

STATE OF ALABAMA)

STATUTORY WARRANTY DEED

SHELBY COUNTY)

KNOW ALL MEN BY THESE PRESENTS, that for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration to **Capital Real Estate Investments LLC**, an Alabama limited liability company – as to an undivided 21% interest and **Pacifica Katie Avenue LLC**, a Nevada limited liability company - as to an undivided 79% interest (the “Grantors”), in hand paid by **JACK’S FAMILY RESTAURANTS, INC.**, an Alabama corporation (hereafter referred to as the “Grantee”), the receipt of which is hereby acknowledged, the said Grantors do by these presents grant, bargain, sell and convey unto the said Grantee, the following described real estate (“Real Estate”) situated in Shelby County, Alabama, to-wit:

Exhibit “A”

TOGETHER WITH All hereditaments, easements, rights-of-way, drives, alleys, parking areas and appurtenances thereunto belonging, or in any way appertaining to the Real Estate (including, without limitation, all of the right, title and interest, if any, of Grantors in and to any land lying in the bed of any street, road or avenue, open or proposed, in front of or adjoining the Real Estate, to the centerline thereof, and all right, title and interest of Grantors, if any, in and to any award made or to be made in lieu thereof and in and to any unpaid award for damage to the Real Estate by reason of change of grade of any street).

This conveyance is subject to the following:

1. Ad valorem taxes for 2009, a lien due and payable October 1, 2009.
2. Right of way granted to Alabama Power Company by instrument recorded in Book 113, Page 95, in the Probate Office of Shelby County, Alabama.
3. Mineral and mining rights and rights incident thereto recorded in Deed Book 292, Page 49, in the Probate Office of Shelby County, Alabama.

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

The Grantors hereby covenant and agree with Grantee, its successors and assigns, that the Grantors, their assigns and successors, will warrant and defend the above described Real Estate against the lawful claims (unless otherwise noted above) of all persons claiming by, through, or under the Grantors, but not further or otherwise.

IN WITNESS WHEREOF, the said Grantors have hereto set their hands and seals on this the 16th day of March, 2009.

Capital Real Estate Investments LLC

By: 
Name: **Randy Rivera**
Its: **Manager**

STATE OF _____)

COUNTY OF _____)

I, the undersigned, a Notary Public in and for said County and State, hereby certify that **Randy Rivera**, as Manager of **Capital Real Estate Investments LLC** - as to an undivided 21% interest, whose name is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he voluntarily executed the same on the day the same bears date in his capacity as Manager of said limited liability company.

Given under my hand and seal this the _____ day of March, 2009.

Notary Public
My Commission Expires: _____

ACKNOWLEDGMENT

20090319000101680 3/5 \$648.00
Shelby Cnty Judge of Probate, AL
03/19/2009 10:06:50AM FILED/CERT

STATE OF CALIFORNIA)

) ss.

COUNTY OF SAN DIEGO)

On March 16, 2009 before me, Taryn E. Germond, Notary Public, personally appeared Randy Rivera, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is subscribed to the within instrument and acknowledged to me that he she they executed the same in (his) her their authorized capacity(ies), and that by (his) her their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Taryn E. Germond



**Pacifica Katie Avenue LLC, a Nevada
limited liability company**

**By: PAC Katie Avenue Inc.
Its: General Manager**

**By: [Signature]
Name: Deepak Israni
Its: Secretary**

STATE OF California)
COUNTY OF San Diego)

I, the undersigned, a Notary Public in and for said County and State, hereby certify that **Deepak Israni**, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the Secretary of **PAC Katie Avenue Inc.**, which is the general partner of **Pacifica Katie Avenue LLC, a Nevada limited liability company** - as to an undivided 79% interest, and acknowledged to me that he executed said instrument for the purposes and consideration therein expressed, and as the act of said corporation acting in its capacity as the general partner of said limited liability company.

Given under my hand this 17 day of March, 2009.



[Signature: L. Lehmann]
Notary Public
My Commission Expires: 26 February 2012

This instrument prepared by:
Steven A. Brickman, Esq.
Sirote & Permutt, P.C.
2311 Highland Avenue South (35205)
P.O. Box 55727
Birmingham, Alabama 35255-5727

Send Tax Notice to:
Jack's Family Restaurants, Inc.
124 West Oxmoor Road
Birmingham, Alabama 35209
Attention: President



20090319000101680 5/5 \$648.00
Shelby Cnty Judge of Probate, AL
03/19/2009 10:06:50AM FILED/CERT

Exhibit "A"

A part of the Southwest Quarter of the Southwest Quarter of Section 25, Township 20 South, Range 3 West, and the Southeast Quarter of the Southeast Quarter of Section 26, Township 20 South, Range 3 West, more particularly described as follows:

Commence at the southwest corner of Section 25 and run east along the south line of said Section 25 a distance of 130.60 feet (deed) to a point on the westerly right of way line of U.S. Highway 31; thence run northerly along said westerly right of way line on a bearing of North 14 degrees 31 minutes 00 seconds East (deed) a distance of 34.0 feet (deed) to the Point of Beginning of the tract herein described; thence run along a bearing of North 75 degrees 29 minutes 00 seconds West a distance of 247.66 feet, deed (North 75 degrees 29 minutes 01 seconds West; 248.02 feet, measured), to the east right of way line of a railroad right of way; thence run along the east right of way line of the railroad right of way North 06 degrees 52 minutes 30 seconds east a distance of 167.49 feet (North 06 degrees 58 minutes 46 seconds East, a distance of 167.75 feet, measured); thence leaving said east right of way line, run South 75 degrees 29 minutes 00 seconds East a distance of 269.93 feet, deed (South 75 degrees 25 minutes 15 seconds East; 270.02 feet, measured) to the westerly right of way line of U.S. Highway 31; thence run South 14 degrees 30 minutes 57 second west a distance of 166.00 feet (measured and deed) along said right of way line, to the Point of Beginning, containing 0.99 Acres, more or less;