

20050901000453270 1/3 \$18.00
Shelby Cnty Judge of Probate, AL
09/01/2005 03:20:12PM FILED/CERT

Re: Taco Bell Unit No. 2963
Site Address: 4623 Highway 280 East, Birmingham, Shelby County, Alabama

Send Tax Notice To:
c/o Drawbridge Long Dated Value GP LLC
1251 Avenue of the Americas, 16th Floor
New York, NY 10020
Attention: John C. King, Treasurer/CFO

SPECIAL WARRANTY DEED

THIS INDENTURE made and entered into on this, the 26th day of July, 2005 to be effective as of August 16, 2005, by and between **Taco Bell of America, Inc.**, a Delaware corporation, as Grantor, and **LDVF1H Taco LLC**, a Delaware limited liability company, as Grantee;

That the said Grantor, for and in consideration of the sum of Ten Dollars (\$10.00), cash in hand paid by the said Grantee, and other good and valuable considerations, the receipt of which is hereby acknowledged, has this day given, granted, bargained, sold and conveyed and does by these presents hereby give, grant bargain, sell and convey unto the said Grantee the following described real estate, lying and being in the County of Shelby, State of Alabama, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

Prior Instrument Reference: Deed dated March 16, 1999 and recorded as Instrument No. 1999-29672 in the Shelby County Records.
Parcel Identification Number: 02-73-60-0-010-08-004.

together with all and singular, the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining.

TO HAVE AND TO HOLD unto the said Grantee and unto its successors and assigns forever in fee simple.

AND the Grantor covenants with the Grantee, that Grantor has done nothing to impair such title as Grantor received, and that Grantor will warrant and defend the title against the lawful claims of all persons claiming by, under or through Grantor,

SUBJECT TO all restrictions, easements, conditions, encroachments of record, all defects that would be shown on an accurate survey of the property, all zoning ordinances, and taxes and assessments, both general and special, not yet due and payable.

IN WITNESS WHEREOF, Taco Bell of America, Inc., a Delaware corporation, has caused this instrument to be executed by its undersigned officers who are duly authorized on the day and year first above written.

Taco Bell of America, Inc., a Delaware corporation

By: R. Bryce Shirley
R. BRYCE SHIRLEY
Vice President

STATE OF CALIFORNIA
COUNTY OF ORANGE

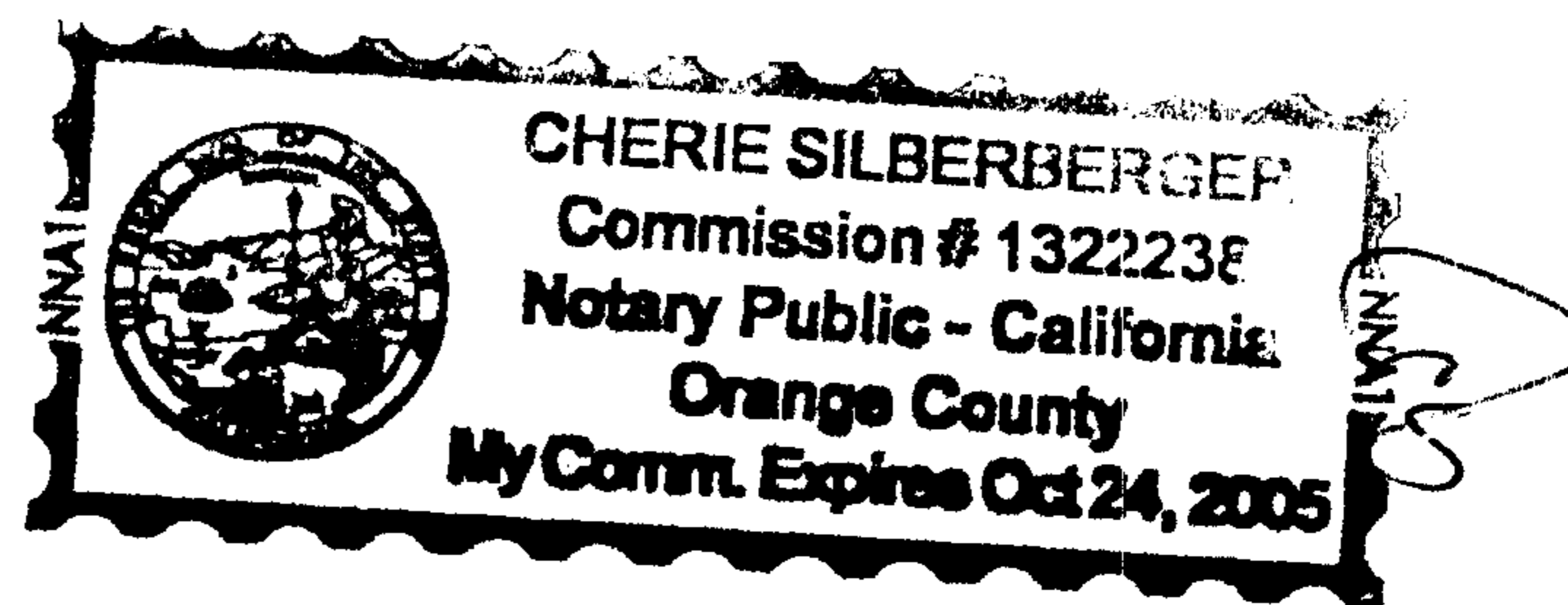
I, the undersigned, a Notary Public in and for said County in said State, hereby certify that R. Bryce Shirley, whose name as Vice President of Taco Bell of America, Inc., a Delaware corporation, is signed to the foregoing, and who is known to me, acknowledged before me on this day that, being informed of the contents of the foregoing, R. Bryce Shirley as such officer and with full authority executed the same voluntarily for and as the act of said corporation on the day the same bears date.

Given under my hand and official seal this the 26 day of July, 2005.

Cherie Silberberger
Notary Public

This instrument prepared by:

Taco Bell of America, Inc.
c/o Yum! Brands Inc.
1441 Gardiner Lane
Louisville, KY 40213



After recording return to:

Stewart Title Guaranty Company
501 West Schrock Road, Suite 203
Westerville, Ohio 43081
Attn: Gaye Pfeifer

1485438.1

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EXHIBIT A

Store #: 2963

Address: 4623 Highway 280, Birmingham, Alabama

County: Shelby

A PARCEL OF LAND SITUATED IN THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 36, TOWNSHIP 18 SOUTH, RANGE 2 WEST, SHELBY COUNTY, ALABAMA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SECTION 36, TOWNSHIP 18 SOUTH, RANGE 2 WEST, AND RUN SOUTH ALONG THE WEST LINE OF SAID SECTION A DISTANCE OF 277.41 FEET TO A POINT ON THE NORTHEASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY 280; THENCE 53 DEGREES 01 MINUTE 13 SECONDS TO THE LEFT IN A SOUTHEASTERLY DIRECTION ALONG THE NORTHEASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY 280 A DISTANCE OF 254.49 FEET TO A POINT; THENCE 0 DEGREES 32 MINUTES 45 SECONDS TO THE RIGHT IN A SOUTHEASTERLY DIRECTION ALONG THE NORTHEASTERLY RIGHT OF WAY LINE OF U. S. HIGHWAY 280 A DISTANCE OF 190.23 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG THE LAST STATED COURSE A DISTANCE OF 135.00 FEET TO A POINT; THENCE 92 DEGREES 30 MINUTES TO THE LEFT IN A NORTHEASTERLY DIRECTION OF 275.00 FEET TO A POINT; THENCE 87 DEGREES 30 MINUTES TO THE LEFT IN A NORTHWESTERLY DIRECTION A DISTANCE OF 135.00 FEET TO A POINT; THENCE 92 DEGREES 30 MINUTES TO THE LEFT IN A SOUTHWESTERLY DIRECTION A DISTANCE OF 275.00 FEET TO THE POINT OF BEGINNING.