



Prepared By: and Return To:  
David Bowen Hughes, Esquire  
FRITZ HUGHES & HILL, LLC  
7020 Fain Park Drive, Suite 1  
Montgomery, Alabama 36117  
(334) 215-4422 (FAX) 215-4424

  
2011021001032200 1/6  
Bk: LR201108 Pg: 8283  
Jefferson County, Alabama  
I certify this instrument filed on  
10/21/2011 09:45:28 AM D  
Judge of Probate- Alan L. King

**WARRANTY DEED**

STATE OF ALABAMA  
COUNTY OF JEFFERSON

  
20161013000375050 1/7 \$627.00  
Shelby Cnty Judge of Probate, AL  
10/13/2016 09:23:55 AM FILED/CERT

**GRANTOR'S ADDRESS:**  
BMW Investments, Inc.  
c/o Peter Kern  
1272 Scenic Gulf Dr. Unit 1202  
Destin, FL 32550

**GRANTEE'S ADDRESS:**  
Bultrust Cahaba LLC  
125 Jericho Turnpike, Suite 300,  
Jericho, New York 11753

4593,747.72

FOR AND IN CONSIDERATION of the sum of Ten and No/100 Dollars (\$10.00), cash in hand paid and other good and valuable consideration, the receipt of all which is hereby acknowledged, Grantor, BMW INVESTMENTS, INC., an Alabama corporation, does hereby grant, bargain, sell and convey unto Grantee, BULTRUST CAHABA LLC, an Alabama limited liability company, all its right, title and interest in the land lying and being situated in Shelby County, Alabama, being more particularly described as follows, to wit:

**SEE ATTACHED EXHIBIT A FOR LEGAL DESCRIPTION**

TOGETHER with all and singular the ways, streets, alleys, driveways, passages, waters, water-courses, rights, liberties, privileges, hereditaments and appurtenances, whatsoever unto the hereby granted premises belonging, or in any wise appertaining, and the reversions and remainders, rents, issues, and profits thereof; and all the estate, right, title, interest, property, claim and demand whatsoever of it the said Grantor, as well at law as in equity, of, in, and to the same.

TO HAVE AND TO HOLD, the above-described property, together with all improvements, easements and appurtenances thereunto pertaining, to the said Grantee, its successors and assigns, forever.

And Grantor does for itself and its successors and assigns covenant with Grantee, its successors and assigns, that, except as hereinabove provided: Grantor is lawfully seized in fee simple of the property conveyed hereby; that said property is free from all encumbrances, except as hereinabove provided; that Grantee is entitled to the immediate possession of said property; that Grantor has a good right to sell and convey the same to Grantee, its successors and assigns; and Grantor will warrant and defend the same to Grantee, its successors and assigns, forever against the lawful claims of all persons, except as herein provided.

Shelby County, AL 10/13/2016  
State of Alabama  
Deed Tax: \$594.00

This conveyance and all warranties of title hereunder are expressly made subject to all of the following: (1) real estate ad valorem taxes and assessments for the year 2011 and all subsequent tax years thereafter, (2) all applicable zoning ordinances; and (3) all easements, covenants, restrictions, rights-of-way, reservations, building setback lines and other matters of record.

The preparer of this instrument has served only as the draftsman of the instant deed, and no representation is hereby made by preparer as to the status of the title of the above property. No request has been made to preparer for a search of the title or the rendering of any opinion or title insurance thereon, and no opinion is hereby rendered as to the status of the title for the above property.

For ad valorem tax purposes only, the mailing address of the Grantee herein is:  
Bultrust Cahaba LLC, 125 Jericho Turnpike, Suite 300, Jericho, New York 11753

**[End of Page]**



20161013000375050 2/7 \$627.00  
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IN TESTIMONY WHEREOF the undersigned, Grantor, has executed this instrument  
this the 20<sup>th</sup> day of Sept, 2011.

BMW INVESTMENTS, INC.

an Alabama corporation



By:

Title: Pres



20161013000375050 3/7 \$627.00  
Shelby Cnty Judge of Probate, AL  
10/13/2016 09:23:55 AM FILED/CERT

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STATE OF ALABAMA

COUNTY OF Jefferson


I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Peter Kern, whose name as President of **BMW Investments, Inc.**, an Alabama corporation, is signed to the foregoing Warranty Deed, and who is known to me, acknowledged before me on this day that, being informed of the contents of said instrument, he/she, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal this the 20 day of September, 2011.

Sharon A. Harris  
Notary Public  
My Commission Expires: 7/22/2013

My Commission Expires:

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Shelby Cnty Judge of Probate, AL  
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**Exhibit A**

**LEGAL DESCRIPTION OF PROPERTY**

Part of Block 1, Cahaba Valley Park North as recorded in Map Book 13, Page 140 in the Probate Office of Shelby County, Alabama, situated in Section 31, Township 19 South, Range 2 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the center line-point of tangent station 31+40.12 of Cahaba Valley Parkway; thence run North along the center line of said Cahaba Valley Parkway for 54.71 feet to a point; thence 90 ° left and run Westerly for 30.00 feet to a point on the West right of way line of said Cahaba Valley Parkway, said point also being the point of beginning; thence continue Westerly along the last stated course for 220.00 feet; thence 90 ° right and run Northerly for 275.17 feet to a point on the South right of way line of Cahaba Valley Parkway West; thence 90 ° right and run Easterly along the South line of said street for 170.00 feet to the beginning of a curve to the right; said curve subtending a central angle of 90 ° and having a radius of 50.00 feet; thence run Southeasterly along the arc of said curve for 78.54 feet to the end of said curve, said point being on the West right of way line of Cahaba Valley Parkway; thence at tangent to said curve run Southerly along said right of way line for 225.17 feet to the point of beginning. Situated in Shelby County, Alabama.

  
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**Exhibit B**

**PERMITTED EXCEPTIONS**


**Public utility easements as shown by Map Book 13, page 140, including a 15 foot easement on the Westerly side, in the Probate Office of Shelby County, Alabama.**

**Restrictions appearing of record in Real 268, page 140; Real 290, page 386; Real 325, page 929 and Instrument 1992-15856, in the Probate Office of Shelby County, Alabama, but omitting any covenant or restriction based on race, color, religion, sex, handicap, familial status, or national origin.**

**Transmission line permit to Alabama Power Company, recorded in Deed Book 101, page 520 and Deed Book 145, page 378, in the Probate Office of Shelby County, Alabama.**

**Mortgage dated 1/8/2008, from BMW Investments, Inc. to Regions Bank, in the original principal amount of \$2,350,000.00, filed for record 1/21/2009, recorded in Bessemer Book LR200960, page 8398 and modified by Book LR200909, page 15651, in the Probate Office of Jefferson County, Alabama. We require said mortgage to be satisfied of record or properly subordinated.**

20111021001032200 6/5  
Bk: LR201108 Pg:8283  
Jefferson County, Alabama  
10/21/2011 09:45:28 AM D  
Fee - \$20.00  
Deed Tax - \$594.00  
Total of Fees and Taxes - \$614.00  
LYNN

  
20161013000375050 6/7 \$627.00  
Shelby Cnty Judge of Probate, AL  
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20161013000375050 7/7 \$627.00  
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State of Alabama

Jefferson County

I, the Undersigned, as Judge of Probate Court in and  
for Jefferson County, Alabama, hereby certify that  
the foregoing is a full, true and correct copy of the  
instrument with the filing of same as appears of record  
in this office. Given under my hand and official seal,  
this the 30th day of September, 2016

Alan L. King  
JUDGE OF PROBATE