

20080227000078250 1/6 \$910.50
Shelby Cnty Judge of Probate, AL
02/27/2008 09:22:15AM FILED/CERT

Prepared by: Margot J. Wickman, Esq.
Kutak Rock LLP
1650 Farnam Street
Omaha, NE 68102-2186

SEND TAX NOTICE TO: Mr. David Morgan
Murphy Oil Corporation
200 Peach Street
P. O. Box 7000
El Dorado, AR 71731

Return to: John A. Moore, Esq.
Murphy Oil Corporation
200 Peach Street
P. O. Box 7000
El Dorado, AR 71731

Grantee name and address: Murphy Oil USA, Inc.
200 Peach Street
P.O. Box 7000
El Dorado, AR 71731

\$ _____ Excise Tax

_____ Parcel ID No.

Alabaster, Alabama
WM Store # 423
Murphy Store # 7240

STATE OF ALABAMA)

:

SHELBY COUNTY)

SPECIAL WARRANTY DEED

THIS DEED, made as of the 29th day of January, 2008, by and between **WAL-MART REAL ESTATE BUSINESS TRUST**, a Delaware statutory trust, having its principal place of business at: 702 S.W. 8th Street, Bentonville, Arkansas 72716, hereinafter called "**Grantor**"; and **MURPHY OIL USA, INC.**, a Delaware corporation, whose mailing address is: 200 Peach Street, El Dorado, Arkansas 71730, hereinafter called "**Grantee**"; wherever used, the terms "Grantor" and "Grantee" include the singular or plural, as the context requires, and the respective heirs, legal representatives and assigns of individuals, and the successors and assigns of trustees, corporations and partnerships.

WITNESSETH:

That Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, to it in hand paid by Grantee to Grantor, the receipt and sufficiency of which are hereby acknowledged, by these presents does grant, bargain and sell, remise, release, convey, transfer and confirm to the Grantee in fee simple forever, that certain tract or parcel of land more particularly described in Exhibit "A" attached hereto (the "Property") and by this reference incorporated herein, subject to those matters listed on Schedule B-2 attached hereto and made a part hereof.

Shelby County, AL 02/27/2008
State of Alabama

Deed Tax: \$884.50

TOGETHER with all improvements located thereon and all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining and every right, title or interest, legal or equitable, of the Grantor of, in and to the same and in and to any and all roads, alleys and ways bounding the Property.

TO HAVE AND TO HOLD the same unto the Grantee in fee simple, forever; and the said Grantor hereby warrants the title to said Property, and will forever defend the same against the lawful claims of all persons claiming by, through or under the Grantor, but not further or otherwise.


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IN WITNESS WHEREOF, the said Grantor has hereunto set its hand and seal, the day and year first above set out.

WAL-MART REAL ESTATE BUSINESS TRUST, a Delaware statutory trust

By: 
Roy Covert, Director of Fueling Station Development

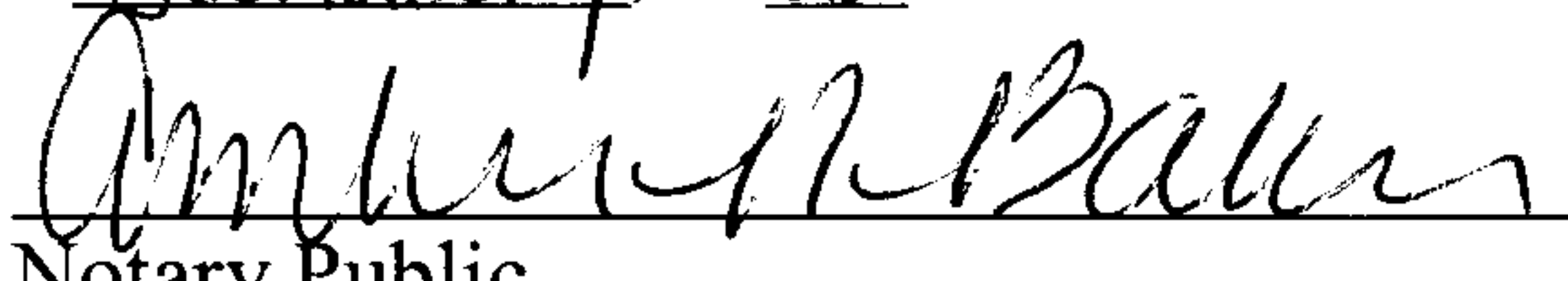
CORPORATE ACKNOWLEDGEMENT

STATE OF ARKANSAS }
COUNTY OF BENTON }

Approved as to legal terms only
By: 
WAL-MART LEGAL DEPARTMENT
Date: 1/24/2008

I, the undersigned authority, a Notary Public in and for the said County, in said State, hereby certify that Roy Covert, whose name as Director of Fueling Station Development of Wal-Mart Real Estate Business Trust, a Delaware statutory trust, is signed to the foregoing Special Warranty Deed, and who is known to me, acknowledged before me on this day that, being informed of the contents of the Special Warranty Deed, he, in his capacity as such Director of Fueling Station Development and with full authority, executed the same voluntarily for and as the act of said trust on the day the same bears date.

Given under my hand this 17th day of January, 2008.


Notary Public
My commission expires: 3/1/2017

(AFFIX NOTARY SEAL)

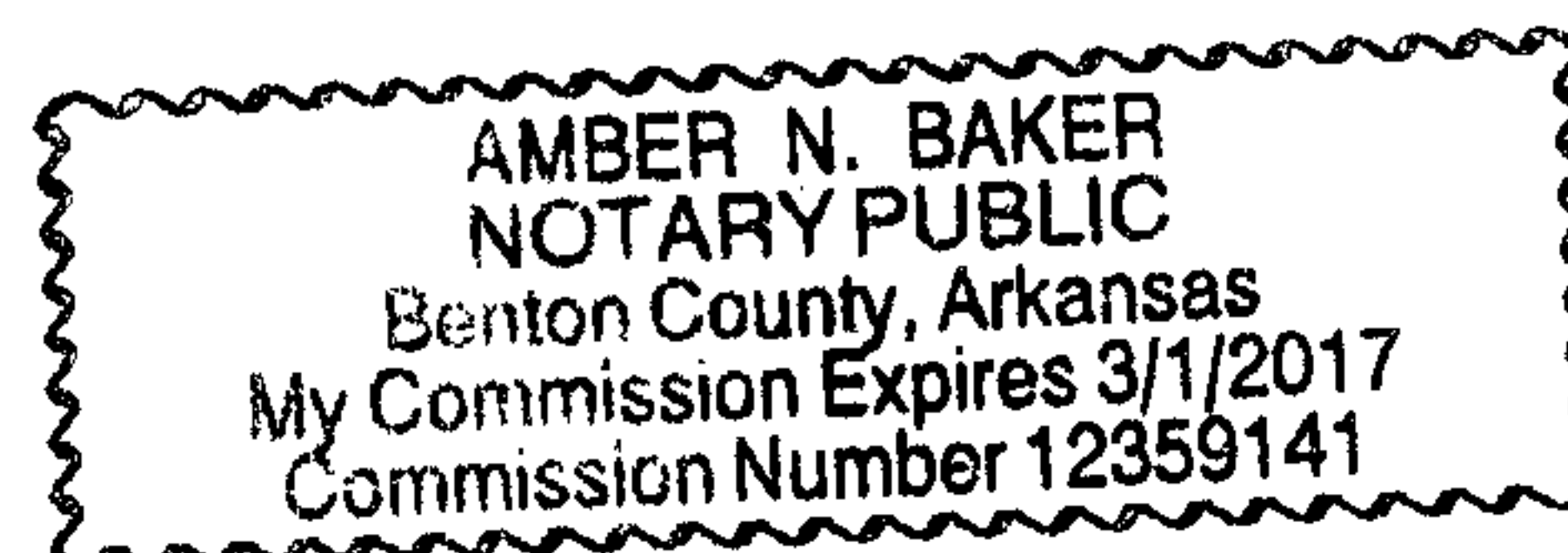



EXHIBIT A – LEGAL DESCRIPTION OF THE PROPERTY

1.103 Acres
Alabaster, Alabama
Wal-Mart Store # 423
Murphy Oil # 7240


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All that certain piece, parcel or tract of land situated, lying and being in the East half of Section 1, Township 21 South, Range 3 West, City of Alabaster, Shelby County, Alabama, all of which is more particularly bounded and described as follows:

Lot 2-B of Final Plat Murphy Oil USA, Inc., a resubdivision of Lot 2 of Colonial Promenade Alabaster Survey as recorded in Plat Book 39, Page 72, in the Office of the Judge of Probate, Shelby County, Alabama and being further described as follows:

Beginning at a 1/2" rebar found at the Southwest corner of original Lot 2 of Colonial Promenade Alabaster Survey as recorded in Map Book 35, Page 102A in the Office of the Judge of Probate, Shelby County, Alabama, also being the intersection of the easterly Right-of-Way line of Colonial Promenade Parkway (public, 100' Right-of-Way) and the northerly Right-of-Way line of Progress Boulevard (a.k.a. "Road C"- public, variable Right-of-Way);
thence run North 28 degrees 49 minutes 12 seconds East along said easterly Right-of-Way line of Colonial Promenade Parkway a distance of 258.78 feet to a 1/2" rebar with cap found on said Right-of-Way line;
thence leaving said Right-of-Way line, run South 66 degrees 04 minutes 42 seconds East a distance of 133.50 feet to a 1/2" rebar with cap found;
thence South 23 degrees 18 minutes 24 seconds West a distance of 150.00 feet to a 1/2" rebar found;
thence South 05 degrees 28 minutes 41 seconds East a distance of 133.19 feet to a chiseled "X" in concrete found;
thence South 23 degrees 18 minutes 24 seconds West a distance of 28.00 feet to a 1/2" rebar found at said northerly Right-of-Way line of Progress Boulevard;
thence North 66 degrees 41 minutes 36 seconds West along said Right-of-Way line a distance of 32.63 feet to a 1/2" rebar found on said Right-of-Way line;
thence continue along said Right-of-Way line and a curve to the right an arc length of 34.01 feet, said curve having a radius of 1045.00 feet, a chord length of 34.01 feet, a chord bearing of North 65 degrees 45 minutes 39 seconds West, to a 1/2" rebar found on said Right-of-Way line;
thence continue along said Right-of-Way line and a curve to the right an arc length of 66.54 feet, said curve having a radius of 1045.00 feet, and a chord length of 66.53 feet, a chord bearing of North 63 degrees 00 minutes 15 seconds West, to a 1/2" rebar found on said Right-of-Way line;
thence North 61 degrees 10 minutes 48 seconds West along said Right-of-Way line a distance of 67.30 feet to a 1/2" rebar found on said Right-of-Way line;
thence continue along said Right-of-Way line and a curve to the right an arc length of 39.27 feet, said curve having a radius of 25.00 feet, and a chord length of 35.36 feet, a chord bearing of North 16 degrees 10 minutes 48 seconds West, to the Point of Beginning.

The property herein described contains approximately
1.103 acres or 48,057 square feet.

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Alabaster, AL
Wm # 423
Murphy # 7240

PROFORMA OWNERS POLICY

Issued by

STEWART TITLE GUARANTY COMPANY

SCHEDULE B

Agent's File No: 47753-36

NTS File No. 07030190

Policy Number: PROFORMA

This policy does not insure against loss or damage by reason of the following:

1. Any prior reservation or conveyance, together with release of damages, of minerals of every kind and character, including, but not limited to oil, gas, sand, and gravel in, on, and under subject property.
2. Ad valorem taxes for 2008 which became a lien on October 1, 2007, but are not due or payable until October 1, 2008.
3. No insurance is afforded as to the amount of acreage or square footage described herein.
4. Denial of all existing, future or potential common law or statutory rights of access between subject property and I-65.
5. Any and all easements, setback lines and restrictions as shown on plat recorded at Map Book 35, Page 102A, and Plat Book 39, Page 72, in the Office of the Judge of Probate of Shelby County, Alabama.
6. Right of Way granted to Alabama Power Company as recorded in Deed Book 48, Page 584, Deed Book 48, Page 617, Deed Book 107, Page 133, Deed Book 107, Page 140, Deed Book 107, Page 143, Deed Book 130, Page 52, Deed Book 130, Page 86, Deed Book 130, Page 89, Deed Book 130, Page 91, Deed Book 130, Page 92, Deed Book 130, Page 93, Deed Book 130, Page 94, Deed Book 145, Page 297, Deed Book 169, Page 335, Deed Book 179, Page 337, Deed Book 180, Page 36, Deed Book 181, Page 212, Deed Book 181, Page 229, Deed Book 207, Page 669, Deed Book 207, Page 676, Deed Book 207, Page 677, Deed Book 210, Page 109, Deed Book 210, Page 114, Deed Book 210, Page 121, Deed Book 210, Page 123, Deed Book 210, Page 125, Deed Book 213, Page 366, Deed Book 218, Page 651, Deed Book 218, Page 656, Deed Book 219, Page 584, Deed Book 250, Page 852 and Deed Book 262, Page 750, in the Office of the Judge of Probate of Shelby County, Alabama.
7. Terms and Conditions of that certain Easements with Covenants and Restrictions Affecting Land ("ECR") dated May 7, 2004 and recorded on May 7, 2004 in Instrument No. 20040507000243250, and as amended by that certain First Amendment to Easements with Covenants and Restrictions Affecting Land dated May 7, 2004 and recorded on May 7, 2004 in Instrument No. 20040507000243260, in the Office of the Judge of Probate of Shelby County, Alabama.
8. Terms and conditions of that certain Declaration of Slope, Detention Pond and Construction Easement dated May 7, 2004 and recorded on May 21, 2004 in Instrument No. 20040521000271360, in the Office of the Judge of Probate of Shelby County, Alabama.



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Alabaster, AL

WM # 423

Murphy # 7240

9. Detention Facilities Maintenance Agreement recorded on October 13, 2005 in Instrument No. 20051013000534440, in the Office of the Judge of Probate of Shelby County, Alabama.
10. Easements with covenants and Restrictions Affecting Land between Wal-Mart Real Estate Business Trust and Murphy Oil USA, Inc. to be recorded contemporaneously with Special Warranty Deed of even date therewith, in the Office of the Judge of Probate of Shelby County, Alabama.
11. Declaration of Environmental Release between Wal-Mart Real Estate Business Trust and Murphy Oil USA, Inc. to be recorded contemporaneously with Special Warranty Deed of even date therewith, in the Office of the Judge of Probate of Shelby County, Alabama.
12. All such matters as shown on that certain survey of the Property prepared by Jeffrey Craig Dawson of The Shoher Group, Registered Land Surveyors, dated January 15, 2008, as last revised, and designated as Job No. 23128.
13. All restrictions, easements and setback lines as shown by plat recorded at Plat Book 39, Page 72, in the Office of the Judge of Probate of Shelby County, Alabama.

Note: As of Date of Policy, the following endorsements are attached to and incorporated by reference into this Policy:

Utility Facility	Alta 8.1 (Environmental)
Alta 3.1-06 Zoning	Mineral Rights
Alta 9.2-06 Comprehensive)	Subdivision
Alta 17.1-06 (Indirect Access and Entry)	Survey
Alta 18-06 (Single Tax Parcel -- To be issued once separate tax parcel is assigned to Lot 2-B)	
Future Insurance	