

# STATE OF ALABAMA COUNTY OF SHELBY

#### **DEED**

WHEREAS, by deed dated August 8, 2008, **DELANEY EXCHANGE**, LLC, an Alabama limited liability company (the "Grantor"), acquired from Charles S. Givianpour certain real property in Shelby County, Alabama; and

WHEREAS, the name of the Grantor's initial member has been changed from "Alabama 1031 Property Exchange, Inc., as Qualified Exchange Accommodation Titleholder for Delaney Investments, Inc." to "Alabama 1031 Property Exchange, Inc., as Qualified Exchange Accommodation Titleholder for Weisenburgh Co., Inc.," as reflected in an Amendment to the Grantor's Articles of Organization filed in the Probate Court of Mobile County on August 21, 2008; and

WHEREAS, the Grantor desires to sell/convey an undivided fifty percent (50%) interest in the remaining property hereinafter described owned by said Grantor to **SPRINGDALE STORES EXCHANGE, L.L.C.**, an Alabama corporation (the "Grantee");

NOW, THEREFORE, in consideration of the premises and other good and valuation consideration, the receipt and sufficiency of which are hereby acknowledged, the Grantor, subject to matters of record in the Probate Court of Shelby County, Alabama, does hereby **GRANT**, **BARGAIN**, **SELL** and **CONVEY** unto the Grantee the real property in Shelby County, Alabama, described on "Exhibit A" attached hereto (the "Property").

TOGETHER WITH ALL AND SINGULAR the rights, tenements, hereditaments, privileges, easements and appurtenances thereunto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the property unto the Grantee, and unto to the Grantee's successors and assigns, forever.

IN WITNESS WHEREOF, the undersigned have executed this instrument this <u>3/3/day</u> of December, 2008.

DELANEY EXCHANGE, LLC

By:

Robert S. Frost

As Manager

And:

Shelby County, AL 02/10/2009 State of Alabama

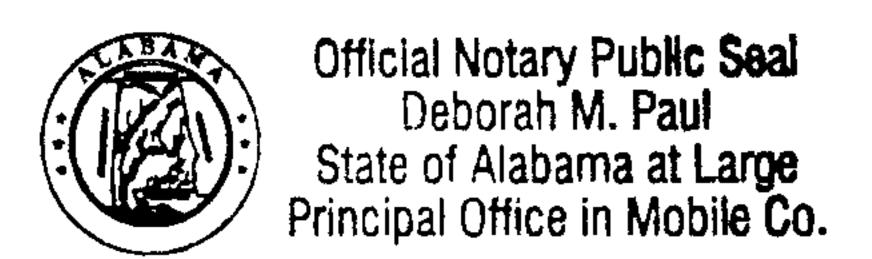
Deed Tax: \$2141.00

Dukes, III, as President of Alabama 1031 Property Exchange, Inc., as Qualified Exchange Accommodation Titleholder for Weisenburgh Co., Inc., as Sole Member of Delaney Exchange, LLC

## STATE OF ALABAMA COUNTY OF MOBILE

I, the undersigned Notary Public in and for said County in said State, hereby certify that ROBERT S. FROST, whose name as Manager of DELANEY EXCHANGE, 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, as such officer and with full authority executed the same voluntarily for and as the act of said company.

Given under my hand and notarial seal on this the 2/3th day of December, 2008.



Melual M Hauf NOTARY PUBLIC

My Commission Expires: 7-26-09

## STATE OF ALABAMA COUNTY OF MOBILE

I, the undersigned Notary Public in and for said County in said State, hereby certify that GILBERT F. DUKES, III, whose name as President of ALABAMA 1031 EXCHANGE, INC., AS QUALIFIED ACCOMMODATION TITLEHOLDER FOR WEISENBURGH CO., INC., an Alabama 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, as such officer and with full authority executed the same voluntarily for and as the act of said corporation.

Given under my hand and notarial seal on this the day of December, 2008.

NOTARY PUBLIC

My Commission Expires: 5-2-2010

20090210000045250 2/5 \$2164.00 Shelby Cnty Judge of Probate, AL 02/10/2009 12:35:58PM FILED/CERT

# ADDRESS OF GRANTEE:

225 Springhill Memorial Place Mobile, Alabama 36608

## THIS INSTRUMENT PREPARED BY:

Gilbert F. Dukes, III, Esq.

COALE, DUKES, KIRKPATRICK & CROWLEY, P.C.

2610-B Dauphin Street, Suite 101

Mobile, Alabama 36606

200902100000045250 3/5 \$2164.00 Shelby Cnty Judge of Probate, AL 02/10/2009 12:35:58PM FILED/CERT

#### **EXHIBIT A**

Property Description Delaney Exchange, L.L.C., and Springdale Stores Exchange, L.L.C.:

All of that property situated in the State of Alabama, County of Shelby, and described as follows, to-wit:

Section 30:

The South ½ of the Southwest 1/4 and the Northwest diagonal half of the Southwest 1/4 of the Southeast 1/4, Township 20 South, Range 1 West, Shelby County, Alabama.

Section 31:

The Northwest diagonal half of the Northeast 1/4 of the Northwest 1/4; and the West ½ of the Northwest 1/4, in Township 20 South, Range 1 West, Shelby County, Alabama.

Section 25:

All that property lying South of Yellowleaf Creek in the Northwest 1/4 of the Northwest 1/4; the South ½ of the Northwest 1/4; the Southwest 1/4; the West ½ of the Southeast 1/4; the Southeast 1/4 of the Southeast 1/4.

A part of the Southwest 1/4 of the Northeast 1/4 described as follows: Commencing at the Southeast corner of said 1/4-3/4 and run North 150 yards (450 feet) to a road; thence run Westerly along the road to C.L. Mooney's land; thence South to the Southwest corner of said 1/4-3/4; thence East to the Southwest corner of said 1/4-3/4 and the point of beginning.

All in Township 20 South, Range 1 West, Shelby County, Alabama.

Section 26:

All that part of the Northeast 1/4 and all that part of the Northwest 1/4 of the Southeast 1/4 which lies South of the following described line to wit:

Commencing where the Clear Prong of Yellow Leaf Creek is intersected by the North and South median line of said Section and run in a straight line to the point where said creek is intersected by the East boundary of said Section;

The West ½, EXCEPT the South ½ of the South ½ of the Southwest 1/4; the Southwest 1/4 of the Southeast 1/4 of the Southeast 1/4 and LESS AND EXCEPT the following described parcel from the Southeast 1/4 of the Southwest 1/4 and the Southwest 1/4 of the Southeast 1/4:

200902100000045250 4/5 \$2164.00 Shelby Cnty Judge of Probate, AL 02/10/2009 12:35:58PM FILED/CERT Commence at the Southwest corner of said Section 26 and proceed North 02 degrees, 32 minutes, 48 seconds West along the West boundary line of said Section for a distance of 688.38 feet; thence run North 8 degrees, 38 minutes, 46 seconds East for a distance of 2,268.45 feet to the point of beginning; thence continue North 88 degrees, 38 minutes, 46 seconds East for a distance of 940.00 feet; thence run North 55 degrees, 15 minutes, 57 seconds West for 91.32 feet; thence run North 33 degrees, 12 minutes, 32 seconds West for a distance of 180.70 feet; thence run South 88 degrees, 28 minutes, 46 seconds West for a distance of 180.70 feet; thence run South 88 degrees, 38 minutes, 46 seconds West for a distance of 770.85 feet; thence run South 01 degrees, 21 minutes, 14 seconds East for a distance of 207.30 feet back to the point of beginning. Ten acres evenly off the West side of the Southeast 1/4 of the Southeast 1/4, LESS AND EXCEPT, the South, Range 1 West, Shelby County, Alabama.

Section 36:

The Northeast Quarter in Township 20 South, Range 1 West, Shelby County, Alabama.