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Shelby Cnty Judge of Probate, AL  
02/13/2008 12:29:19PM FILED/CERT

THIS INSTRUMENT WAS PREPARED  
BY ~~AND SHOULD BE RETURNED TO:~~

Timothy R. Miedona., Esquire  
Lowndes Drosdick Doster Kantor & Reed, P.A.  
450 South Orange Ave., Suite 250  
Orlando, FL 32801

Renee M. Holly  
Fidelity National Title  
200 Galleria Parkway, Ste. 2060  
Atlanta, GA 30339  
0702-3534

Tax Parcel ID No. 13-5-21-4-001-008.001

### SPECIAL WARRANTY DEED

Shelby County, AL 02/13/2008  
State of Alabama

Deed Tax: \$974.00

KNOW ALL MEN BY THESE PRESENTS:

THAT the **EXPRESS REAL ESTATE, L.L.C.**, an Alabama limited liability company, whose address is 1880 South Park Drive, Hoover, Alabama 35244, hereinafter referred to as Grantor, for and in consideration of the sum of TEN AND 00/100 DOLLARS (\$10.00) cash, and other good and valuable consideration to Grantor in hand paid by **NATIONAL RETAIL PROPERTIES, LP**, a Delaware limited partnership, whose mailing address is 450 South Orange Ave., Suite 900, Orlando, FL 32801, hereinafter referred to as Grantee, has GRANTED, SOLD and CONVEYED, and by these presents does GRANT, SELL and CONVEY unto the said Grantee all that certain lot, tract, or parcel of land situated in Shelby County, Alabama more particularly described on Exhibit A attached hereto;

TOGETHER WITH all of the improvements, tenements, hereditaments and appurtenances belonging or in any way appertaining to such real property, and all of Grantor's right, title and interest in and to (i) any and all property lying in a bed of any street, road or avenue, open or proposed, in front of or adjoining such real property to the center line thereof, (ii) any strips and gores of land adjacent to, abutting or used in connection with such real property, and (iii) any easements and rights, if any, inuring to the benefit of such real property or to Grantor in connection therewith (the land and all of the foregoing being hereinafter referred to as the "Property");

PROVIDED, HOWEVER, that this conveyance is made and accepted subject to those matters described on Exhibit B attached hereto and made a part hereof by this reference for all purposes;

TO HAVE AND TO HOLD the Property, subject to the exceptions and reservations hereinafter stated, together with all and singular the rights and appurtenances thereto in anywise belonging to Grantor, unto the said Grantee, Grantee's successors and assigns forever, and Grantor does hereby bind itself and its successors to Warrant and Forever Defend all and singular the Property unto the said Grantee, Grantee's successors and assigns, against every person whomsoever lawfully claiming by, through or under the said Grantor subject, however, to those matters described on Exhibit B hereto.

EXECUTED this 5<sup>th</sup> day of February, 2008.

Signed, sealed and delivered  
in the presence of:

[Signature]  
Name: Stephen B. Griffin

[Signature]  
Name: R. Stephen Griffin

**EXPRESS REAL ESTATE, L.L.C.,**  
an Alabama limited liability company

By: [Signature]  
Name: Richard A. Brooks  
Title: CEO

STATE OF Alabama )  
Jefferson COUNTY )

I, the undersigned authority, a Notary Public in and for said State and County, hereby certify that Richard A. Brooks, whose name as CEO **EXPRESS REAL ESTATE, L.L.C.**, an Alabama limited liability company, 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 instrument, he/she, as such officer and with full authority, executed the same voluntarily for and as the act of said limited liability company on the day the same bears date.

Given under my hand and official seal, this 5<sup>th</sup> day of February, 2008

(SEAL)

[Signature]  
Notary Public  
My Commission Expires: 6/22/10

**EXHIBIT "A"**

Lot 1, according to the survey of Express Oil Subdivision, as recorded in Map Book 36, Page 61 in Probate Office of Shelby County, Alabama; being situate in Shelby County, Alabama.



**EXHIBIT "B"**

1. Ad Valorem taxes and assessments for the year 2008 and subsequent years, which are not yet due and payable.

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 the Property.

3. Restrictions, easements, limitations and conditions as set out in Map Book 36 Page 61 in Probate Office of Shelby County, Alabama.

4. Transmission line Permit to Alabama Power Company recorded in Deed Book 130 Page 189 in Probate Office of Shelby County, Alabama.

5. Right of way easement to Southern Natural Gas recorded in Deed Book 88 Page 549 and Deed Book 213 Pages 121 and 123 in Probate Office of Shelby County, Alabama and in Map Book 36 Page 61 in Probate Office of Shelby County, Alabama.

6. Right of way easement to Plantation Pipeline Company recorded in Deed Book 112 Page 305 in Probate Office of Shelby County, Alabama.

7. That certain unrecorded Lease Agreement by and between National Retail Properties, LP, as Landlord, and Express Oil Change, LLC, as Tenant, dated as of the date hereof.

8. All matters affecting the subject property as shown on that certain unrecorded ALTA/ACSM Land Title Survey prepared by H & A Associates, LLC, bearing the seal of Derek L. Harvel, No. 18387, dated January 8, 2008, last revised January 31, 2008.