

REAL ESTATE VALIDATION FORM	
The following information is provided pursuant to Alabama Code §40-22-1 (1975) in lieu of Form RT-1 and is verified by the signature of Grantor below:	
Grantors' Names: Elmtree Properties, L.L.C. E & EE Properties, LLC	Grantee's Name: LLHV Properties, LLC
Mailing Address: c/o E.L. McCarty III 2321 Hebb Road Wilsonville, AL 35186	Mailing Address: c/o Todd C. Ouellette 201 S. Court Street, Suite 310 Florence, AL 35630
Property Addresses: (1) 175 Marketplace Circle, Calera, AL 35040 (2) 1471 1st St. N, Alabaster, AL 35007	Date of Sale: September 9, 2022
	Purchase Price: \$6,850,000.00

WHEN RECORDED MAIL TO: The Title Group Incorporated 2101 First Avenue North Birmingham, AL 35203 Attention: Candace Roberson	SEND TAX NOTICES TO: LLHV Properties, LLC c/o Todd C. Ouellette 201 S. Court Street, Suite 310 Florence, AL 35630
THIS INSTRUMENT PREPARED BY: George M. Taylor III, Esq. Burr & Forman LLP 420 N 20th Street, Suite 3400 Birmingham, Alabama 35203 Telephone: (205) 251-3000	

STATUTORY WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS: That in consideration of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration, **ELMTREE PROPERTIES, L.L.C.**, an Alabama limited liability company and **E & EE PROPERTIES, LLC**, an Alabama limited liability company (collectively, the "Grantors"), in hand paid by **LLHV PROPERTIES, LLC**, an Alabama limited liability company, ("Grantee"), the receipt and sufficiency of which are hereby acknowledged, Grantors do by these presents grant, bargain, sell and convey unto Grantee the real estate particularly described in **Exhibit "A"** attached hereto and made a part hereof, situated in Shelby County, Alabama (the "Property"), subject to the matters described in **Exhibit "B"** attached hereto and made a part hereof (the "Permitted Exceptions").

TOGETHER WITH all appurtenances thereto belonging or in anywise appertaining and all right, title and interest of Grantors in and to any and all roads, alleys and ways bounding said Property.

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

Grantors hereby covenant and agree with Grantee, its successors and assigns, that the Grantors, its successors and assigns, will warrant and defend the above described Property against the lawful claims (other than the Permitted Exceptions) of all persons claiming by, through or under the Grantors, but not further or otherwise.

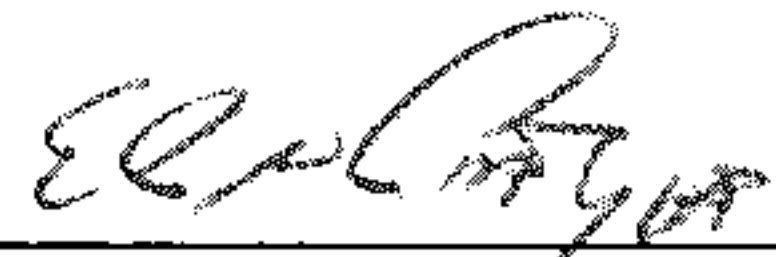
IN WITNESS WHEREOF, the undersigned have caused this Statutory Warranty Deed to be executed by Grantors duly authorized officers on the date first written above.

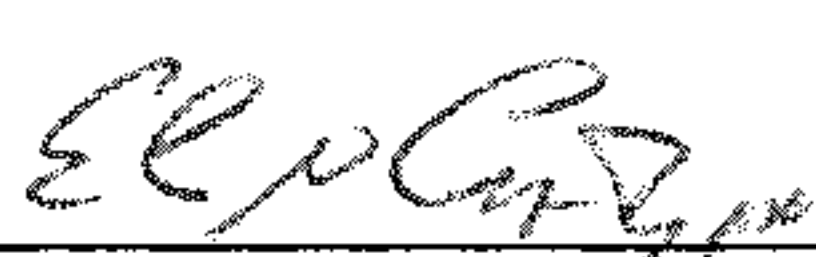
(Signature on following page)

GRANTORS:

ELMTREE PROPERTIES, L.L.C.,
an Alabama limited liability company

E & EE PROPERTIES, LLC,
an Alabama limited liability company

By: 
Name: E.L. McCarty, III
Title: Member

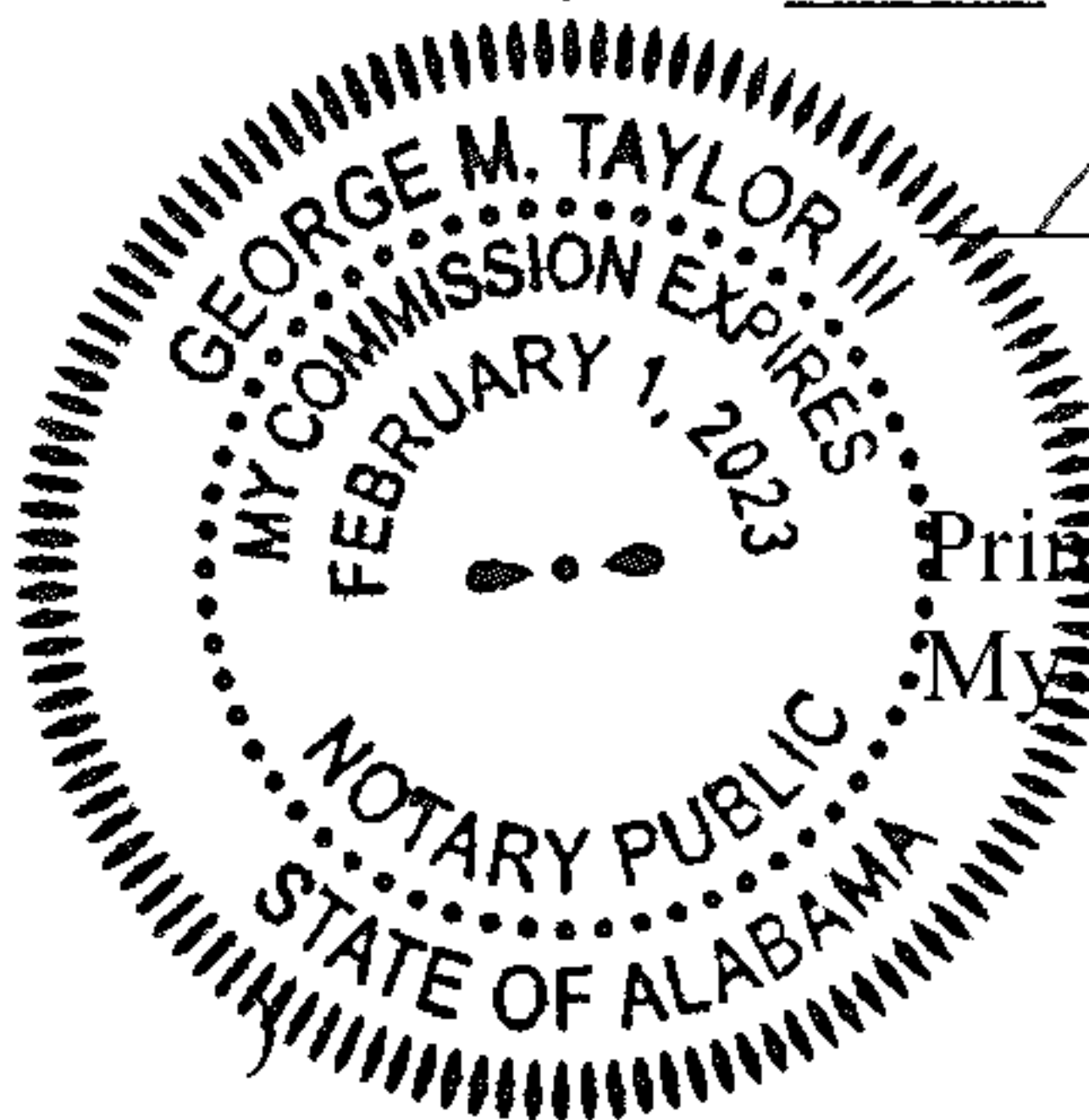
By: 
Name: E.L. McCarty, III
Title: Managing Member

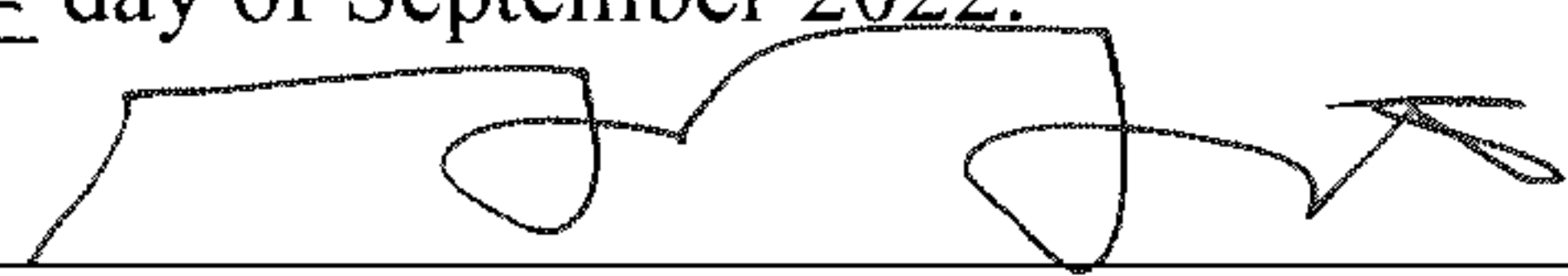
STATE OF ALABAMA)
 :
COUNTY OF Telfer)

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certifies that E.L. McCarty, III, whose name as Member of **ELMTREE PROPERTIES, L.L.C.**, 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 the said instrument, he, in such capacity and with full authority, executed the same voluntarily for and as the act of said company.

GIVEN under my hand and seal, this 9th day of September 2022.

[NOTARIAL SEAL]




Notary Public

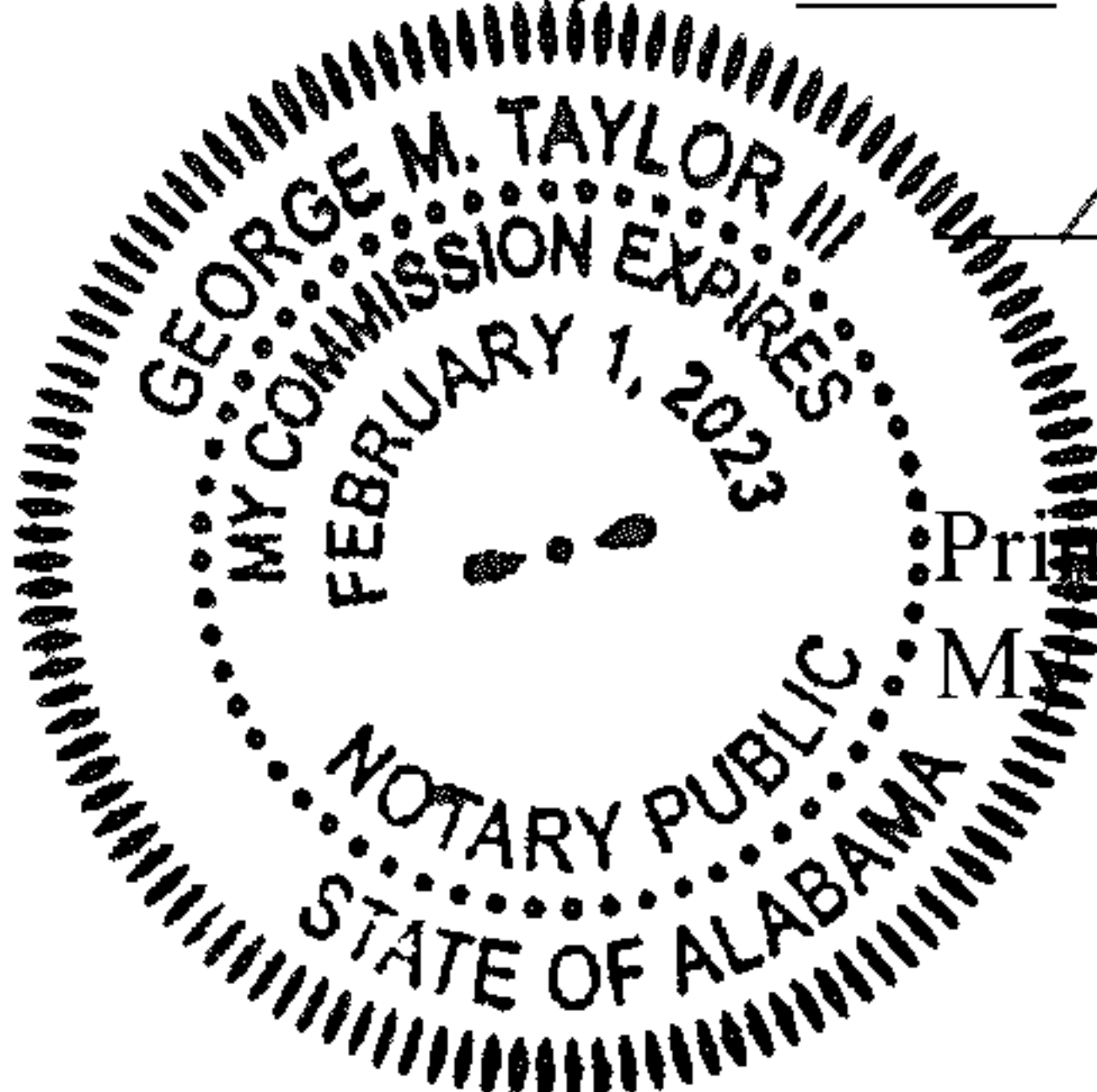
Print Name: George M. Taylor III
My commission expires: 2/1/23

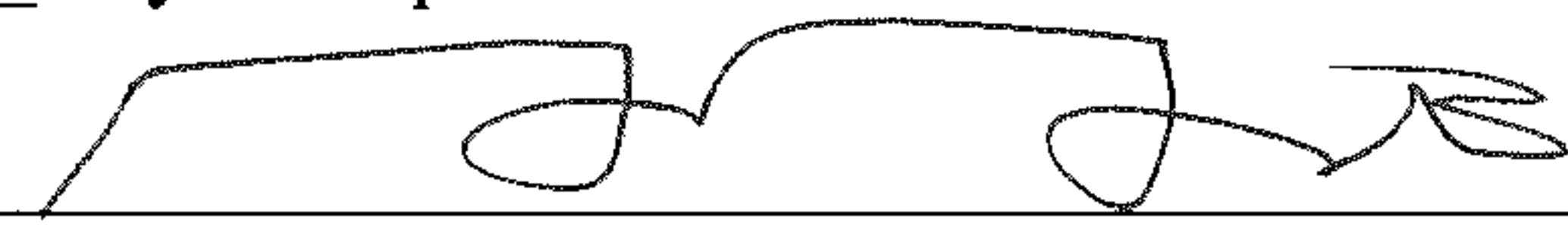
STATE OF ALABAMA)
 :
COUNTY OF Telfer)

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certifies that E.L. McCarty, III, whose name as Managing Member of **E & EE 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 the said instrument, he, in such capacity and with full authority, executed the same voluntarily for and as the act of said company.

GIVEN under my hand and seal, this 9th day of September 2022.

[NOTARIAL SEAL]




Notary Public

Print Name: George M. Taylor III
My commission expires: 2/1/23

EXHIBIT A
PROPERTY DESCRIPTION

PARCEL I:

Tract A:

Lot 6, according to the plat of Calera Marketplace, as recorded in Map Book 41, Page 48, in the Probate Office of Shelby County, Alabama.

Tract B:

Together with Rights Obtained, that constitute an interest in real estate, under that certain Agreement of Easements, Covenants, Conditions and Restrictions by Calera Crossings, LLC and James L. Lane dated February 27, 2009, filed March 5, 2009, and recorded in Instrument #20090305000081410.

PARCEL II:

Commence at the Southeast corner of the Northwest Quarter of the Southwest Quarter of Section 25, Township 20 South, Range 3 West, situated in Shelby County, Alabama, and run West along the South line of said Quarter-Quarter Section 825.91 feet to a point on the Westerly right of way of U.S. Highway 31, said point being the point of beginning; thence turn an angle right of 104 degrees 31 minutes and run Northeasterly along said right of way a distance of 145.0 feet; thence turn an angle left of 104 degrees 31 minutes and run Westerly and parallel to the South line of said Quarter-Quarter Section a distance of 400.0 feet; thence turn an angle left of 75 degrees 29 minutes and run Southwesterly and parallel with U.S. Highway 31 a distance of 145.0 feet to a point on the South line of said Quarter-Quarter Section; thence turn an angle left of 104 degrees 31 minutes and run Easterly along the South line of said Quarter-Quarter Section a distance of 400.0 feet to the point of beginning.

PARCEL III:

Commence at the Northwest corner of the Southwest Quarter of Section 25, Township 20 South, Range 3 West; run thence South 0 degrees 51 minutes 34 seconds West along the West line of said Section 25 for 373.97 feet; run thence South 80 degrees 28 minutes 22 seconds East for 193.0 feet to the East right of way of CSX Railroad; run thence South 08 degrees 30 minutes 35 seconds West along said East right of way for 634.61 feet to the point of beginning; run thence South 81 degrees 29 minutes 25 seconds East for 207.68 feet to the West line of the "McDonald's Corporation Property" as recorded in Deed Book 345, Page 583; run thence South 16 degrees 07 minutes 34 seconds West along said West line for 136.4 feet; run thence North 88 degrees 16 minutes 30 seconds West for 145.00 feet; run thence South 16 degrees 07 minutes 32 seconds West for 145.00 feet; run thence North 88 degrees 16 minutes 30 seconds West for 26.51 feet to the East right of way of said CSX Railroad; run thence North 08 degrees 30 minutes 35 seconds East along said East right of way for 299.72 feet to the point of beginning; said land being in the Northwest Quarter of the Southwest VA of Section 25, Township 20 South, Range 3 West, Shelby County, Alabama.

PARCEL IV:

A parcel of land located in the Southwest Quarter of the Southwest Quarter of Section 25, Township 20 South, Range 3 West, more particularly described as follows: Commence at the Southwest corner of the SW Quarter of the Southwest Quarter of Section 25, Township 20 South, Range 3 West, and run East along the South line of said Quarter-Quarter Section 130.60 feet to the Westerly right of way line of U.S. Highway Number 31; thence an angle left of 75 degrees 29 minutes and run Northeasterly along said right of way line, 974.0 feet to the point of beginning; thence continue along right of way line 400.0 feet; thence an angle

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left of 104 degrees 31 minutes and run Westerly 426.71 feet to a point on the Easterly right of way line of L & N Railroad; thence an angle left of 83 degrees 07 minutes 30 seconds and run Southerly along said Railroad right of way line 295.67 feet; thence an angle left of 82 degrees 21 minutes 30 seconds and run Easterly 373.77 feet to the point of beginning.

PARCEL V:

A tract of land located in the Southwest Quarter of the Southwest Quarter of Section 25, Township 20 South, Range 3 West, more particularly described as follows:

Commence at the Southwest corner of said Quarter-Quarter section; thence in an Easterly direction along the Southerly line of said Quarter-Quarter section, a distance of 130.60 feet to a point on the Westerly right of way line of U.S. Highway 31; thence 76 degrees 29 minutes left in a Northeasterly direction along said Westerly right of way line, a distance of 775.00 feet to the point of beginning; thence continue along last described course and right of way line a distance of 199.0 feet; thence 90 degrees left in a Northwesterly direction, a distance of 373.77 feet to a point on the Easterly right of way line of the L & N Railroad; thence 97 degrees 38 minutes 30 seconds left in a Southerly direction and along said L & N Railroad right of way line, a distance of 195.74 feet; thence 82 degrees 21 minutes 30 seconds left in a Southeasterly direction, a distance of 137.74 feet; thence 90 degrees right in a Southwesterly direction, a distance of 5.00 feet; thence 90 degrees left in a Southeasterly direction, a distance of 210.00 feet to the point of beginning of property herein described.

PARCELS II – V ALSO DESCRIBED AS FOLLOWS:

A parcel of land situated in the West one-half of the Southwest one-quarter of Section 25, Township 20 South, Range 3 West, Shelby County, Alabama being described more particularly as follows:

Commence at a found capped rebar stamped PLS 12362 marking the Southwest corner of Lot 1A according to A Resurvey of Lot 1 of The State Teachers Retirement System of Ohio as recorded in Map Book 28, Page 138 in the Office of the Judge of Probate in Shelby County, Alabama, and lying on the East right of way of the CSX Railroad; thence leaving said Lot 1A run South 08 degrees 08 minutes 39 seconds West along said railroad right of way for a distance of 634.61 feet to a set capped rebar stamped CA 560LS lying on said right of way and being the point of beginning of the parcel herein described; thence leaving said railroad right of way run South 81 degrees 48 minutes 36 seconds East for a distance of 208.11 feet to a found 5/8 inch rebar; thence run South 14 degrees 39 minutes 41 seconds West for a distance of 136.70 feet to a set capped rebar stamped CA 560LS; thence run South 88 degrees 43 minutes 19 seconds East for a distance of 255.00 feet to found 5/8 inch rebar lying on the West right of way of Highway 31; thence run South 15 degrees 58 minutes 05 seconds West along said Highway 31 right of way for a distance of 744.81 feet to a found 5/8 inch rebar lying on said Highway 31 right of way; thence leaving said Highway 31 right of way run North 74 degrees 17 minutes 59 seconds West for a distance of 210.13 feet to a found 5/8 inch rebar; thence run North 16 degrees 07 minutes 30 seconds East for a distance of 5.01 feet to a found 5/8 inch rebar; thence run North 74 degrees 04 minutes 30 seconds West for a distance of 137.61 feet to a found 5/8 inch rebar lying on afore mentioned railroad right of way; thence run North 08 degrees 08 minutes 39 seconds East along said railroad right of way for a distance of 792.10 feet to the point of beginning.

Parcel I Address: 175 Marketplace Circle, Calera, AL 35040
APN: 22-8-33-9-001-001.012

Parcels II, III, IV and V Address: 1471 1st St. North, Alabaster, AL 35007
APN: 13-7-25-3-001-005.001, 13-7-25-3-001-005.003, 13-7-25-3-001-007.000, and 13-7-25-3-001-008.001

EXHIBIT B
PERMITTED EXCEPTIONS

AS TO ALL PARCELS:

1. Taxes and assessments for the year 2022 and subsequent years, not yet due and payable.
2. Title to all minerals within and underlying the premises, including, but not limited to oil, gas, sand, and gravel in, on or under the Property, and all mining rights and other rights, privileges, and immunities relating thereto, together with any release of liability for injury or damage to persons or property as a result of the exercise of such rights.

AS TO PARCEL I:

3. Easements and notes on plats recorded in Map Book 36, Page 62 and Map Book 41, Page 48 in the Probate Office of Shelby County, Alabama.
4. Easements granted Alabama Power Company recorded in Instrument # 20091026000401820; Instrument # 2009102600401830 and Instrument # 20171031000394440, in the Probate Office of Shelby County, Alabama.
5. Agreement of Easements, Covenants, Conditions and Restrictions recorded in Instrument # 20090305000081410, in the Probate Office of Shelby County, Alabama.
6. Covenants, conditions and restrictions contained in Memorandum of Lease by and between Calera Crossings, LLC and Publix Alabama, LLC recorded in Instrument # 20090305000081420; as amended by First Amendment to Memorandum of Lease Instrument # 20090305000081450; and as further amended by Second Amendment to Memorandum of Lease recorded in Instrument # 20100125000023590, in the Probate Office of Shelby County, Alabama.

AS TO PARCELS II – V:

7. Right of way granted to Alabama Power Company as set out in Deed Book 349, Page 789 and Deed Book 299, Page 128.
8. Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto, together with any release of liability for injury or damage to persons or property as a result of the exercise of such rights as recorded in Deed Book 288, Page 480; Deed Book 292, Page 49; Deed Book 303, Page 226 and Deed Book 119, Page 83.
9. Right of Way granted to American Telephone and Telegraph Company as recorded in Deed Book 168, Page 476.
10. Right of Way granted to Shelby County, Alabama as recorded in Deed Book 169, Page 59.
11. Right of Way granted to South Central Bell Telephone Company as recorded in Real Volume 12, Page 150.
12. Right of Way granted to Southern Bell Telephone and Telegraph Company as recorded in Misc. Book 12, Page 150.

13. Right of Way granted to City of Pelham as recorded in Deed Book 337, Page 525.
14. Rights of parties in possession under outstanding leases.
15. Transmission Line Permit to Alabama Power Company as recorded in Deed Book 141, Page 506; Deed Book 113, Page 95 and Deed Book 170, Page 262.
16. Right of Way granted to South Central Bell as recorded in Deed Book 333, Page 456.
17. Easement Agreement between Sherman Holland, Jr. and McDonalds Corporation in Deed Book 345, Page 579.
18. Covenants, Easements and Agreements as set out in Misc. Book 39, Page 573, as amended in Misc. Book 49, Page 39.
19. Mineral Lease from Ruth Purvis Worrell, et al, to Cities Service Company as recorded in Deed Book 331, Page 699.
20. Any part of the Land lying within the right of way of a public road.
21. Right of way granted to Alabama Power Company as set out in instrument(s) recorded in Instrument # 1997-07354.
22. Any part of the Land lying within a railroad right of way.

AS TO PARCEL I:

23. The following matters shown on survey of Derek S. Meadows, dated September 7, 2022, and designated as Project 22-0455:
 - a. Encroachment of fence across Northeasterly portion of Land.
 - b. Misalignment of fence along the West line of the Land.

AS TO PARCELS II – V:

26. The following matters shown on survey of Derek S. Meadows, dated September 7, 2022, and designated as Project 22-0456:
 - a. Misalignment of Fence along North boundary line.
 - b. Encroachment of Mobile Building, Asphalt, Fence, Concrete and One Story Metal Building onto the adjoining property along North boundary line.
 - c. Encroachment of Mobile Building onto the adjoining property along West boundary line.
 - d. Misalignment of Fence along East boundary line.
 - e. Overhead Power Line(s) traversing the Land.
 - f. Encroachment of Asphalt and Concrete onto the adjoining property along West boundary line.
 - g. Encroachment of Canopy onto the adjoining property along West boundary line.
 - h. Underground Gas Line traversing the Land.
 - i. Underground Water Line traversing the Land.



Filed and Recorded
Official Public Records
Judge of Probate, Shelby County Alabama, County
Clerk
Shelby County, AL
09/09/2022 03:39:19 PM
\$6890.00 BRITTANI
20220909000352240

Allen S. Bayl