


This instrument was prepared by:  
WALLACE, ELLIS, FOWLER & HEAD  
P. O. Box 587  
Columbiana, AL 35051

  
20101213000418020 1/4 \$22.00  
Shelby Cnty Judge of Probate, AL  
12/13/2010 03:11:52 PM FILED/CERT

## WARRANTY DEED

STATE OF ALABAMA  
SHELBY COUNTY

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of One Dollar and donation of real estate to the undersigned Grantor (whether one or more), in hand paid by the Grantee herein, the receipt whereof is acknowledged, **Southmark Properties, LLC**, an Alabama Limited Liability Company, and **Interstate Restaurant Investors, LLP**, an Alabama Limited Liability Partnership (herein referred to as Grantor, whether one or more), does hereby grant, bargain, sell, and convey unto **City of Pelham, Alabama**, a municipal corporation (herein referred to as Grantee), the following described real estate, situated in Shelby County, Alabama, to-wit:

Property described on Exhibit "A" attached hereto and made part and parcel hereof as fully as if set out herein, which said Exhibit "A" is signed by Grantors herein for the purpose of identification.

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

Said Grantor does for itself, its successors and assigns, covenant with the said Grantee, its successors and assigns, that it is lawfully seized in fee simple of said premises; that said premises is free from all encumbrances, unless otherwise noted above; that it has a good right to sell and convey the same as aforesaid; that it will and its successors and assigns shall warrant and defend the same to the said Grantee, its successors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, I (we) have hereunto set hand(s) and seal(s), this 1<sup>st</sup> day of December, 2010.

**SOUTHMARK PROPERTIES, LLC,**  
an Alabama Limited Liability Company

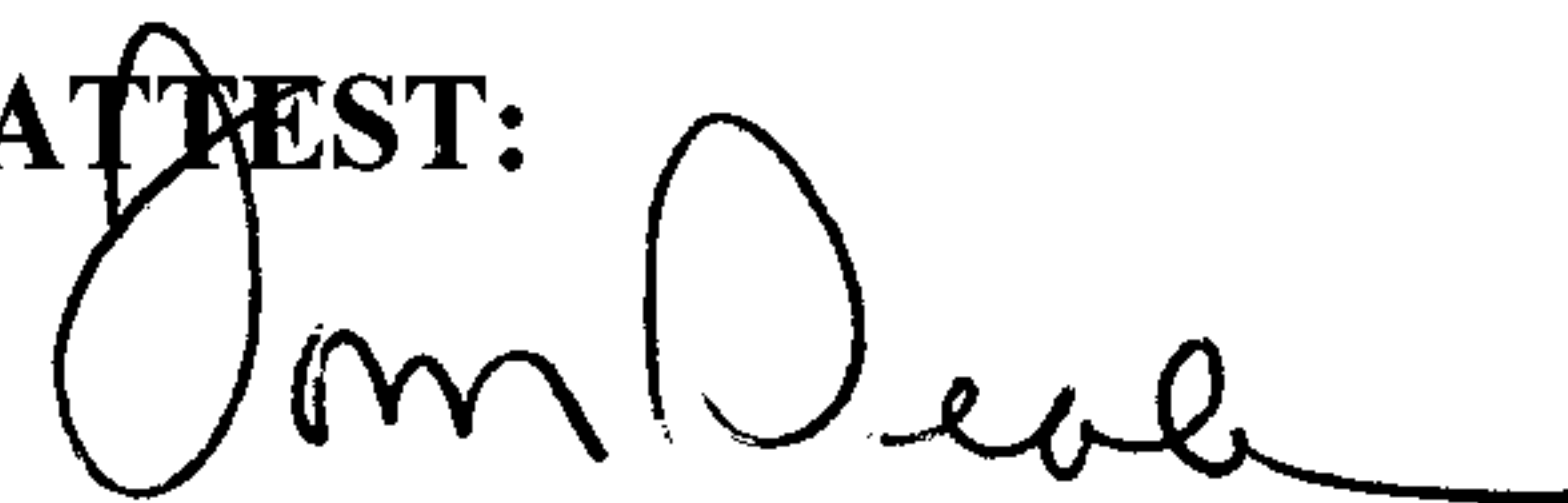
By  (SEAL)  
Anthony Bruno, Managing Member

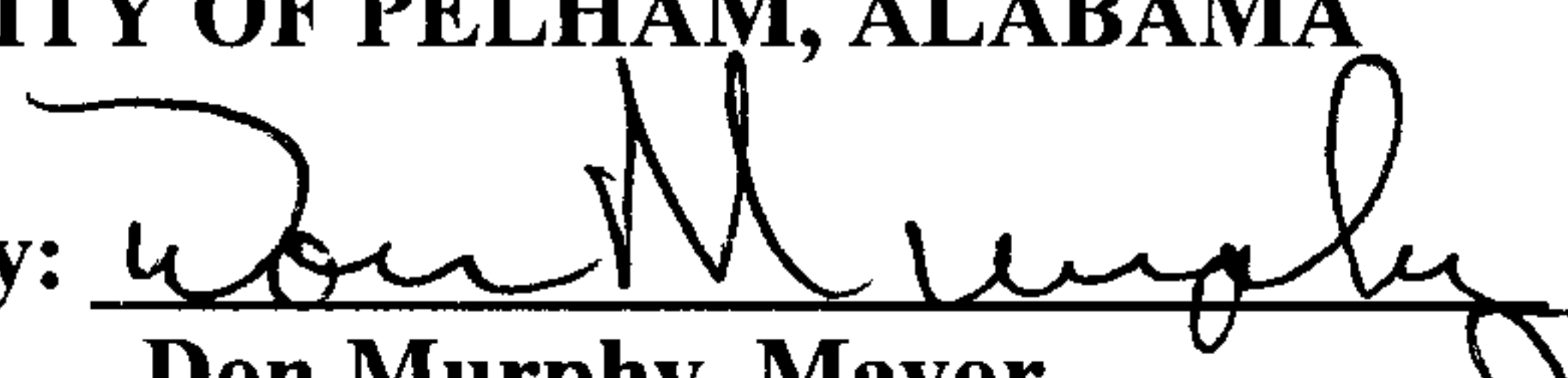
**INTERSTATE RESTAURANT INVESTORS, LLP,**  
an Alabama Limited Liability Partnership

By  (SEAL)  
John McGeever, Managing Partner


## ACCEPTANCE

The City of Pelham, Alabama, does hereby accept a gift in  
donation of the real estate described on Exhibit "A" attached hereto.

ATTEST:  
  
City Clerk

CITY OF PELHAM, ALABAMA  
By:   
Don Murphy, Mayor

STATE OF ALABAMA  
SHELBY COUNTY

  
20101213000418020 2/4 \$22.00  
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I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Anthony Bruno, whose name as Managing Member of Southmark Properties, LLC, an Alabama Limited Liability Company, 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 such instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said Limited Liability Company.

Given under my hand and official seal, this the 1<sup>st</sup> day of December, 2010.

  
\_\_\_\_\_  
Notary Public

STATE OF ALABAMA  
SHELBY COUNTY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that John McGeever, whose name as Managing Partner of Interstate Restaurant Investors, LLP, an Alabama Limited Liability Partnership, 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 such instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said Limited Liability Partnership.

Given under my hand and official seal, this the 1<sup>st</sup> day of December, 2010.

  
\_\_\_\_\_  
Notary Public



## Exhibit "A"

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### Parcel One:

The following parcels of land are situated in the NW ¼ of Section 24, T-20-S, R-3-W: Shelby County, Alabama being more particularly described as follows:

From the NW corner of the NE ¼ of the NW ¼ of Sec. 24, T-20-S, Range 3 West, run Easterly along the North boundary line of said NE ¼ of the NW ¼ of Sec. 24, T-20-S, R-3-W, for 355.15 ft.; thence turn an angle of 102 deg. 23' to the right and run Southwesterly 559.2 ft., to the POINT OF BEGINNING of the land herein described and conveyed; thence continue Southwesterly along the last said course for 75.0 ft.; thence turn an angle of 113 deg., 22' to the left and run Northeasterly for 37.5 ft.; thence turn an angle of 66 deg., 38' to the left and run Northeasterly for 75.0 ft.; thence turn an angle of 113 deg., 22' to the left and run Southwesterly 37.5 ft. to the point of beginning.

From the NW corner of the NE ¼ of the NW ¼ of Sec. 24, T-20-S, R-3-W, run Easterly along the North boundary line of the said NE ¼ of the NW ¼ of Sec. 24, T-20-S, R-3-W, for 355.15 ft., thence turn an angle of 102 deg., 23' to right and run Southwesterly 559.2 ft. to the POINT OF BEGINNING of the land herein described and conveyed; thence continue Southwesterly along the last said course for 75.0 ft.; thence turn an angle of 66 deg. 38' to the right and run Southwesterly 37.5 ft.; thence turn an angle of 113 deg. 22' to the right and run Northeasterly 75.0 ft.; thence turn an angle of 66 deg., 38' to the right and run Northeasterly 37.5 ft. to the point of beginning.

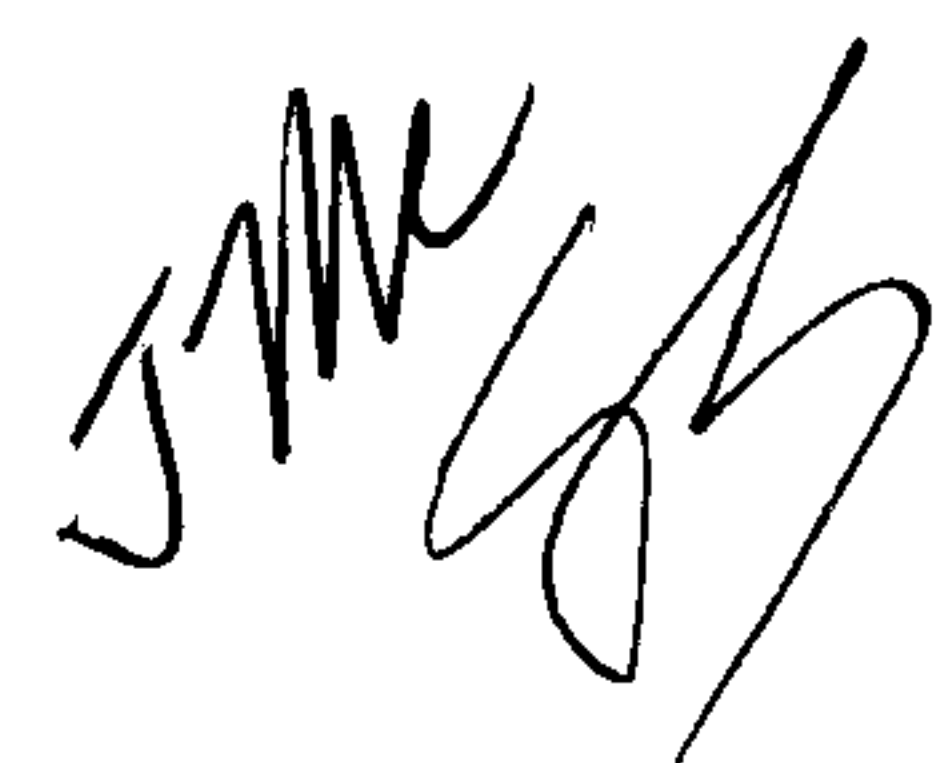
This land being a part of the NW ¼ of Sec. 24, T-20-S, R-3-W, and containing 0.12 acres, more or less.

### Parcel Two:

The following parcel of land is situated in the NW ¼ of Section 24, T-20-S, R-3-W:

Commence at the NW corner of Section 24, Township 20 South Range 3 West; Shelby County, Alabama; thence S 87 deg-46'-00" E, a distance of 1669.02'; thence S 18 deg-40'-00" W, a distance of 190.46'; thence S 11 deg-40'-00" W, a distance of 369.40'; thence N 81 deg-15'-00" E, a distance of 37.50'; thence S 14 deg-37'-00" W, a distance of 75.00' to the POINT OF BEGINNING; thence S 81 deg-15-00" W, a distance of 350.40' to a point lying of the Northerly Right-Of-Way line of a City of Pelham street; thence, S 79°01'44" E along said R.O.W. Line a distance of 440.43' to the point of beginning of a curve to the right having a central angle of 5°45'09", a radius of 550.00' and subtended by a chord which bears S 76°09'10" E a chord distance of 55.20'; thence along said curve and continuing along said R.O.W. Line a distance of 55.22' to the end of said curve; thence S 73deg-16'-36" E and continuing along said R.O.W. Line a distance of 81.87' to the point of beginning of a curve to the left having a central angle of 92°16'58", a radius of 45.00' and subtended by a chord which bears N 60°33'03" E a chord distance of 64.89'; thence along said curve and continuing along said R.O.W. Line a distance of 72.48' to the end of said curve, said point also being the point of intersection of said R.O.W. Line and the Westerly R.O.W. Line of Shelby County Road No. 33; thence N 14°26'26" E and leaving said City of Pelham R.O.W. Line along said Shelby County R.O.W. Line a distance of 19.48'; thence N 14°35'24" E and continuing along said Shelby Co. R.O.W. Line a distance of 136.71'; thence N 12deg 43'00" E and continuing along said R.O.W. Line a distance of 41.58'; thence S 81°15'00" W and leaving said R.O.W. Line a distance of 326.28' to the point of beginning.

Containing 1.66 acres, more or less.





## Exhibit "A"

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### Parcel Three:

The following parcel of land is situated in the NW ¼ of Section 24, Township 20 South, Range 3 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the NW corner of said Section 24, Township 20 South, Range 3 West; Thence S 87Deg-46'-00" E a distance of 1669.02'; Thence S 18Deg-40'-00" W a distance of 190.46'; Thence S 11Deg-40'-00" W a distance of 369.40'; Thence N 81Deg-15'-00" E a distance of 37.50'; Thence S 14Deg-37'-00" W a distance of 75.00'; Thence S 81Deg-15'-00" W a distance of 37.50'; Thence S 11Deg-50'-58" W a distance of 209.97'; Thence S 17Deg-12'-34" W a distance of 410.69'; Thence S 3Deg-59'-34" W a distance of 509.60' to a point lying on the Southerly Right-of-Way Line of Shelby County Highway #52 (variable right-of-way), said point also lying on a curve to the right having a radius of 1917.89', a central angle of 00Deg-42'-01" and subtended by a chord which bears N 66Deg-05'-40" W, a chord distance of 23.44'; Thence along the arc of said curve and along said right-of-way line a distance of 23.44' to a point, said point being the POINT OF BEGINNING and lying on aforesaid curve; having a central angle of 0Deg-29'-31" and subtended by a chord which bears N 65Deg-29'-54" W, a chord distance of 16.47'; Thence continue along the arc of said curve and along said right-of-way line a distance of 16.47' to the beginning of a compound curve to the right having a radius of 786.67', a central angle of 26Deg-37'-37" and subtended by a chord which bears N 52Deg-51'-19" W, a chord distance of 362.31'; Thence along the arc of said curve and along said right-of-way line a distance of 365.59' to its intersection with the Easterly right-of-way line of U.S. Highway #31 (variable right-of-way); Thence, leaving said Southerly right-of-way line and along said Easterly right-of-way line S 10Deg-09'-19" W, a distance of 105.95' to its intersection with the Northerly right-of-way line of a CSX Railroad right-of way (100' right-of-way), said point also lying on a curve to the left having a radius of 1357.53' a central angle of 3Deg-58'-00" and subtended by a chord which bears S 65Deg-26'-43" E, a chord distance of 93.96'; Thence, leaving said Easterly right-of-way line and along said Northerly railroad right-of-way line and along the arc of said curve a distance of 93.98' to the beginning of a compound curve to the left having a radius of 1957.53' a central angle of 5Deg-27'-08" and subtended by a chord which bears S 70Deg-09'-17" E, a chord distance of 186.21'; Thence along the arc of said curve and along said railroad right-of-way line a distance of 186.28'; Thence S 72Deg-52'-51" E along said railroad right-of-way line a distance of 64.72' to the point of beginning.

Said parcel of land contains 0.323 acres, more or less.

### Parcel Four:

The following parcel of land is situated in the NW ¼ of Section 24, Township 20 South, Range 3 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the NW corner of said Section 24, Township 20, South, Range 3 West; Thence S 87Deg-46'-00" E a distance of 1669.02'; Thence S 18Deg-40'-00" W a distance of 190.46'; Thence S 11Deg-40'-00" W a distance of 369.40'; Thence N 81Deg-15'-00" E a distance of 37.50'; Thence S 14Deg-37'-00" W a distance of 75.00'; Thence S 81Deg-15'-00" W a distance of 37.50'; Thence S 11Deg-50'-58" W a distance of 209.97'; Thence S 17Deg-12'-34" W a distance of 410.69'; Thence S 3Deg-59'-34" W a distance of 609.44' to the POINT OF BEGINNING; Thence continue along last described course a distance of 58.12'; Thence N 81Deg-02'-26" W a distance of 246.20'; Thence S 39Deg-02'-26" E a distance of 359.54'; Thence N 52Deg-53'-34" E a distance of 307.97'; Thence N 19Deg-57'-38" E a distance of 41.95' to a point lying on the Southerly right-of-way line of a CSX railroad right-of-way (100' right-of-way); Thence N 72Deg-52'-51" W, along said right-of-way line a distance of 250.24' to the point of beginning.\_

Said parcel of land contains 1.60 acres, more or less.

