

20120910000341560 1/10 \$39.00
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This document was prepared by:
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Duluth, GA 30096
File No. # 7553 H

AFFIDAVIT OF MERGER AND NAME CHANGE

Deed Cross Reference: Instrument 20041115000626030

THE STATE OF TEXAS

COUNTY OF DALLAS

The undersigned Pamela Medlin, Assistant Vice President of Fidelity National Title Group, having personal knowledge of the following facts, and being first duly cautioned and sworn, states as follows:

I, Pamela Medlin, Assistant Vice President of Fidelity National Title Group (2001 Bryan Street, Suite 1700, Dallas, Texas 75201), am over 18 years of age, suffer no disability that would affect my giving this Affidavit, have personal knowledge of the facts contained herein as true, and am familiar with the nature of an oath. The real property described in Exhibit A attached hereto and incorporated herein.

To wit: AHT Residence Inn II Limited Partnership (814 East Main Street, Richmond, Virginia 23219) changed its name to Lion ES Hotels Holdings, LP (2650 Cedar Springs Road, Suite 850, Dallas, Texas 75201) on May 23, 2007 and a copy of the Certificate of Amendment of a Certificate of Limited Partnership evidencing such name change is attached hereto as Exhibit B. This Affidavit is given to place of record evidence of such name change and to reflect of record that title to the Property is now vested in Lion ES Hotels Holdings, LP.

This Affidavit is made and given to reflect in the Deed records of Shelby County, and the State of Alabama, that the transaction evidenced herein occurred, as further evidenced by a copy of the Articles filed with the Virginia Secretary of State attached as Exhibit B, and to provide evidence of that transaction as a matter of public record. This Affidavit is further given with the knowledge and understanding that it may be relied upon by title companies, attorneys, and those who search the public records.

In Witness Whereof, I, have hereunto set my hand this 13th day of August, 2012.

By: Pamela Medlin
Pamela Medlin, Vice President

Witness: Quanta R. Lunsford
Name:

Witness: Nanci Miranda
Name:

Notary Acknowledgement:

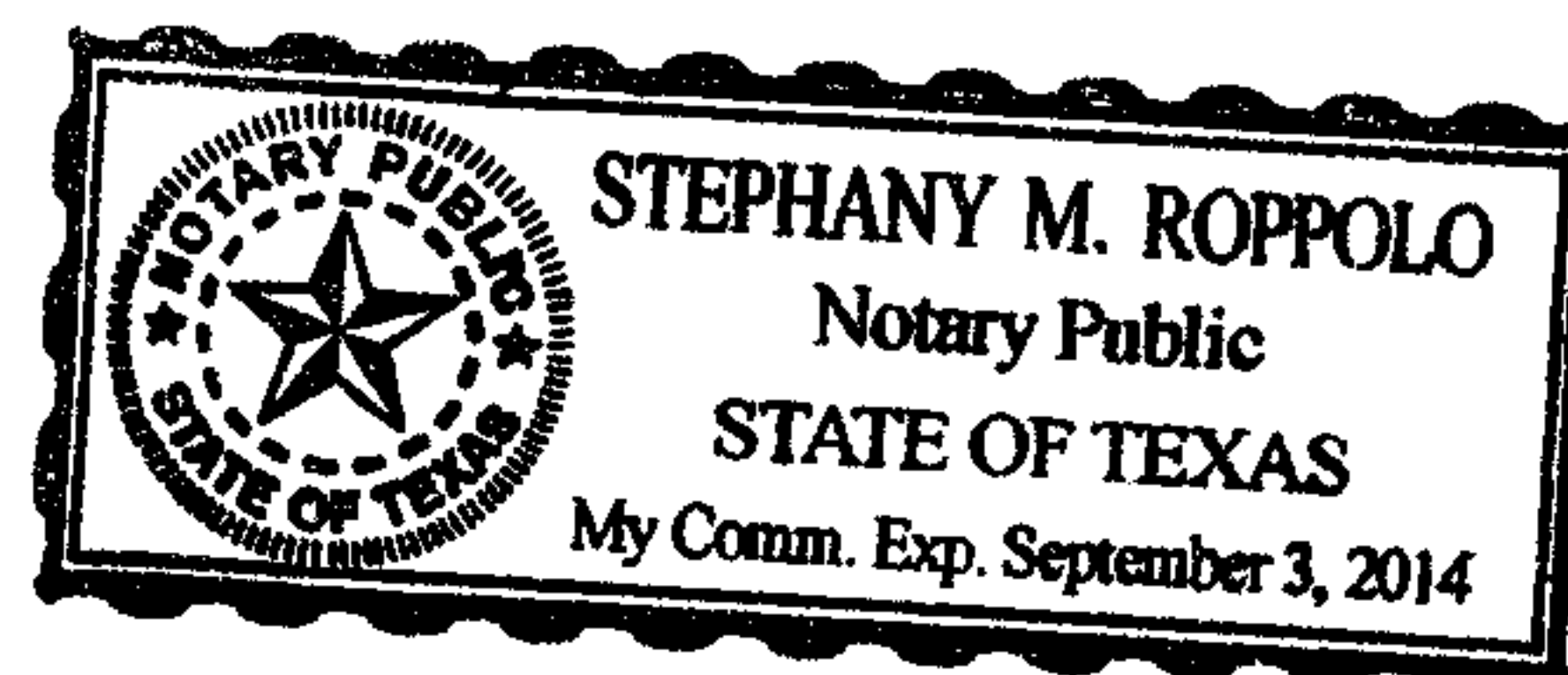
The State of Texas

The County of Dallas

Personally appeared before me, the within named Pamela Medlin, Vice President of Fidelity National Title Group, who is personally known to me, who acknowledged, signed, sealed and as her act and deed, delivered the within named Affidavit of Merger and Name Change.

Given under my hand this the 6th day of August, 2012


Stephany M. Roppolo
Notary Public



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EXHIBIT A
LEGAL DESCRIPTION

SEE ATTACHED


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Birmingham, AL

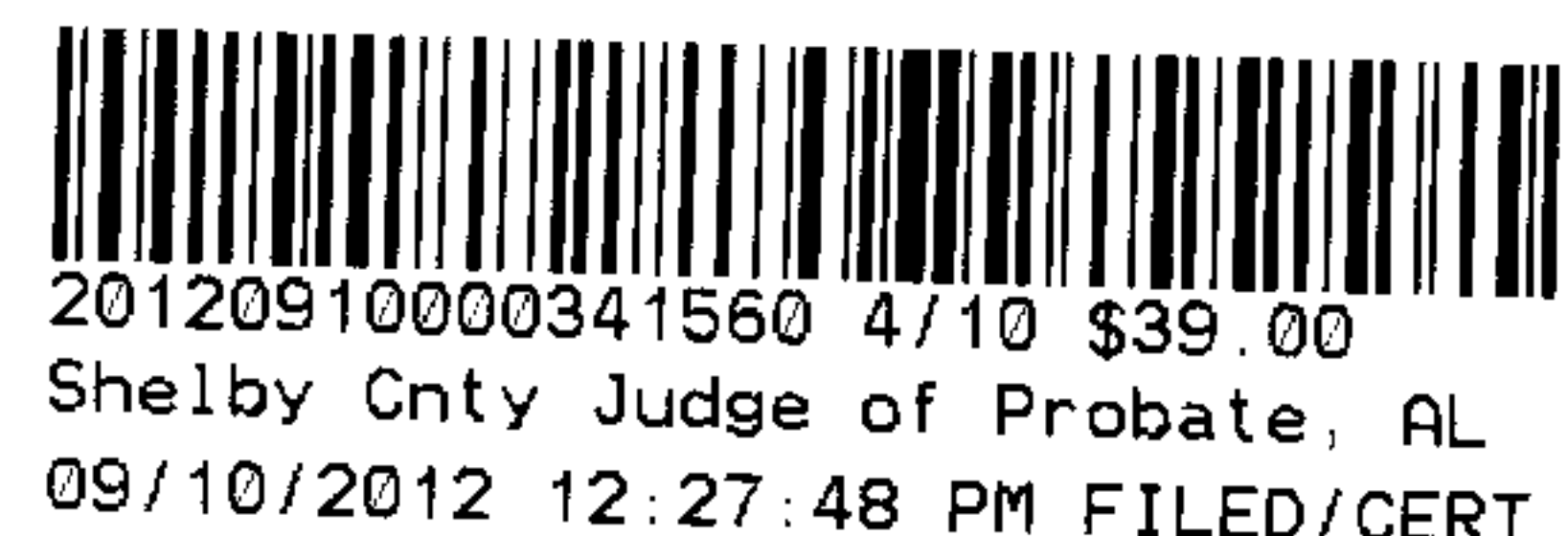
EXHIBIT A

PARCEL I:

Being a part of the Southwest quarter of the Northeast quarter of Section 36, Township 18 South, Range 2 West, Shelby County, Alabama, and being more particularly described as follows:

Commence at the Southeast corner of the Southwest quarter of the Northeast quarter of Section 36, Township 18 South, Range 2 West, Shelby County, Alabama and run West along the South line of said quarter-quarter section for a distance of 263.21 feet to the Point of Beginning; thence continue West along the last described course a distance of 696.06 feet; thence 90 degrees 00 minutes right and in a Northerly direction for a distance of 95.00 feet; thence 43 degrees, 00 minutes left and in a Northwesterly direction for a distance of 127.00 feet; thence 43 degrees, 30 minutes right and in a Northerly direction for a distance of 75.00 feet to a Point situated on the Southeasterly right of way line of a proposed road and said Point of curve of a curve to the right said curve to the right having a radius of 610.14 feet and a central angle of 37 degrees, 16 minutes, 38 seconds; thence 72 degrees, 00 minutes right to the chord of said curve to the right and run Northeasterly along the Southeasterly right of way line of the proposed road and the arc of said curve to the right for a distance of 396.96 feet to the end of said curve to the right and the beginning of a curve to the left and said curve to the left having a radius of 319.14 feet and a central angle of 25 degrees, 30 minutes, 50 seconds; thence Northeasterly along the Southeasterly right of way line of proposed road and the arc of said curve for a distance of 142.24 feet; thence 101 degrees, 28 minutes, 36 seconds right from the chord of last stated curve and in a Southerly direction for a distance of 117.17 feet; thence 82 degrees, 08 minutes, 06 seconds left and in an Easterly direction for a distance of 65.46 feet; thence 71 degrees, 05 minutes, 09 seconds, left and in a Northeasterly direction for a distance of 61.78 feet to a Point on the approximate lake shore; thence 99 degrees, 36 minutes, 57 seconds right and in a Southeasterly direction along the approximate lake shore for a distance of 57.08 feet; thence 19 degrees, 26 minutes, 40 seconds right and in a Southeasterly direction along the approximate lake shore for a distance of 73.28 feet; thence 0 degrees 38 minutes, 40 seconds right and in a Southeasterly direction along the approximate lake shore for a distance of 81.94 feet; thence 25 degrees, 42 minutes, 01 seconds left and in a Southeasterly direction along the approximate lake shore for a distance of 50.71 feet; thence 24 degrees, 37 minutes, 55 seconds right and in a Southeasterly direction along the approximate lake shore for a distance of 94.93 feet; thence 17 degrees, 49 minutes, 50 seconds right and in a Southeasterly direction along the approximate lake shore for a distance of 52.74 feet; thence 74 degrees, 12 minutes, 26 seconds right and in a Southwesterly direction for a distance of 83.74 feet to the Point of Beginning.

Also a Non-Exclusive Easement for ingress and egress described as follows:



PARCEL II:

Being a part of the Southwest quarter of the Northeast quarter and the Southeast quarter of the Northwest quarter, Section 36, Township 18 South, Range 2 West, Shelby County, Alabama, more particularly described as follows:

Commence at the Southeast corner of the Southwest quarter of the Northeast quarter of said Section: thence run West along the South line of said Southwest quarter of the Northeast quarter for a distance of 1020.17 feet; thence 62 degrees, 50 minutes, 45 seconds left and in a Southwesterly direction for a distance of 54.50 feet to a Point of the Northeasterly right of way line of U.S. Highway No. 380, said right of way being in a curve to the right, curving Northerly, said curve to the right having a radius of 5639.58 feet and a central angle of 2 degrees, 23 minutes, 16 seconds; thence 92 degrees, 28 minutes, 13 seconds right to the chord of said curve to the right and run in a Northeasterly direction along the Northeasterly right of way line of U.S. Highway No. 280 and the arc of said curve to the right for a distance of 235.02 feet to the Point of Beginning, said Point being the Point of intersection of the Northeasterly right of way line of U.S. Highway No. 280 with the Southeasterly right of way line of a proposed road, said proposed road right of way being in a curve to the right, curving Northeasterly, said curve to the right having a radius of 377.81 feet and a central angle of 22 degrees, 27 minutes, 01 seconds; thence 101 degrees, 00 minutes, 43 seconds right from the chord of the U.S. Highway No. 280 curve to the chord of the curve of the proposed road and run Northeasterly along the Southeasterly right of way line of the proposed road and the arc of the curve for a distance of 148.04 feet to the end of said curve; thence at tangent to said curve continue Northeasterly along the Southeasterly right of way line of the proposed road for a distance of 130.32 feet to the beginning of a curve to the right, said curve to the right having a radius of 610.14 feet and a central angle of 18 degrees, 38 minutes 19 seconds; thence Northeasterly along the arc of said curve and the Southeasterly right of way line of the proposed road for a distance of 198.48 feet to the end of curve; thence 90 degrees, 00 minutes left from the tangent of said curve and in a Northwesterly direction for a distance of 60.00 feet to a Point on the Northwesterly right of way line of proposed road, said Point being situated on a curve to the left and curving Southwesterly, said curve having a radius of 670.14 feet and a central angle of 18 degrees, 38 minutes, 19 seconds; thence continue Southwesterly along the Northwesterly right of way line of the proposed road and the arc of said curve to the left for a distance of 218.00 feet to the end of said curve; thence 90 minutes, 00 minutes right from the tangent of said curve in a Northwesterly direction for a distance of 15.00 feet; thence 90 degrees, 00 minutes left and in a Southwesterly direction along the Northwesterly right of way line of proposed road for a distance of 179.92 feet to the beginning of a curve to the left, said curve to the left having a radius of 422.57 feet and a central angle of 17 degrees, 23 minutes, 48 seconds; thence continue Southwesterly along the Northwesterly right of way line of the proposed road and the arc of said curve for a distance of 128.30 feet to the end of said curve and the Point of Intersection of the Northwesterly right of way line of the proposed road with the Northeasterly right of way line of U.S. Highway No. 280, the Northeasterly right of way line of U.S. Highway No. 280 being in a curve to the left, curving Southeasterly, said curve having a radius of 5639.58 feet and a central angle of 00 degrees, 54 minutes, 54 seconds; thence Southeasterly along the arc of said curve to the left and the Northeasterly right of way line of U.S. Highway No. 280 for a distance of 90.06 feet to the Point of Beginning.



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The above described "Non-Exclusive Easement" shall terminate upon the completion of the road way to be constructed thereon, and upon the dedication to and acceptance by Shelby County, Alabama, as a dedicated public street.

Also a slope easement for ingress and egress to the Lakeshore described as follows:

PARCEL III:

Commence at the Southeast corner of the Southwest quarter of the Northeast quarter of Section 36, Township 18 South, Range 2 West, Shelby County, Alabama, and run West along the South line of said quarter-quarter section for a distance of 263.21 feet; thence 145 degrees, 18 minutes, 42 seconds right and in a Northeasterly direction for a distance of 83.74 feet; thence 74 degrees, 12 minutes, 26 seconds left and in a Northwesterly direction for a distance of 52.74 feet; thence 17 degrees, 49 minutes, 50 seconds left and in a Northwesterly direction for a distance of 94.93 feet; thence 24 degrees, 37 minutes, 55 seconds left and in a Northwesterly direction for a distance of 50.71 feet; thence 25 degrees, 42 minutes, 01 seconds right and in a Northwesterly direction for a distance of 81.94 feet; thence 0 degrees, 38 minutes, 40 seconds left and in a Northwesterly direction for a distance of 73.28 feet; thence 19 degrees, 26 minutes, 40 seconds left and in a Northwesterly direction for a distance of 57.08 feet; thence 99 degrees, 36 minutes, 57 seconds, left and in a Southwesterly direction for a distance of 61.78 feet to the Point of Beginning of the slope easement herein described; thence 71 degrees, 05 minutes, 09 seconds right and in a Westerly direction for a distance of 65.46 feet; thence 82 degrees, 08 minutes, 06 seconds right and in a Northerly direction for a distance of 45.00 feet; thence 99 degrees, 11 minutes, 54 seconds right and in an Easterly direction for 86.23 feet; thence 107 degrees, 34 minutes, 51 seconds right and in a Southwesterly direction for a distance of 45.00 feet to the Point of Beginning.

PARCEL IV:

Also, a Non-Exclusive Sign Easement, being more particularly described as follows:

Commence at the Southeast corner of the Southwest quarter of the Northeast quarter of Section 36, Township 18 South, Range 2 West, Shelby County, Alabama and run West along the South line of said quarter-quarter section for a distance of 1020.17 feet; thence 62 degrees, 50 minutes, 45 seconds left and in a Southwesterly direction for a distance of 54.50 feet to a point on the Northeasterly right of way line of U.S. Highway No. 280, said right of way line being in a curve to the right, curving Northerly, said curve to the right having a radius of 5639.58 feet and a central angle of 3 degrees, 18 minutes, 10 seconds; thence 92 degrees, 55 minutes 40 seconds right to the chord of said curve to the right and run Northwesterly along the Northeasterly right of way line of U.S. Highway No. 280, and the arc of said curve to the right for a distance of 325.08 feet to the point of beginning, said point being the point of intersection of the Northeasterly right of way line of U.S. Highway No., 280 and the Northwesterly right of way line of a proposed road; thence continue Northwesterly along the Northeasterly right of way line of U.S. Highway No. 280 and the arc of a curve to the right having a radius of 5639.58 feet and a central angle of 0 degrees, 09 minutes, 10 seconds for a distance of 15.04 feet; thence 90 degrees, 00 minutes right from the tangent of said curve to the right for a distance of 21.49 feet;



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thence 95 degrees, 17 minutes, 24 seconds right and in a Southeasterly direction for a distance of 16.48 feet to a point on the Northwestern right of way line of a proposed road, said point being situated on a curve to the left, curving Southerly, said curve to the left having a radius of 422.57 feet and a central angle of 2 degrees, 42 minutes, 42 seconds; thence run Southwesterly along the Northwestern right of way line of the proposed road and the arc of said curve to the left for a distance of 20.00 feet to the point of beginning. Situated in Shelby County, Alabama.



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EXHIBIT B
CERTIFICATE OF MERGER

SEE ATTACHED


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LPA-73.12
(07/06)

COMMONWEALTH OF VIRGINIA
STATE CORPORATION COMMISSION
CERTIFICATE OF AMENDMENT OF A
CERTIFICATE OF LIMITED PARTNERSHIP

This certificate of amendment is presented for filing pursuant to § 50-73.12 of the Code of Virginia.

1. The name of the Virginia limited partnership is

AHT Residence Inn II Limited Partnership

2. The filing date of the initial certificate of limited partnership with the State Corporation Commission is 10/29/2004

3. The certificate of limited partnership is amended as follows (complete appropriate subsection(s)):

A. The name of the limited partnership has changed to

Lion ES Hotels Holdings, LP

B. The post office address, including the street and number, if any, of the specified office where the records are maintained pursuant to § 50-73.8 of the Code of Virginia has changed to

(number/street) (city or town) (state) (zip)
C. The latest date upon which the limited partnership is to be dissolved and its affairs wound up has been changed to _____

D. The name, post office address, including the street and number, if any, and SCC ID # (if assigned) of each general partner that has withdrawn is

(name and SCC ID #, if assigned) (state of formation (optional))

(number/street) (city or town) (state) (zip)

E. The limited partnership shall continue in business under § 50-73.49 of the Code of Virginia after an event of withdrawal of a general partner.

F. The name, post office address, including the street and number, if any, and SCC ID # (if assigned) of each new general partner that has been admitted is

(name and SCC ID #, if assigned) (state of formation (optional))

(number/street) (city or town) (state) (zip)

Check if applicable:

☐ The following new general partners are serving, without more, as a general partner of the limited partnership and do not otherwise transact business in Virginia. See §§ 13.1-757, 13.1-1059 and/or 50-73.61 of the Code of Virginia.

G. Other amendments: The name of the general partner has changed to Lion ES Hotels Holdings GP, LLC

Signature of general partner(s):

Charles R. Latham
(signature)

May 23, 2007

(date)

(printed) Authorized Signatory of
ING Clarion Partners, LLC, manager of
Lion ES Management, LLC, manager of
(signature) Lion ES Merger, LLC, sole member of

(telephone number (optional))

(printed) general partner

(date)

(telephone number (optional))

L018567

(limited partnership's SCC ID No.)

INSTRUCTIONS ON THE REVERSE



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Commonwealth of Virginia



State Corporation Commission

I Certify the Following from the Records of the Commission:

The foregoing is a true copy of the certificate of amendment filed in this office on May 23, 2007 by Lion ES Hotels Holdings, LP, a VIRGINIA Limited Partnership.

Nothing more is hereby certified.



*Signed and Sealed at Richmond on this Date:
June 4, 2007*

Joel H. Peck

Joel H. Peck, Clerk of the Commission