



20050531000260990 1/3 \$21.00
Shelby Cnty Judge of Probate, AL
05/31/2005 11:10:22AM FILED/CERT

This instrument was prepared by:
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600 University Park Place, Suite 350
Birmingham, Alabama 35209

Send Tax Notice to:
Shoppes at Greystone, LLC
1528 Saulter View Road
Birmingham, AL 35209
Attn: Allen W. Hawkins, III

The consideration set out herein is represented by a purchase money mortgage in favor of Compass Bank recorded simultaneously herewith.

STATUTORY WARRANTY DEED

STATE OF ALABAMA)
)
COUNTY OF SHELBY) KNOW ALL MEN BY THESE PRESENTS:

That in consideration of One Million Eighty-six Thousand Eight Hundred Seventy-six and No/100 Dollars (\$1,086,876.00) to the undersigned Grantor, DANTRACT, INC., an Alabama Corporation (hereinafter referred to as GRANTOR), in hand paid by SHOPPES AT GREYSTONE, LLC, an Alabama limited liability company (herein referred to as GRANTEE), the receipt of which is hereby acknowledged, the said GRANTOR does by these presents, grant, bargain, sell and convey unto GRANTEE the following described real estate, situated in Shelby County, Alabama, to-wit:

Lot 3A, according to the Final Plat of a resurvey of The Crossroads, as recorded in Map Book 30, page 62 in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

Subject to the exceptions listed on Exhibit A attached hereto and made a part hereof.

THIS PROPERTY IS CONVEYED "AS IS", "WHERE IS" AND "WITH ALL FAULTS." This conveyance is made subject to the following restrictive covenant which is to run with the bargained premises and shall be binding on GRANTEE and any future grantee, their successor's and/or assigns namely, GRANTEE is restricted for a period of three (3) years from May 3, 2004 from using the bargained premises as a primary seafood restaurant.

And subject to the foregoing, GRANTOR will warrant and forever defend the right and title to the said bargained premises unto GRANTEE against the claims of all persons owning, holding, or claiming by, through, or under GRANTOR, which claims are based upon matters occurring subsequent to GRANTOR's acquisition of the bargained premises, and prior to the date of delivery of this deed.

IN WITNESS WHEREOF, the said GRANTOR, who is authorized to execute this conveyance, has hereto set its signature this the 27th day of May, 2005.



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DANTRACT, INC.

By: Charles W. Daniel
Charles W. Daniel, President

STATE OF ALABAMA
COUNTY OF JEFFERSON

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Charles W. Daniel whose name as President of Dantract, Inc., an Alabama corporation, 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 conveyance, he executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal, this the 27th day of May, 2005.

(SEAL)

[Signature]
Notary Public
My Commission Expires: 8/27/05

EXHIBIT A

1. Encroachments, overlaps, boundary line, or other matters which would be disclosed by an accurate survey or inspection of the premises.
2. Any prior reservation or conveyance, together with release of damages of minerals of every kind and character, including, but not limited to gas, oil, sand, and gravel in, on and under subject property.
3. General and special taxes or assessments for the year 2005 and subsequent years not yet due and payable.
4. Easements as shown by Map Book 30, page 62.
5. Restrictions, covenants and conditions as set out in instrument(s) recorded in Real 314 page 506; Inst. No. 1996-531; Inst. No. 1996-532 and Inst. No. 2000-38942 in the Probate Office.
6. Transmission Line Permit(s) to Alabama Power Company as shown by instrument(s) recorded in Deed 109 page 491; Deed 109 page 499 and Deed 141 page 180 in the Probate Office.
7. Right(s) of Way(s) granted to Shelby County by instrument(s) recorded in Final Record 13 page 330; Deed 95 page 519 and Deed 135 page 59 in the Probate Office.
8. Right(s) of Way granted to State of Alabama by instrument(s) recorded in Inst. No. 1993-3977 and Deed 253 page 844 in the Probate Office.
9. Easement to AlaGas Corporation as shown by instrument recorded in Inst.#2004081100049860 in the Probate Office.
10. Covenant and Agreement for water service as set out in Real 235 page 574, Real 235, page 649, Inst. No. 1992-20786 and Inst. No. 1993-20840 in the Probate Office.
11. Restrictions, limitations and conditions as set out in Map Book 28 page 29, Map Book 28 page 79 and Map Book 30 page 62 in the Probate Office.
12. Declaration of Covenants, Restrictions, and Easements as set out in instrument(s) recorded in Inst. No. 20040122000037120, in the Probate Office.

CWD