

STATE OF ALABAMA)
 :
COUNTY OF SHELBY)

STATUTORY WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS; that, in consideration of Ten Dollars (\$10.00) and other good and valuable consideration to the undersigned Grantor, in hand paid by the Grantee, the receipt and sufficiency of which are hereby acknowledged, **Alabaster Retail Property, L.L.C.**, an Alabama limited liability company (hereinafter referred to as "Grantor"), does hereby grant, bargain, sell and convey unto **T&V LeBlanc, LLC**, a Georgia limited liability company (herein referred to as "Grantee"), its successors and assigns, the following-described real estate situated in the County of Shelby and the State of Alabama, to wit:

**SEE EXHIBIT "A" ATTACHED HERETO, MADE A PART
HEREOF AND INCORPORATED BY REFERENCE.**

This conveyance is made subject to those matters set forth on Exhibit "B" attached hereto, made a part hereof and incorporated by reference.

For ad valorem tax purposes only, the mailing address of Grantee is
655 Pilgrim Mill Road, Cumming, Georgia 30024.

TO HAVE AND TO HOLD, the aforegranted premises to the said GRANTEE, its successors and assigns FOREVER.

IN WITNESS WHEREOF, Alabaster Retail Property, L.L.C., an Alabama limited liability company, has caused this instrument to be executed by its duly authorized Manager, with full authority, on this 31 day of August, 2004.

ALABASTER RETAIL PROPERTY, L.L.C.,
an Alabama limited liability company

By: SC Management, Inc.,
an Alabama corporation
Its Manager

By: Jeff P. Chan
Its President

[ACKNOWLEDGEMENT BEGINS NEXT PAGE]

STATE OF ALABAMA)
 :
COUNTY OF MONTGOMERY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Salvador whose name as President of SC Management, Inc., an Alabama corporation, acting as Manager of Alabaster Retail Property, L.L.C., 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 the instrument, he, as such President and with full authority, executed the same voluntarily for and as the act of said corporation acting as Manager of said limited liability company.

Given under my hand an official seal this 31 day of August, 2004.

(SEAL)

Susan Howers
Notary Public
My Commission Expires: 10/24/05

This instrument was prepared by:
Jeffrey W. Blitz, Esq.
Rushton, Stakely, Johnston & Garrett, P.A.
Post Office Box 270
Montgomery, Alabama 36101-0270
(334) 206-3100
Aronov\Alabaster\Zaxby's\Deed\Deed (8-31-04)
2940-289
083120041057

NOTE: THE PREPARER OF THIS INSTRUMENT HAS SERVED AS A SCRIVENER ONLY AND HAS NOT EXAMINED TITLE WITH RESPECT TO THE PROPERTY DESCRIBED HEREIN AND DOES NOT HEREBY GIVE AN OPINION WITH RESPECT THERETO.

Exhibit "A"

Lot 3, according to the Map of the White Stone Center Subdivision, as said Map appears of record in the Office of the Judge of Probate of Shelby County, Alabama, in Map Book 33, at Pages 138-A and 138-B.

TOGETHER WITH all and singular the rights, tenements, hereditaments, members, privileges and appurtenances thereunto belonging or in anywise appertaining.

Exhibit "B"

This conveyance is subject to the following terms and conditions:

1. Taxes for the year 2004 and subsequent years;
2. Release of damages recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Deed Book 216, Page 584;
3. Easement and right of way granted the City of Alabaster recorded in said Probate Office under Instrument No. 1999-30479;
4. Agreement and easements to the Alabaster Water Board recorded in said Probate Office under Instrument No. 1996-04042;
5. Southern Natural Gas Pipeline easement as described in said Probate Office in Deed Book 90, Page 68, and Deed Book 195, Page 398;
6. Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto;
7. Easement to the City of Alabaster recorded in said Probate Office under Instrument No. 1999-30482;
8. Slope Easement Agreement recorded in said Probate Office under Instrument No. 2003021000008100;
9. Access Easement Agreement recorded in said Probate Office under Instrument No. 20030210000080990, as amended by Instrument No. 20030421000240340;
10. Stock Pile Easement Agreement recorded in said Probate Office under Instrument No. 20030210000080990, as amended by Instrument No. 20030421000240340;
11. Memorandum of Lease dated January 17, 2003, recorded in said Probate Office under Instrument No. 20030210000081140, as subordinated by that certain Subordination, Non-Disturbance and Attornment Agreement recorded in said Probate Office under Instrument No. 20030210000081180;
12. Easement(s)/Right(s) of Way granted Alabama Power Company recorded in said Probate Office under Instrument No. 20040115000028690;
13. Parking Lot and Road Crossing Agreement recorded in said Probate Office under Instrument No. 20040316000133480;

14. Declaration of Restrictions appearing of record in said Probate Office under Instrument No. 20040316000133490 and under Instrument No. 20031124000768400;
15. Declaration of Restrictions (Outparcel) recorded in said Probate Office under Instrument No. 20040903000495500;
16. Easements and other matters shown on Map of White Stone Center Subdivision appearing of record in said Probate Office in Map Book 33, at Pages 138-A and 138-B;
17. Matters that would be disclosed by an accurate survey and inspection of the property; and
18. Joint Access Easement – Lots 3 and 4, White Stone Center Subdivision, recorded in said Probate Office under Instrument No. 20040903000495490