

S#9/P#3806

Send tax notice to:
Commercial Net Lease Realty, LP
450 South Orange Avenue, Suite 900
Orlando, FL 32801

This instrument prepared by and
after recording send to:
Francis C. Bagbey
Smith Anderson Law Firm
2500 Wachovia Capitol Center
Raleigh, North Carolina 27601

STATE OF ALABAMA)
 :
COUNTY OF SHELBY)

995,275⁰⁰

STATUTORY WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of Ten Dollars (\$10.00) and other good and valuable considerations in hand paid to **THE PANTRY, INC.**, a Delaware corporation ("Grantor") by **COMMERCIAL NET LEASE REALTY, LP**, a Delaware limited partnership ("Grantee"), the receipt and sufficiency of which are hereby acknowledged, Grantor does hereby grant, bargain, sell, and convey unto Grantee, subject to the matters hereinafter set forth, the following described real estate (the "Property") situated in Shelby County, Alabama, to-wit:

Parcel I

A parcel of land situated in the northeast quarter of the southwest quarter of Section 27, Township 19 South, Range 1 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the southwest corner of the southeast quarter of the southwest quarter of Section 27, Township 19 South, Range 1 West, Shelby County, Alabama, and run in a northerly direction along the west line of said 1/4-1/4 section a distance of 1048.33 feet to a point; thence 66°52'40" to the right in a northeasterly direction a distance of 210.13 feet to a point; thence 16°06'07" to the right in a northeasterly direction a distance of 109.35 feet to a point; thence 18°54'05" to the left in a northeasterly direction a distance of 117.46 feet to a point; thence 67°45'50" to the right in a southeasterly direction a distance of 20.00 feet to a point; thence 90°00' to the left in a northeasterly direction a distance of 568.78 feet to a point on the southerly right-of-way of U.S. Highway #280; thence 90°26'05" to the right in a southeasterly direction a distance of 38.32 feet along said right-of-way line to a point; thence 90°00' to the left in a northeasterly direction a distance of 210.00 feet along said right-of-way line to a point; thence 24°53' to the right in a northeasterly direction a distance of 151.47 feet along said right-of-way line to a point; thence 103°34'46" to the right in a southeasterly direction a distance of 153.75 feet to a point; thence 90°00' to the left in a northeasterly direction a distance of 108.85 feet to the point of beginning; thence 38°41'58" to the left in a northeasterly direction a distance of 101.53 feet to a

point; thence $128^{\circ}41'58''$ to the right in a southeasterly direction a distance of 63.48 feet to a point; thence $90^{\circ}00'$ to the right in a southwesterly direction a distance of 79.24 feet to the point of beginning.

Parcel II

A parcel of land situated in the northeast quarter of the southwest quarter and the northwest quarter of the southeast quarter of Section 27, Township 19 South, Range 1 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the southwest corner of the southeast quarter of the southwest quarter of Section 27, Township 19 South, Range 1 West, Shelby County, Alabama, and run in a northerly direction along the west line of said $1/4$ - $1/4$ section a distance of 1048.33 feet to a point; thence $66^{\circ}52'40''$ to the right in a northeasterly direction a distance of 210.13 feet to a point; thence $16^{\circ}06'07''$ to the right in a northeasterly direction a distance of 109.35 feet to a point; thence $18^{\circ}54'05''$ to the left in a northeasterly direction a distance of 117.46 feet to a point; thence $67^{\circ}45'50''$ to the right in a southeasterly direction a distance of 20.00 feet to a point; thence $90^{\circ}00'$ to the left in a northeasterly direction a distance of 568.78 feet to a point on the southerly right-of-way line of U.S. Highway #280; thence $90^{\circ}26'05''$ to the right in a southeasterly direction a distance of 38.32 feet along said right-of-way line to a point; thence $90^{\circ}00'$ to the left in a northeasterly direction a distance of 210.00 feet along said right-of-way line to a point; thence $24^{\circ}53'$ to the right in a northeasterly direction a distance of 151.47 feet along said right-of-way line to the point of beginning; thence continue along the last described course and along the southerly right-of-way line of U.S. Highway #280 a distance of 44.48 feet to a point; thence $13^{\circ}57'46''$ to the right in a northeasterly direction along said right-of-way line a distance of 268.33 feet to a point; thence $140^{\circ}55'02''$ to the right (leaving said right-of-way line) in a southwesterly direction a distance of 259.74 feet to a point; thence $38^{\circ}41'58''$ to the right in a southwesterly direction a distance of 108.85 feet to a point; thence $90^{\circ}00'$ to the right in a northwesterly direction a distance of 153.75 feet to the point of beginning.

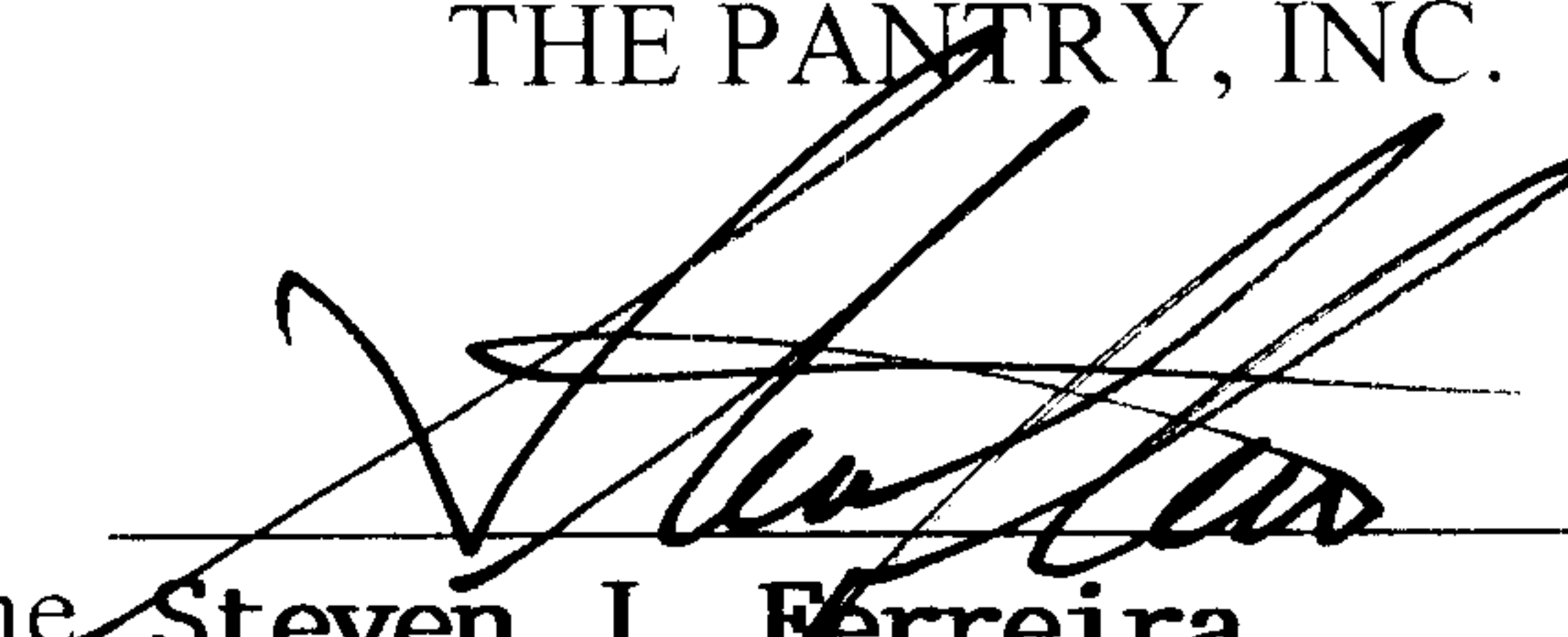
TOGETHER WITH rights pursuant to Declaration of Covenants, Easements and Restrictions recorded as Instrument #1998-33436 in the Probate Office of Shelby County, Alabama; Declaration of Easements and Restrictions for Private Sewer System recorded as Instrument #1998-33437 in said Probate Office; and Sewer Line Easement recorded in Instrument #1999-04999 and corrected in Instrument #1999-37530 in said Probate Office

TO HAVE AND TO HOLD unto Grantee, its successors and assigns forever; subject, however, to the following:

1. Covenants, consents, reservations, servitudes, restrictions, easements, rights of way, setback lines, and other such matters of record, including, but not limited, to those granted or reserved for utilities, public streets, and roadways
2. Ad valorem taxes for the year 2006, not yet due and payable, and any assessments or charges by any governmental authority that are not yet delinquent
3. Any prior reservation or conveyance, together with release of damages, of minerals of every kind and character, including, but not limited to, oil and gas in, on, and under the Property
4. Transmission line permits to Alabama Power Company recorded in Deed Book 141, page 198, Deed Book 104, page 525, Deed Book 218, page 641, Deed Book 220, page 335, and Deed Book 102, page 138, in the Probate Office of Jefferson County
5. Right-of-way easement granted to South Central Bell Telephone and Telegraph Company recorded in Deed Book 320, page 931, in said Probate Office
6. 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 13, page 180, in said Probate Office
7. Declaration of Covenants, Easements and Restrictions by and between Grantor and Birmingham Realty Company recorded as Instrument #1998-33436 in said Probate Office
8. Sewer Line Easement Agreement by and between Grantor and Birmingham Realty Company dated February 3, 1999, and recorded in Instrument #1999-04999 and corrected in Instrument #1999-37530 in said Probate Office
9. Declaration of Easements and Restrictions for Private Sewer System dated August 20, 1998, as recorded in Instrument #1998-33437 in said Probate Office

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed for and on its behalf as of the 11th day of May, 2006.

THE PANTRY, INC.

By: 

Name Steven J. Ferreira

Its Senior Vice President Administration



20060516000229320 4/4 \$1015.50
Shelby Cnty Judge of Probate, AL
05/16/2006 08:36:38AM FILED/CERT

STATE OF NORTH CAROLINA)
:
COUNTY OF WAKE)

I, the undersigned, a notary public in and for said county in said state, hereby certify that Steven J. Ferreira, whose name as Senior Vice President Administration of The Pantry, Inc., a Delaware 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 said instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal the 11th day of May, 2006.

Kathy L. Barden
Notary Public

Kathy L. Barden
My commission expires: 4/4/11

[NOTARIAL SEAL]

KATHY L. BARDEN
NOTARY PUBLIC
WAKE COUNTY, NC

Shelby County, AL 05/16/2006
State of Alabama

Deed Tax: \$995.50