
20090107000005250 1/3 \$268.50
Shelby Cnty Judge of Probate, AL
01/07/2009 03:50:15PM FILED/CERT

THIS INSTRUMENT PREPARED BY:

Frederick B. Tyler, Jr., Esq.
Waffle House, Inc.
5986 Financial Drive
Norcross, GA 30071

SEND TAX NOTICES TO GRANTEE:

Waffle House, Inc.
Attn: Tax Dept.
P. O. Box 6450
Norcross, GA 30091

STATUTORY WARRANTY DEED

STATE OF ALABAMA

COUNTY OF SHELBY

KNOW ALL PERSONS BY THESE PRESENTS that, for and in consideration of the sum of Two Hundred Fifty One Thousand One Hundred Thirty-One and 0/100 Dollars (\$251,131.00) and other good and valuable consideration in hand paid to the undersigned, **CALERA PARTNERS, LLC**, an Alabama limited liability company (the "Grantor"), by **WAFFLE HOUSE, INC.**, a Georgia corporation (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, appurtenances, and improvements thereunto belonging or in anywise appertaining and unto its successors and assigns forever.

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, Grantor has hereunto set its hand and seal by and through its authorized official as of the 9th day of December 2008.

CALERA PARTNERS, LLC, an Alabama limited liability company

By: Juliana M. Shaub

Name: Juliana M. Shaub

Title: Chief Manager

STATE OF TENNESSEE

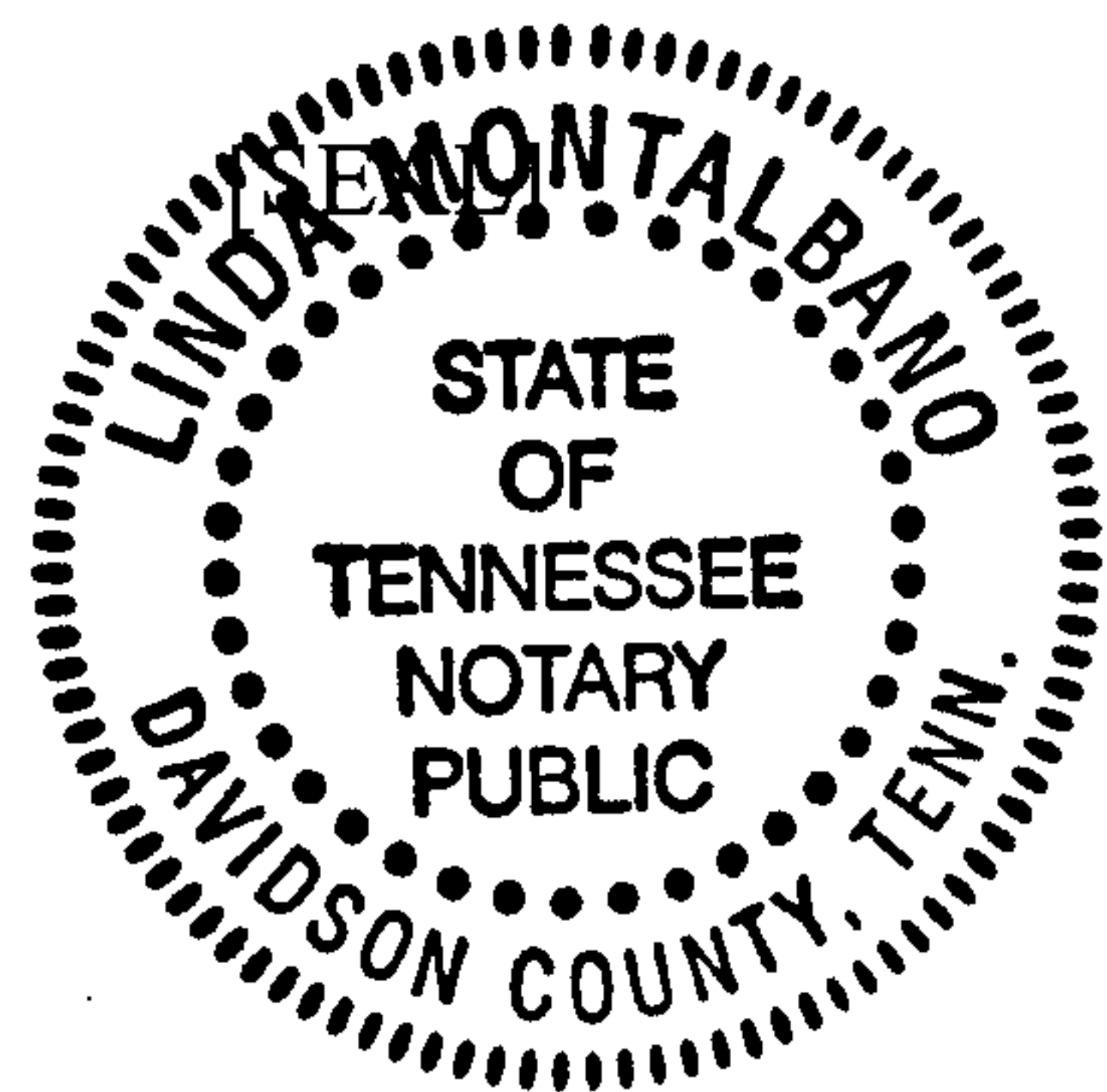
COUNTY OF DAVIDSON

I, the undersigned, a Notary Public in and for said county in said state, hereby certify that JULIANNA M SHAUB, whose name as Chief Manager of CALERA PARTNERS, LLC, an Alabama limited liability company, 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 limited liability company.

Given under my hand and official seal this 9th day of December, 2008.

Linda Montalbano
Notary Public

Commission Expires: 8/23/2011



My Commission Expires AUG. 23, 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 May 13, 2008, recorded as Instrument No. 20080522000208500 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.