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Shelby Cnty Judge of Probate, AL
06/30/2005 12:33:57PM FILED/CERT

Prepared By:

Michael T. Folks, Esq.
Captain D's, LLC
1717 Elm Hill Pike, Suite A-1
Nashville, Tennessee 37210

When Recorded Return To:

Michael T. Folks, Esq.
Captain D's, LLC
1717 Elm Hill Pike, Suite A-1
Nashville, Tennessee 37210

GENERAL WARRANTY DEED

Baker Seafood, Inc. (the "Grantor"), an Alabama corporation, having a mailing address of 101 Baker Avenue, Clanton, Alabama 35045, for and in consideration of \$10.00 and other good and valuable consideration to the Grantor in hand paid by Captain D's, LLC (the "Grantee"), a Delaware limited liability company, having a mailing address of 1717 Elm Hill Pike, Suite A-1, Nashville, Tennessee 37210, the receipt and sufficiency of which the Grantor hereby acknowledges, has granted, bargained, sold and conveyed and, by these presents, hereby grants, bargains, sells and conveys to the Grantee all of that certain real property located in Shelby County, Alabama, being more particularly described on Exhibit A to this instrument, together with (1) all improvements located on the property, (2) all and singular rights, benefits, privileges, easements, tenements, hereditaments and appurtenances on the property or in anywise appertaining to the property, (3) all right, title and interest of the Grantor in and to all strips and gores and any land lying in the bed of any street, road or alley, opened or closed, adjoining the property, and (4) all right, title and interest of the Grantor in and to all other property around, claimed or used by the Grantor adjoining or contiguous to any part of the property (collectively, the "Property").

The Grantor is making and the Grantee is accepting this conveyance subject to the encumbrances and exceptions listed on Exhibit B to this instrument (the "Permitted Exceptions"), if and only to the extent valid and enforceable against the Property.

To have and to hold the Property, as set forth above, unto the Grantee and its successors and assigns forever. The Grantor hereby binds itself and its successors and assigns to warrant and forever defend all and singular, subject to the Permitted Exceptions, the Property unto the Grantee and its successors and assigns, against every person whomsoever lawfully claiming or to claim the Property or any part of the Property.

The Grantee, by its acceptance of this conveyance, hereby assumes and shall pay any and all ad valorem taxes and special assessments pertaining to the Property for the calendar year of 2005 and subsequent years, the parties having prorated the ad valorem taxes for the current calendar year between themselves.

In witness of this conveyance, the Grantor has executed this General Warranty Deed on this 24 day of June, 2005.

Grantor:

Baker Seafood, Inc.

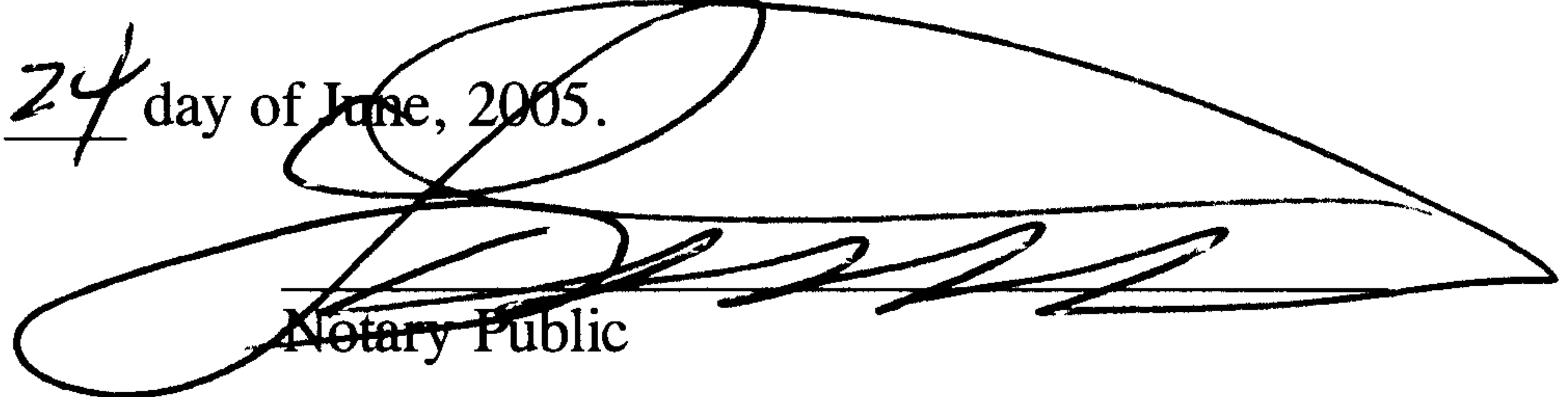
By:


Curtis W. Baker, President

State of Alabama)
) ss:
County of Chilton)

I, the undersigned, a Notary Public in and for the above-referenced state and county, hereby certify that Curtis W. Baker, who has signed his name as President of Baker Seafood, Inc. on the foregoing conveyance 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 on the day set forth on the conveyance.

Given under my hand and seal on this 24 day of ~~June~~, 2005.


Notary Public

My Commission Expires:

4-26-08
[Seal]

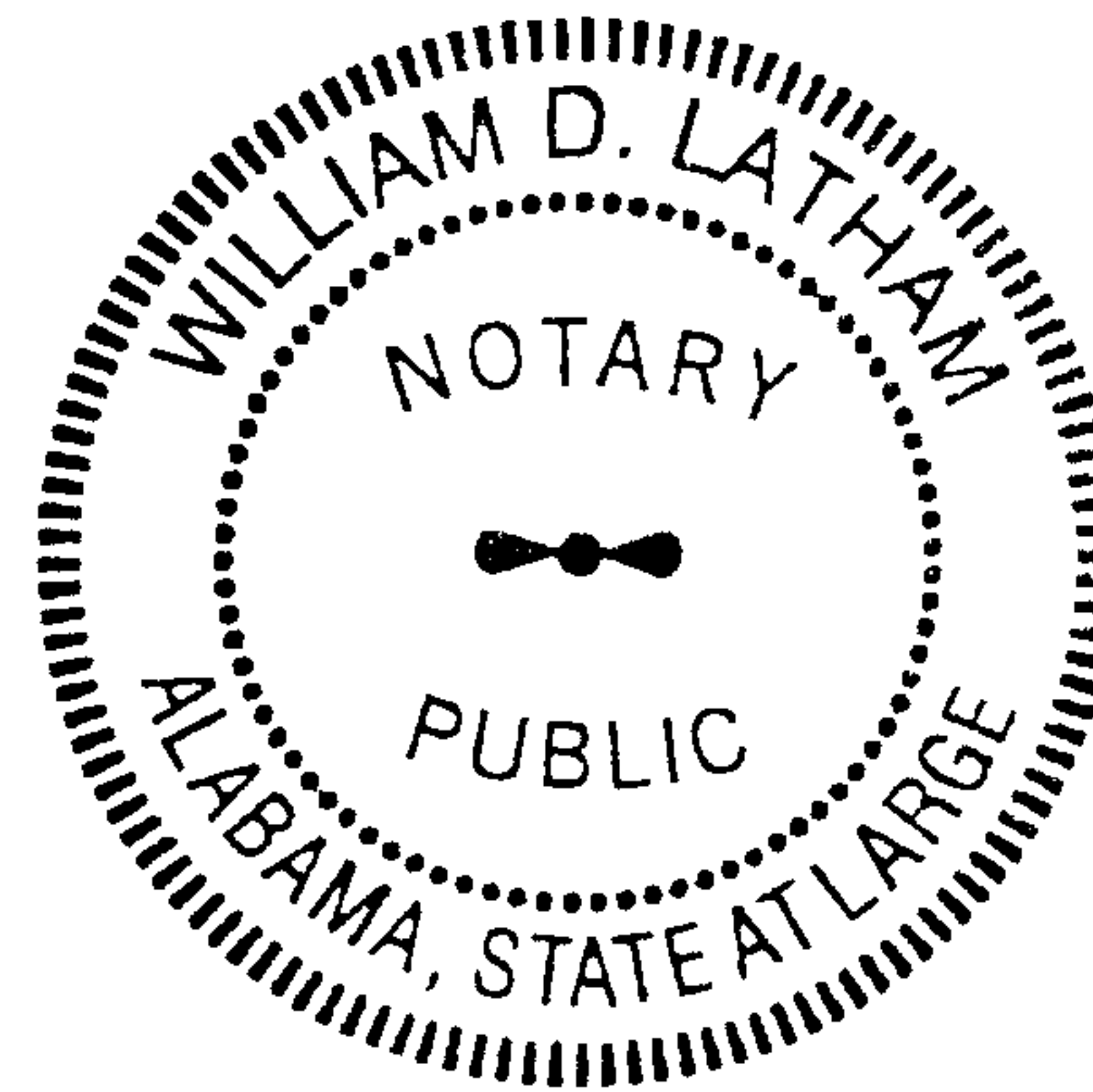


Exhibit A

Legal Description of Property

Lot 4A, according to Baker Seafood, Inc. Resurvey (being a resurvey of Lots 4 and 5, Wal-Mart Supercenter #3271 Subdivision, as recorded in Map Book 27, Page 117) as recorded in Map Book 31, Page 92, in the Office of the Judge of Probate of Shelby County, Alabama, also being situated in the Northwest Quarter of the Southeast Quarter of the Section 4, Township 22 North, Range 2 West, St. Stephens Meridian, Shelby County, Alabama, and being more particularly described as follows:

Commence at point at the Southwest Corner of the Southwest Quarter of the Northeast Quarter of Section 4, Township 22 North, Range 2 West, St. Stephens Meridian, Shelby County, Alabama; thence run North 02 degrees 06 minutes 24 seconds West along the West line of said Quarter Section for a distance of 512.99 feet to a point; thence run South 89 degrees 47 minutes 07 seconds East for a distance of 1,036.65 feet to a point on the West right-of-way margin of U.S. Highway 31; thence run South 10 degrees 16 minutes 53 seconds East along said right-of-way margin for a distance of 386.25 feet to an iron pin, said point being the True Point of Beginning; thence continue South 10 degrees 16 minutes 53 seconds East along said right-of-way margin for a distance of 80.23 feet to an iron pin; thence run South 79 degrees 34 minutes 19 seconds West along said right-of-way margin for a distance of 49.72 feet to an iron pin, said point being the point of a curve to the right having a radius of 854.81 feet and an arc distance of 83.80 feet; thence run along said curve to the right and along said right-of-way margin a chord bearing South 07 degrees 31 minutes 03 seconds East and a chord distance of 83.76 feet to an iron pin; thence run North 89 degrees 39 minutes 17 seconds West for a distance of 188.73 feet to an iron pin; thence run North 00 degrees 22 minutes 34 seconds East for a distance of 111.06 feet to an iron pin, said point being the point of a curve to the right having a radius of 43.50 feet and an arc distance of 60.24 feet; thence run along said curve to the right a chord bearing North 40 degrees 02 minutes 50 seconds East and a chord distance of 55.54 feet to an iron pin; thence run North 79 degrees 43 minutes 07 seconds East for a distance of 120.73 feet to an iron pin; thence run South 10 degrees 16 minutes 53 seconds East for a distance of 5.00 feet to an iron pin; thence run North 79 degrees 43 minutes 07 seconds East for a distance of 40.25 feet to an iron pin; thence run South 65 degrees 30 minutes 48 seconds East for a distance of 18.21 feet to a point and back to the True Point of Beginning.

Said property being a portion of the property conveyed to Baker Seafood, Inc. by that certain Special Warranty Deed made May 29, 2001, and recorded as Instrument # 2001-25730 in the Office of the Judge of Probate of Shelby County, Alabama.

Together with a non-exclusive access easement as conveyed to Baker Seafood, Inc. on May 29, 2001, and recorded in Instrument #2001-25731, including ingress and egress access across the following described property:

Commence at the Southwest Corner of the Southwest Quarter of the Northeast Quarter of Section 4, Township 22 North, Range 2 West, Shelby County, Alabama; thence North 02 degrees 06 minutes 24 seconds West 512.99 feet; thence South 89 degrees 47 minutes 07 seconds East 1,036.65 feet; thence South 10 degrees 16 minutes 53 seconds East 396.25 feet to the Westerly margin of U.S. Highway 31; thence continue along said highway South 10 degrees 16 minutes 53 seconds East 80.24 feet; thence continue along said right-of-way South 79 degree 34 minutes 19 seconds West 49.72 feet; thence continue along said right-of-way on a curve, said curve concave to the West and having a radius of 854.82 feet, along a chord bearing South 02 degrees 26 minutes 38 seconds East for a chord distance of 234.44 feet to the beginning of a 25-foot ingress and egress access easement; thence leaving said right-of-way along a curve, said curve concave to the South and having a radius of 121.50 feet, along a chord bearing North 79 degrees 08 minutes 51 seconds West for a chord distance of 44.19 feet; thence North 89 degrees 37



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minutes 26 seconds West 121.82 feet to the beginning of a curve, said curve concave to the Northeast and having a radius of 23.50 feet, along a chord bearing North 44 degrees 37 minutes 26 seconds West for a chord distance of 33.23 feet; thence North 00 degrees 23 minutes 01 second East 230.63 feet to the beginning of a curve, said curve concave to the Southeast and having a radius of 43.50 feet, along a chord bearing North 40 degrees 02 minutes 50 seconds East for a chord distance of 55.54 feet; thence North 79 degrees 43 minutes 07 seconds East 120.73 feet; thence South 10 degrees 16 minutes 53 seconds East 5.0 feet; thence North 79 degrees 43 minutes 07 seconds East 40.25 feet; thence South 65 degrees 30 minutes 48 seconds East 18.21 feet to the point of beginning; said easement being 25 feet left of the above-described line and being a 25-foot ingress and egress access easement situated in Shelby County, Alabama.

Said easement being the same easement granted Baker Seafood, Inc. by that certain Access Easement entered into as of May 29, 2001, and recorded as Instrument # 20030619000384230 in the Office of the Judge of Probate of Shelby County, Alabama.

Together with a non-exclusive easement and license as declared, granted and established for the benefit of Baker Seafood, Inc. on June 13, 2003, and recorded in Instrument 20030619000384230 in the Office of the Judge of Probate of Shelby County, Alabama.



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Exhibit B

Permitted Exceptions

1. Taxes, charges or assessments for the year 2005 and all subsequent years.
2. Matters disclosed by that certain survey prepared by Derek L. Harvel, Registered Land Surveyor, dated May 27, 2005.
3. Easements and other matters of record.

Shelby County, AL 06/30/2005
State of Alabama

Deed Tax: \$1050.00