

\$ 1088,798.00



20071004000464290 1/5 \$24.00
Shelby Cnty Judge of Probate, AL
10/04/2007 09:44:21AM FILED/CERT

Send tax notice to:
SAC, LLC
c/o Eugene K. Cole
1100 East Park Drive, Suite 400
Birmingham, AL 35235

This instrument prepared by:
Charles A. J. Beavers, Jr.
Bradley Arant Rose & White llp
One Federal Place
1819 Fifth Avenue North
Birmingham, AL 35203-2104

STATE OF ALABAMA)
 :
SHELBY COUNTY)

STATUTORY WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of Ten Dollars (\$10.00) and other good and valuable considerations, in hand paid to **SHARP PELHAM, LLC**, an Alabama limited liability company ("Grantor") by **SAC, LLC**, an Alabama limited liability company ("Grantee"), the receipt and sufficiency of which are hereby acknowledged, Grantor does hereby grant, bargain, sell, and convey unto Grantee **an undivided eighty percent (80%) interest** in and to the real estate (the "Property") situated in Shelby County, Alabama, more particularly described as follows, to-wit:

PARCEL 5:

A parcel of land situated in the Southwest one-quarter of Section 19, Township 20 South, Range 2 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the Southwest corner of the Southwest one-quarter of the Southwest one-quarter of said Section; thence run South 89 degrees 58 minutes 11 seconds East for a distance of 586.36 feet to the POINT OF BEGINNING and the point of commencement of a curve to the right, said curve having a radius of 780.00 feet, a central angle of 24 degrees 55 minutes 21 seconds, a chord bearing of North 19 degrees 39 minutes 24 seconds East for a chord distance of 336.62 feet; thence run along arc of said curve for a distance of 339.28 feet to the point of commencement of a reverse curve to the left, said curve having a radius of 270.00 feet, a central angle of 32 degrees 33 minutes 53 seconds, a chord bearing of North 15 degrees 50 minutes 08 seconds East for a chord distance of 151.40 feet; thence run along arc of said curve for a distance of 153.46 feet; thence run North 00 degrees 26 minutes 49 seconds West for a distance of 125.24 feet; thence run North 89 degrees 45 minutes 50 seconds East for a distance of 182.70 feet; thence run South 00 degrees 14 minutes 10 seconds East for a distance of 90.46 feet; thence run North 89 degrees 45 minutes 50 seconds East for a distance of 515.68 feet; thence run South 00 degrees 03 minutes 55 seconds East for a distance of

500.65 feet; thence run North 89 degrees 57 minutes 08 seconds East for a distance of 74.67 feet; thence run North 89 degrees 58 minutes 11 seconds West for a distance of 778.22 feet to the POINT OF BEGINNING.

PARCEL 6:

A parcel of land situated in the Southwest one-quarter of Section 19, Township 20 South, Range 2 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the Southwest corner of the Southwest one-quarter of the Southwest one-quarter of said Section; thence run South 89 degrees 58 minutes 11 seconds East for a distance of 645.80 feet to the point of commencement of a curve to the right, said curve having a radius of 720.00 feet, a central angle of 06 degrees 05 minutes 18 seconds, a chord bearing of North 11 degrees 10 minutes 26 seconds East for a chord distance of 76.47 feet; thence run along arc of said curve for a distance of 76.51 feet to the point of commencement of a reverse curve to the left, said curve having a radius of 780.00 feet, a central angle of 14 degrees 27 minutes 15 seconds, a chord bearing of North 06 degrees 59 minutes 28 seconds East for a chord distance of 196.25 feet; thence run along arc of said curve for a distance of 196.77 feet; thence run North 00 degrees 14 minutes 10 seconds West for a distance of 948.28 feet to the point of commencement of a curve to the left, said curve having a radius of 430.00 feet, a central angle of 04 degrees 01 minutes 27 seconds, a chord bearing of North 02 degrees 14 minutes 53 seconds West for a chord distance of 30.19 feet; thence run along arc of said curve for a distance of 30.20 feet to the POINT OF BEGINNING and a point on a curve to the left, said curve having a radius of 270.00 feet, a central angle of 07 degrees 10 minutes 40 seconds, a chord bearing of North 41 degrees 23 minutes 07 seconds West for a chord distance of 33.80 feet; thence run along arc of said curve for a distance of 33.83 feet to the point of commencement of a curve to the right, said curve having a radius of 330.00 feet, a central angle of 14 degrees 11 minutes 30 seconds, a chord bearing of North 37 degrees 52 minutes 39 seconds West for a chord distance of 81.53 feet; thence run along arc of said curve for a distance of 81.74 feet; thence run North 68 degrees 12 minutes 23 seconds East for a distance of 53.46 feet to the point of commencement of a curve to the right, said curve having a radius of 430.00 feet, a central angle of 14 degrees 57 minutes 11 seconds, a chord bearing of South 11 degrees 44 minutes 12 seconds East for a chord distance of 111.90 feet; thence run along arc of said curve for a distance of 112.22 feet to the POINT OF BEGINNING.

TOGETHER WITH the rights and interests appurtenant to the aforescribed Parcels 5 and 6 pursuant to that certain Easement, Joint Use, and Maintenance Agreement (the "Easement Agreement") recorded in Instrument #20040610000314520 in the Probate Office of Shelby County, Alabama

TOGETHER WITH the rights and interests appurtenant to the aforescribed Parcels 5 and 6 pursuant to that certain Declaration of Utility Easement (the

"Utility Easement") recorded in Instrument #20040610000314500 in said Probate Office

LESS AND EXCEPT any property lying in the Shelby County Highway right-of-way as recorded in Instrument #200404080001834000 corrected in Instrument #20040524000273220 and in Instrument #20040408000183390 corrected in Instrument #20040524000273230.

This deed is executed as required by the Articles of Organization and Operating Agreement of Grantor, and same have not been modified or amended.

TO HAVE AND TO HOLD unto Grantee, its successors and assigns forever; subject, however, to the following matters:

1. Ad valorem taxes for the 2007 tax year and thereafter
2. Easement to the City of Pelham as recorded in Instrument #1999-18783, Instrument #1999-18784, and Instrument #1999-18785 in the Probate Office of Shelby County, Alabama
3. Right-of-way granted to Alabama Power Company by instrument recorded in Volume 126, page 299, and Volume 126, page 301, in said Probate Office
4. Easement to the City of Pelham as recorded in Instrument #1999-12465, Instrument #1999-18781, and Instrument #1999-18782 in said Probate Office
5. Sanitary sewer easement and beneficial parcel recorded in Instrument #1999-12466 in said Probate Office
6. Rights of others to the use of any portion of the Property lying within a road right-of-way
7. Any mineral and mining rights which are not owned by Grantor, if any, it being the intention of Grantor to convey only those mineral and mining rights to which Grantor has an interest or title
8. Terms and provisions of and rights of others in and to the Easement Agreement
9. Terms and provisions of and rights of others in and to the Utility Easement
10. Driveway right of way easement as recorded in Deed Book 314, page 861, and Instrument #20040401000168120 in said Probate Office
11. Rights of others in and to Huntley Parkway
12. That certain non-exclusive easement established and reserved for the benefit of the grantor in that certain Statutory Warranty Deed from C&A Enterprises, L.L.C., Awtrey Investment Realty, LLC, and Cole Investment Realty, LLC to SAC, LLC recorded as Instrument #20060209000068230 in said Probate Office
13. That certain non-exclusive easement established and reserved for the benefit of the grantors in that certain Statutory Warranty Deed from C&A Enterprises, L.L.C., Awtrey Investment Realty, LLC, and Cole Investment Realty, LLC to 52 Pelham, LLC recorded as Instrument #20060209000068210 in said Probate Office



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14. Grantor hereby reserves unto Grantor and Grantor's successors and assigns a non-exclusive easement for ingress, egress, and utilities, for the benefit of lands which Grantor, or any entity related to Grantor or in which Grantor has any interest, currently owns or which Grantor might acquire in the future, over, under, and across the easements as described in the Easement Agreement and the Utility Easement, together with the right to dedicate said easements to the City of Pelham, Alabama, or such other governmental entity as may be appropriate, for public use.

[SIGNATURE ON FOLLOWING PAGE]

All consideration herein was paid through a mortgage loan which closed on the same date as this deed.

IN WITNESS WHEREOF, the undersigned has set its hand and seal on or as of the
29th day of September, 2007.

SHARP PELHAM, LLC
By: Samuel W. Sharp
Samuel W. Sharp
Its Member

STATE OF ALABAMA)
 :
JEFFERSON COUNTY)

I, the undersigned, a notary public in and for said county in said state, hereby certify that Samuel W. Sharp, whose name as Member of Sharp Pelham, 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 said instrument, he, as such Member and with full authority, executed the same voluntarily for and as the act of said company.

Given under my hand and official seal this 29th day of September, 2007.

Adina R. Greenman
Notary Public
MY COMMISSION EXPIRES JULY 23, 2011

[NOTARIAL SEAL]

My commission expires: _____