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Shelby Cnty Judge of Probate, AL  
05/22/2008 10:27:10AM FILED/CERT

**THIS INSTRUMENT PREPARED BY:**

Baker, Donelson, Bearman, Caldwell & Berkowitz, PC  
Attn.: Murphy McMillan, III, Esq.  
420 Twentieth Street North, Suite 1600  
Birmingham, Alabama 35203

**SEND TAX NOTICES TO:**

Calera Partners, LLC  
c/o SouthEast Waffles, LLC  
446 Metroplex Drive, Suite 210  
Nashville, Tennessee 37211

**AFTER RECORDING RETURN TO:**

Baker, Donelson, Bearman, Caldwell & Berkowitz, PC  
Attn.: Louann P. Smith, Esq.  
1800 Republic Centre  
633 Chestnut Street  
Chattanooga, Tennessee 37450

**STATUTORY WARRANTY DEED**

STATE OF GEORGIA,  
COUNTY OF GWINNETT.

**KNOW ALL PERSONS BY THESE PRESENTS** that, for and in consideration of the sum of Three Hundred Nine Thousand Three Hundred Sixty-Two and 74/100 Dollars (\$309,362.74) and other good and valuable consideration in hand paid to the undersigned, **WAFFLE HOUSE, INC.**, a Georgia corporation (the "Grantor"), by **CALERA PARTNERS, LLC**, an Alabama limited liability company (the "Grantee"), the receipt whereof being hereby acknowledged, Grantor does grant, bargain, sell, and convey unto the said Grantee the following described real estate situated in Shelby County, Alabama, to wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

Subject to ad valorem taxes for the year 2008 and subsequent years, which are a lien but not yet due and payable.

To have and to hold the said above described property unto the said Grantee, together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining and unto its successors and assigns forever.

**(signature page follows)**

All of the purchase price was paid from mortgage loan  
filed simultaneously. <sup>PA</sup>



IN WITNESS WHEREOF, Grantor has hereunto set its hand and seal by and through its authorized officer as of the 13<sup>th</sup> day of May, 2008.

WAFFLE HOUSE, INC., a Georgia corporation

By: [Signature]  
Name: Jonathan Waller  
Title: Vice President & General Counsel

STATE OF GEORGIA,  
COUNTY OF Gwinnett.

I, the undersigned, a Notary Public in and for said county in said state, hereby certify that Jonathan Waller, whose name as Vice President of WAFFLE HOUSE, INC., a Georgia corporation, 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, he/she, as such officer and with full authority, executed the same voluntarily for and on behalf of said corporation.

Given under my hand and official seal this 13<sup>th</sup> day of May, 2008.

[Signature]  
Notary Public

Commission Expires: 6/18/2011



**EXHIBIT "A"**

**Legal Description**

Lot 1A according to the Map and Survey of Wadsworth Subdivision, a commercial subdivision, as recorded in Map Book 28, page 2 in the Office of the Judge of Probate of Shelby County, Alabama and also described by metes and bounds as follows:

A parcel of land situated in the Northeast Quarter of Section 4, Township 22 South, Range 2 West, Shelby County, Alabama, as more particularly described as follows: COMMENCE at the Southeast corner of the Southeast Quarter of the Northeast Quarter of Section 4, Township 22 South, Range 2 West, Shelby County, Alabama, and run North along the East line of said quarter-quarter line for 113.74 feet; thence left 88°25'30" and run Westerly for 619.11 feet; thence left 1°02'30" and continue Westerly for 30.01 feet; thence right 91°23'20" and run North for 30.01 feet; thence left 91°36'25" and run Westerly for 567.45 feet to a point, said point being on the North right of way line of an unnamed street; thence right 1°21'08" and continue Westerly along the said North right of way line for 310.74 feet; thence right 51°17'03" and continue along the said North right of way line of 3.09 feet to a point on the East right of way line of U.S. Highway 31; thence right 21°45'27" and run Northwesterly along said East right of way line of 234.25 feet to the point of parcel herein described; thence continue along said right of way line for 113.87 feet; thence right 105°00'00" and leaving said right of way line and run Easterly for 252.00 feet; thence right 90°00'00" and run Southerly for 110.00 feet; thence right 90°00'00" and run Westerly for 222.53 feet back to the point of beginning.

BEING THE SAME PROPERTY conveyed to Grantor herein by Statutory Warranty Deed dated June 28, 2001, recorded as Instrument No. 2001-27284 in the Office of the Probate Judge of Shelby County, Alabama.

**SUBJECT TO THE FOLLOWING:**

- (a) 35-foot building restriction line from U.S. Highway 31 and 15-foot building restriction lines on the northern, southern, and eastern lot lines as shown on map recorded in Map Book 28, page 2 in the Office of the Probate Judge of Shelby County, Alabama.
- (b) Title to that portion of the property within the bounds of any roads or highways.
- (c) Title to all minerals within and underlying the property, together with all mining rights and other rights, privileges, and immunities relating thereto.
- (d) Terms and conditions set out in Statutory Warranty Deed dated June 28, 2001, recorded as Instrument No. 2001-27284 in said Probate Judge's Office.
- (e) All matters set forth in Easement and Agreement for Construction, Installation and Shared Maintenance of a Grinder Lift Station by and between Waffle House, Inc. and James D. Wadsworth recorded as Instrument No. 2001-30696 in said Probate Judge's Office.
- (f) All matters set forth in Agreement of Cross-Easement by and between James D. Wadsworth and Waffle House, Inc., recorded as Instrument No. 2001-30697 in said Probate Judge's Office.