

THIS INSTRUMENT PREPARED BY:
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Birmingham, Alabama 35203-5202

Send Tax Notice To:
Apple of North Alabama, Inc.
601 Vestavia Parkway
Birmingham, Alabama 35216

STATE OF ALABAMA)
)
SHELBY COUNTY)

STATUTORY WARRANTY DEED

THIS STATUTORY WARRANTY DEED is executed and delivered this 3rd day of March, 2008, by **WILLIAM L. THORNTON, III**, a/an (un)married man (hereinafter, "Grantor"), to and in favor of **APPLE OF NORTH ALABAMA, INC.**, an Alabama corporation (hereinafter, "Grantee").

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of the sum of One Million Fifty Hundred Fifty Thousand and 00/100 Dollars (\$1,550,000.00) in hand paid by Grantee to Grantor, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by Grantor, Grantor does by these presents grant, bargain, sell and convey unto Grantee the following described real estate situated in the City of Chelsea, Shelby County, Alabama, as more particularly described on **Exhibit A** attached hereto and incorporated herein (the "Property");

TOGETHER WITH all improvements thereon and appurtenances thereto belonging or in anywise appertaining and all right, title and interest of Grantor in and to all roads, alleys and ways bounding the Property.


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

And said Grantor does for himself, his heirs, executors, administrators and assigns, covenant with said Grantee, its successors and assigns, that Grantor is lawfully seized in fee simple of the Property and that the Property is free from all encumbrances unless otherwise noted above, that Grantor has a good right to sell and convey the same as aforesaid, that Grantor and Grantor, himself, his heirs, executors, administrators and assigns shall warrant and defend the same to said Grantee, its successors and assigns, forever, against the lawful claims of all persons claiming by, under or through Grantor, except for the exceptions listed on **Exhibit B** attached hereto and hereby made a part hereof

[Signature Appears on the Following Page]

20080305000089820 2/4 \$1570.00
Shelby Cnty Judge of Probate, AL
03/05/2008 11:28:15AM FILED/CERT

IN WITNESS WHEREOF, Grantor has caused this Statutory Warranty Deed to be executed as of the date first written above.



William L. Thornton, III

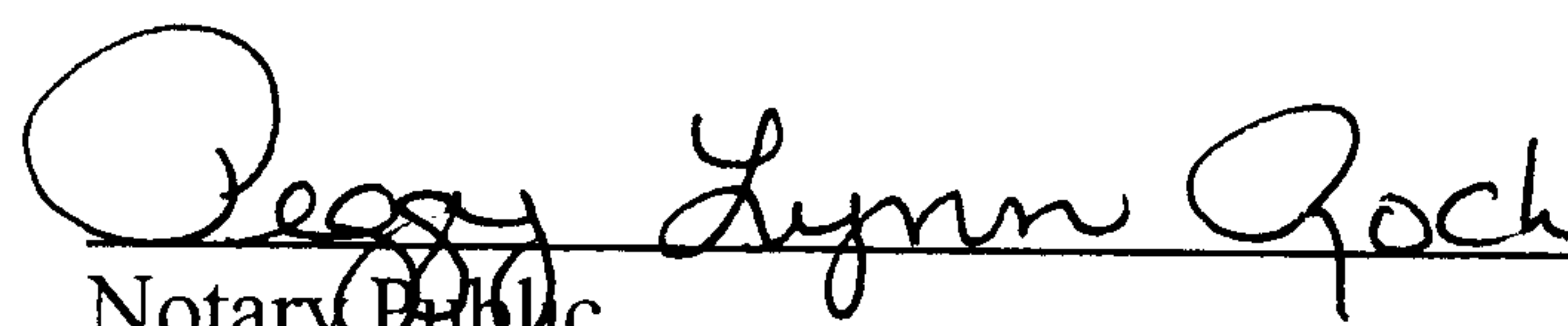
STATE OF ALABAMA)
)
SHELBY COUNTY)

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that **WILLIAM L. THORNTON, III**, a/an (un)married man, is signed to the foregoing Statutory Warranty Deed and who is known to me, acknowledged before me on this day that, being informed of the contents of said Statutory Warranty Deed, he executed the same voluntarily on the day the same bears date.

Given under my hand and seal this the 3rd day of March, 2008.

[NOTARIAL SEAL]





Notary Public
My Commission Expires: 9-9-2011

EXHIBIT A

LEGAL DESCRIPTION

A parcel of land situated in the East one-half of Section 27 Township 19 South Range 1 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the Southeast corner of said Section 27; thence run in a Westerly direction along the South line thereof for a distance of 2291.79 feet to a point on the South line of said Section 27; thence leaving said South line turn an interior angle to the left of 90 degrees 00 minutes 00 seconds and run in a Northerly direction for a distance of 843.08 feet to the point of beginning of the property hereon described said point also being on the Northern-most right of way of Chesser Drive; thence turn an interior angle to the left of 173 degrees 22 minutes 15 seconds and run in a Northeasterly direction for a distance of 210.48 feet; thence turn an interior angle to the left of 188 degrees 14 minutes 44 seconds and run in a Northerly direction for a distance of 477.97 feet; thence turn an interior angle to the left of 129 degrees 33 minutes 15 seconds and run in a Northeasterly direction for a distance of 108.97 feet to a point on the Southern-most right of way of Chesser Park Drive (60' right of way), said point also being the point of beginning of a curve turning to the right, said curve having a radius of 370.00 feet, a central angle of 07 degrees 24 minutes 26 seconds, a chord distance of 47.80 feet, and an interior angle to the left to chord of 69 degrees 30 minutes 19 seconds; thence run along the arc of said curve and along said right of way for a distance of 47.83 feet to the point of tangency of said curve; thence run along a line tangent chord of 176 degrees 17 minutes 47 seconds and run in a Southeasterly direction along a line tangent to said curve and along said right of way for a distance of 13.04 feet to the point of beginning of a tangent curve turning to the left, said curve having a radius of 330.00 feet, a central angle of 64 degrees 07 minutes 04 seconds, a chord distance of 350.32 feet; and an interior angle to the left to chord of 212 degrees 03 minutes 32 seconds; thence run along the arc of said curve and along said right of way for a distance of 369.29 feet to the point of tangency of said curve; thence run along a line tangent to said curve and along said right of way for a distance of 57.08 feet to the point of beginning of a tangent curve turning to the right, said curve having a radius of 220.00 feet, a central angle of 74 degrees 21 minutes 55 seconds, a chord distance of 265.92 feet and an interior angle to the left to chord of 142 degrees 49 minutes 03 seconds; thence run along the arc of said curve and along said right of way for a distance of 285.54 feet to the point of tangency of said curve; thence run along a line tangent to said curve and along said right of way for a distance of 58.16 feet to the point of beginning of a tangent curve turning to the left, said curve having a radius of 280.00 feet, a central angle of 03 degrees 57 minutes 29 seconds, a chord distance of 19.34 feet, thence run in a Southerly direction along the arc of said curve and along said right of way for a distance of 19.34 feet to a point on the Northwestern-most right of way of Chesser Plantation Lane; thence turn an interior angle to the left from said chord of 93 degrees 05 minutes 10 seconds and run in a Southwesterly direction along the right of way of Chesser Plantation Lane for a distance of 19.96 feet to the point of beginning of a tangent curve turning to the left, said curve having a radius of 430.00 feet, a central angle of 55 degrees 41 minutes 34 seconds, a chord distance of 401.71 feet; thence run in a Southerly direction along the arc of said curve and along said right of way for a distance of 417.97 feet to a point on the Northern-most right of way of Chesser Drive; thence turn an interior angle to the left from chord of said curve of 126 degrees 53 minutes 51 seconds and run in a Northwesterly direction along said right of way for a distance of 163.69 feet to the point of beginning of a non-tanget curve turning to the left, said curve having a radius of 2023.72 feet, a central angle of 04 degrees 03 minutes 21 seconds, a chord distance of 143.22 feet, and an interior angle to the left to chord of 182 degrees 16 minutes 16 seconds; thence run in a Northwesterly direction along the arc of said curve and along said right of way for a distance of 143.25 feet to the point of beginning.



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EXHIBIT B

PERMITTED EXCEPTIONS

1. Ad Valorem taxes for the year 2008, and subsequent years not yet due and payable.
2. Transmission line permits to Alabama Power Company as recorded in Deed Book 102, Page 138 and Deed Book 104, Page 525.
3. Title to all oil, gas and minerals within and underlying the premises, together with all oil and mining rights and other rights, privileges and immunities relating thereto, together with any release of liability for injury or damage to persons or property as a result of the exercise of such rights as recorded in Deed Book 69, Page 177, in the Probate Office of Shelby County, Alabama.