

SEND TAX NOTICE TO:  
Wal-Mart Stores East, LP  
Property Tax Dept. # 8013  
1301 S.E. 10th Street, Store # 4330-00  
Bentonville, AR 72716-8013

**WARRANTY DEED**

STATE OF ALABAMA       )  
COUNTY OF SHELBY     )

KNOW ALL MEN BY THESE PRESENTS, That in consideration of the sum of Ten and No/100 Dollars (\$10.00) to the undersigned Grantor, in hand paid by the Grantee herein, the receipt whereof is acknowledged, **Gail J. Owen**, an unmarried woman, **Kathy L. Joseph**, an unmarried woman, **individually and as personal representative of the Estate of L. Douglas Joseph**, Deceased, Shelby County Probate Case No. PR-2004-000547, and **Exchange Investment Holdings, LLC**, an Alabama Limited Liability Company, as **Qualified Intermediary for J. Anthony Joseph** (herein jointly, severally and collectively referred to as Grantor), do grant, bargain, sell and convey unto **Wal-Mart Stores East, LP**, whose address is c/o Property Tax Dept., 1301 S.E. 10th Street, Dept. #8013, Bentonville, AR 72716-0550 (herein referred to as Grantee), the real estate described on Exhibit "A" attached hereto and incorporated herein by this reference, and which is situated in Shelby County, Alabama.

This conveyance is made subject to:

- (i) General and special taxes, including any rollback taxes, and assessments for 2006 and subsequent years, a lien but not yet due and payable;
- (ii) Transmission Line Permit(s) to Alabama Power Company as shown by instrument(s) recorded in Deed Book 102, page 166, Deed Book 102, page 167, Deed Book 102, page 168, and Deed Book 102, page 395, in Probate Office;
- (iii) Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto, including rights set out in Deed Book 272, page 702, in Probate Office;

*Owen*



- (iv) Rights of the public and others entitled thereto in and to the use of that portion of the described premises within the bounds of the adjacent wetlands near the southeast corner of the subject property as shown on the survey by Jon P. Strength, RLS # 21181, of Gonzalez-Strength & Associates, Inc., last dated February 15, 2006; and
- (v) Drainage Easement across the Northwest corner of subject property as shown on map provided by ALDOT and referenced on the survey by Jon P. Strength, RLS # 21181, of Gonzalez-Strength & Associates, Inc., last dated February 15, 2006.

[The subject property does not constitute the homestead of any Grantor or of any Grantor's spouse.]

This instrument is executed as required by the Articles of organization and operating agreement of Exchange Investment Holdings, LLC and same have not been modified or amended.

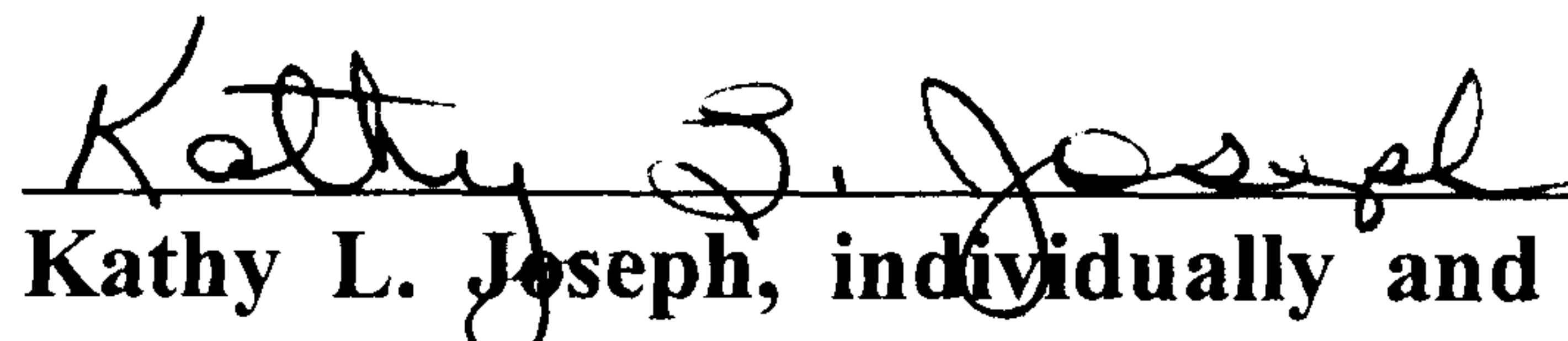
TO HAVE AND TO HOLD, to the said Grantee, its successors and assigns, forever.

And Grantor does for themselves and for their heirs, personal representatives, successors and assigns, covenant with the said Grantee, its successors and assigns, that Grantor is lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that Grantor has a good right to sell and convey the same as aforesaid; that Grantor will and their heirs, personal representatives, successors and assigns shall warrant and defend the same to the said Grantee, its successors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the undersigned has hereunto set her hand and seal this the 3rd day of April, 2006.



Gail J. Owen



Kathy L. Joseph, individually and as personal representative of the Estate of L. Douglas Joseph, Shelby Co. Probate Case No. PR-2004-00547

**Exchange Investment Holdings, LLC**  
**An Alabama Limited Liability Company**  
**As Qualified Intermediary for J. Anthony Joseph**

BY: 

Laurie Boston Sharp, Member

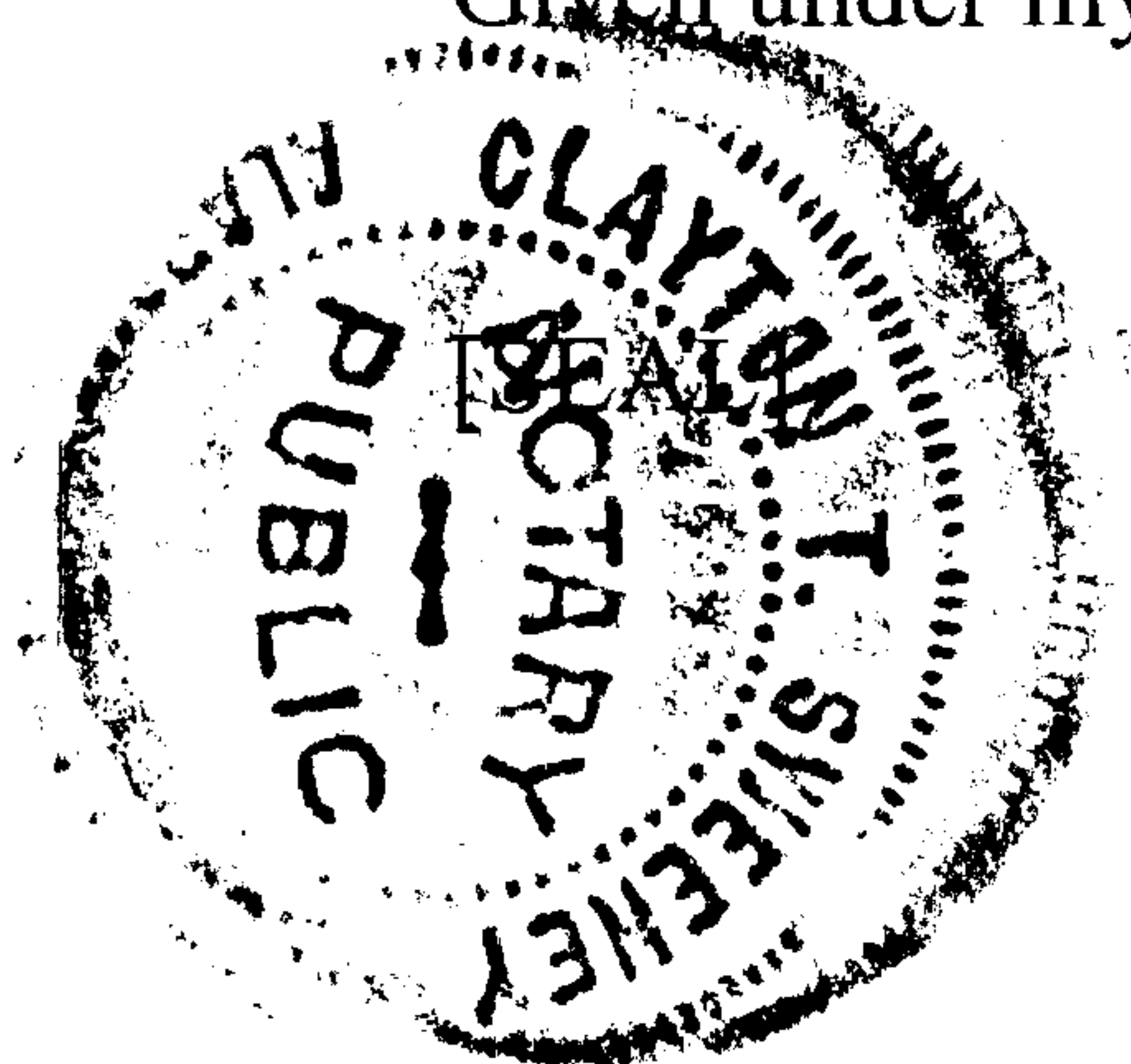
*[Acknowledgments on next page]*



STATE OF ALABAMA     )  
JEFFERSON COUNTY    )

I, Clayton T. Sweeney, being the undersigned, a Notary Public in and for said county, in said state, hereby certify that Gail J. Owen, an unmarried woman, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of said conveyance, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 3<sup>rd</sup> day of April, 2006.

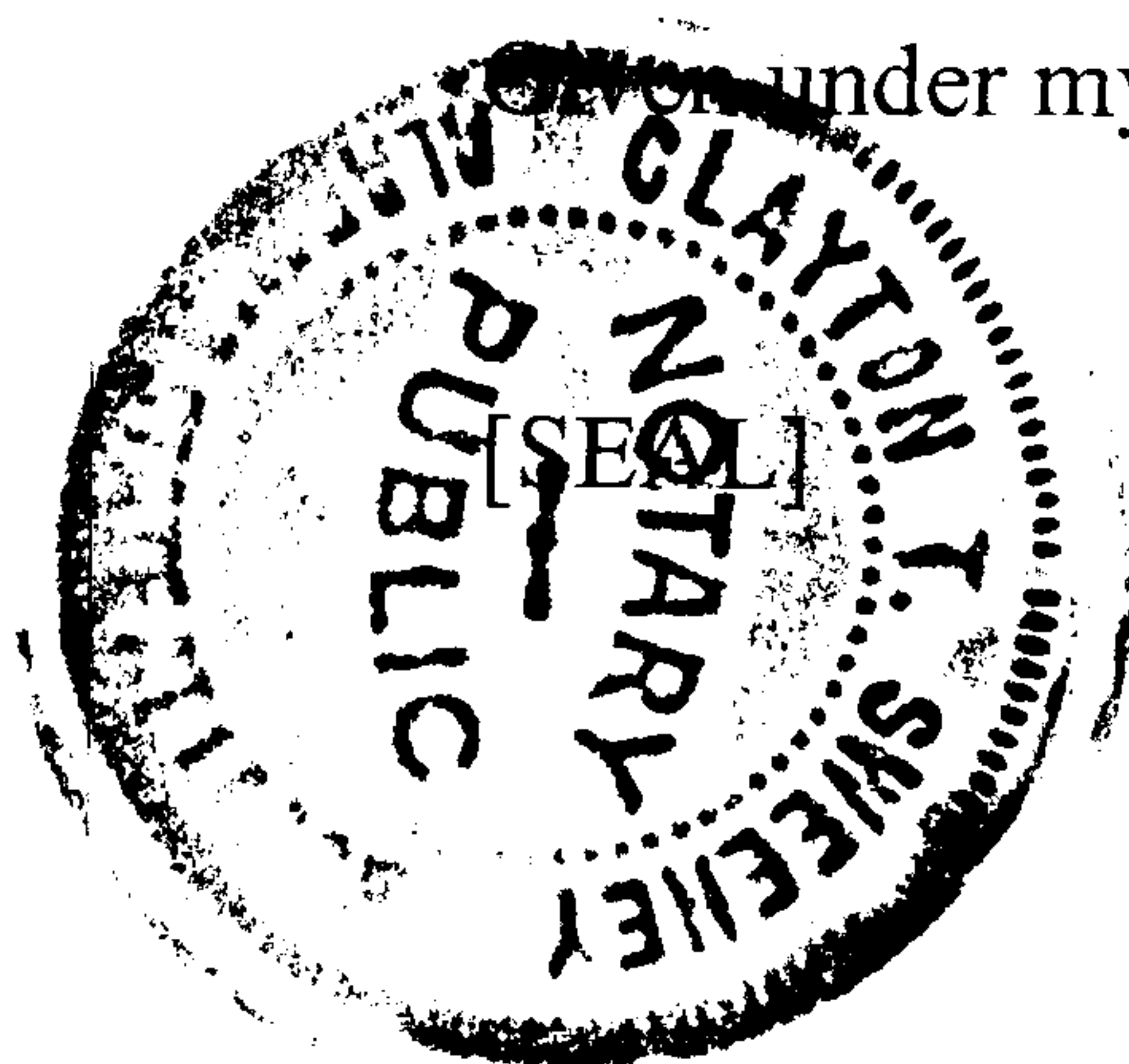


\_\_\_\_\_  
NOTARY PUBLIC  
MY COMMISSION EXPIRES: 6/5/2007

STATE OF ALABAMA     )  
JEFFERSON COUNTY    )

I, Clayton T. Sweeney, being the undersigned, a Notary Public in and for said county, in said state, hereby certify that Kathy L. Joseph, an unmarried woman, individually and as personal representative of the Estate of L. Douglas Joseph, Deceased, Shelby County Probate Case No. PR-2004-000547, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of said conveyance, she executed the same voluntarily on the day the same bears date individually and in her capacity as personal representative as aforesaid.

Given under my hand and official seal this 3<sup>rd</sup> day of April, 2006.



\_\_\_\_\_  
NOTARY PUBLIC  
MY COMMISSION EXPIRES: 6/5/2007

20060404000153940 4/5 \$3955.50  
Shelby Cnty Judge of Probate, AL  
04/04/2006 08:15:32AM FILED/CERT

STATE OF ALABAMA )  
JEFFERSON COUNTY )

I, Clayton T. Sweeney, being the undersigned, a Notary Public in and for said county, in said state, hereby certify that Laurie Boston Sharp, whose name as Member of Exchange Investment Holdings, LLC, an Alabama Limited Liability Company, as Qualified Intermediary for J. Anthony Joseph, a married man, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of said conveyance, she as such Member and with full authority executed the same for and as the act of said Limited Liability Company.

Given under my hand and official seal this 3<sup>rd</sup> day of April, 2006.

[SEAL]

NOTARY PUBLIC

MY COMMISSION EXPIRES: 6/5/2007

THIS INSTRUMENT PREPARED BY:

Clayton T. Sweeney, Esq.  
Attorney At Law  
2700 Highway 280 East Suite 160  
Birmingham, AL 35223  
(205) 871-8855

AND UPON RECORDATION SHOULD BE RETURNED TO:

Karen B. Johns, Esq.  
Miller, Hamilton, Snider & Odom, L.L.C.  
Suite 1200 -- Financial Center  
505 North 20<sup>th</sup> Street  
Birmingham, Alabama 35203  
(205) 226-5200



EXHIBIT "A"  
TO  
WARRANTY DEED

A parcel of land situated in the Southwest quarter of Section 26, Township 19 South, Range 1 West, Shelby County, Alabama, being more particularly described as follows:

Begin at the Northeast corner of the Southwest one-quarter of the Southwest one-quarter of said Section; thence run South 00 degrees 40 minutes 35 seconds East along the East line of said quarter-quarter for a distance of 209.96 feet; thence leaving said East line, run North 46 degrees 02 minutes 28 seconds West for a distance of 295.00 feet to a point on the South line of the Northwest one-quarter of the Southwest one-quarter of said Section; thence run South 88 degrees 35 minutes 27 seconds West along the South line for a distance of 45.00 feet; thence leaving said South line, run North 00 degrees 13 minutes 13 seconds West for a distance of 41.89 feet; thence run North 79 degrees 29 minutes 21 seconds West for a distance of 157.97 feet; thence run North 82 degrees 38 minutes 30 seconds West for a distance of 273.61 feet; thence run South 81 degrees 07 minutes 40 seconds West for a distance of 54.84 feet; thence run South 05 degrees 41 minutes 18 seconds West for a distance of 109.93 feet; thence run South 88 degrees 35 minutes 27 seconds West for a distance of 209.67 feet; thence run North 00 degrees 49 minutes 36 seconds West for a distance of 954.91 feet to a point on the Southernmost right of way line of U. S. Highway 280 (right of way varies); thence run North 79 degrees 39 minutes 33 seconds East along said right of way for a distance of 659.33 feet; thence run North 85 degrees 22 minutes 11 seconds East along said right of way for a distance of 100.50 feet; thence run North 79 degrees 39 minutes 33 seconds East along said right of way for a distance of 100.00 feet; thence run North 73 degrees 56 minutes 55 seconds East along said right of way for a distance of 100.50 feet; thence run North 79 degrees 39 minutes 33 seconds East along said right of way for a distance of 0.24 feet; thence leaving said right of way, run South 00 degrees 31 minutes 53 seconds East for a distance of 1103.99 feet to a point on the South line of the Northwest one-quarter of the Southwest one-quarter of said Section; thence run North 88 degrees 35 minutes 27 seconds East along said South line for a distance of 15.95 feet to the POINT OF BEGINNING. Said parcel contains 949,460 square feet or 21.80 acres more or less.

Shelby County, AL 04/04/2006  
State of Alabama

Deed Tax: \$3930.50