feet and a central angle of  $40^{\circ}15'09''$ ; thence in a Southwesterly direction along the arc of said curve a distance of 31.61 feet to the P.T. (point of tangent) of said curve; thence tangent to said curve in a Southwesterly direction a distance of 203.14 feet to the POINT OF BEGINNING.

Containing 851,862 Square feet or 19.556 Acres.



**EXHIBIT "B"**

**PERMITTED EXCEPTIONS**

1. Taxes for the current year, 2004.
2. Temporary Easement for ingress/egress as reserved in Declaration of Vacation dated March 22, 2004 and recorded in Instrument #20040408000184040, in the Office of the Judge of Probate of Shelby County, Alabama.
3. Rights of utilities, including but not limited to an 18 inch CIP water main, 37 inch CMP, sanitary sewer, water main(s) and lines in and to that portion of Interstate Drive right-of-way vacated in Declaration of Vacation dated March 22, 2004 and recorded in Instrument #20040408000184040, in said Probate Office.