


This instrument was prepared by:
William R. Justice
P.O. Box 587, Columbiana, Alabama 35051


20130801000313260 1/7 \$33.00
Shelby Cnty Judge of Probate, AL
08/01/2013 11:43:49 AM FILED/CERT

STATUTORY WARRANTY DEED

STATE OF ALABAMA

SHELBY COUNTY **KNOW ALL MEN BY THESE PRESENTS,**

That in consideration of the sum of Two Million Eight Hundred and Ninety-two Thousand Three Hundred and Eight and no/100 Dollars (\$2,892,308.00) in hand paid to HHH ACQUISITION COMPANY, LLC, a Tennessee limited liability company ("GRANTOR"), by the CITY OF PELHAM, ALABAMA, a municipal corporation ("GRANTEE"), the receipt and sufficiency of which are hereby acknowledged, GRANTOR does hereby grant, bargain, sell and convey to GRANTEE the following described real estate situated in Shelby County, Alabama to-wit:

See legal description attached hereto as Exhibit A

Subject to permitted encumbrances attached hereto as Exhibit B

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

This Statutory Warranty Deed is executed and made without any representation or warranty of any kind on the part of the GRANTOR, express or implied, except for those implied covenants of warranty pursuant to Section 35-4-271 of the Code of Alabama (1975).

[signature page to follow]

IN WITNESS WHEREOF, GRANTOR by its Manager who is authorized to execute this conveyance, has hereunto set its hand and seal, this 25th day of July, 2013.

HHH ACQUISITION COMPANY, LLC

By: Donald M. McLean

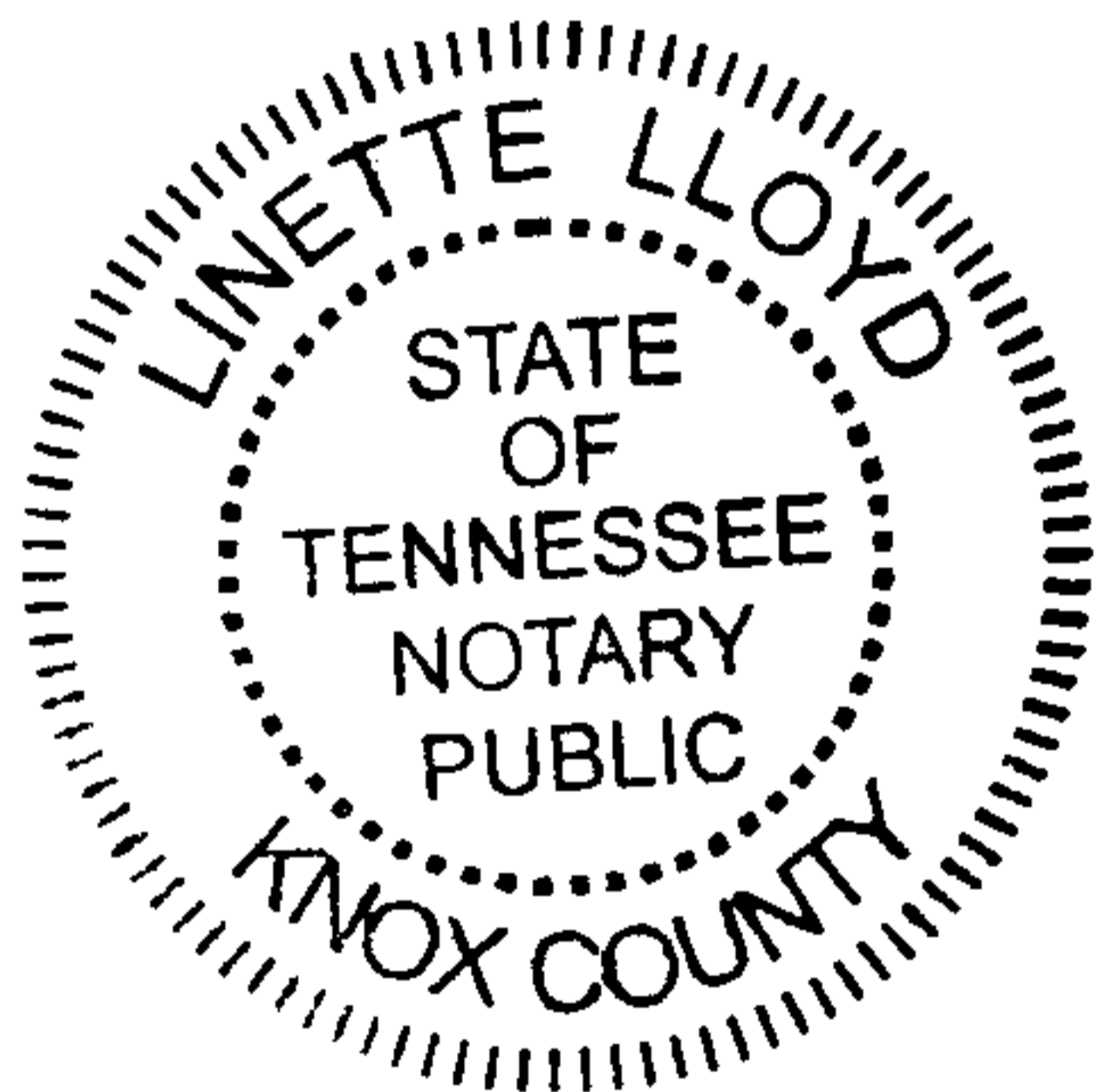
Print name: Donald M. McLean

Print title: Manager

STATE OF Tennessee
COUNTY OF Knox

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Donald M. McLean, whose name as Manager of HHH ACQUISITION COMPANY, LLC, a Tennessee limited liability company, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance, he as such officer and with full authority, executed the same voluntarily for and as the act of said company.

Given under my hand and official seal this 25th day of July, 2013.



Linette Lloyd
Notary Public



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EXHIBIT "A" - LEGAL DESCRIPTION

PARCEL I:

Commence at the Southwest corner of Section 13, Township 20 South, Range 3 West, Shelby County, Alabama; thence in an Easterly direction along the South line of said Section 13, a distance of 764.69 feet to the intersection of said Section line and the Westerly right of way line of U.S. Highway 31; then 102° 18' left in a Northwesterly direction along said right of way a distance of 662.23 feet to the POINT OF BEGINNING; thence continue along the last described course a distance of 655.57 feet; thence 77° 42' left in a Westerly direction a distance of 848.51 feet to a point on the Easterly right of way line of Old Ashville-Montevallo Highway; thence 90° 12' left in a Southerly direction along the Easterly right of way line of said Highway, a distance of 249.15 feet; thence 6° 24' left in a Southeasterly direction along said right of way a distance of 283.08 feet; thence 90° 11' 36" left in a Northeasterly direction a distance of 313.80 feet; thence 90° right, in a Southeasterly direction a distance of 222.23 feet; thence 90° left in a Northeasterly direction a distance of 621.22 feet to the POINT OF BEGINNING.

PARCEL II:

A parcel of land located in the SW ¼ of the SW ¼ of Section 13, and the SE ¼ of the SE ¼ of Section 14, all in Township 20 South, Range 3 West, Shelby County, Alabama, more particularly described as follows:


Commence at the Southwest corner of said Section 13, thence in an Easterly direction along the South line of said Section 13, a distance of 764.69 feet to the intersection of said Section line and the Westerly right of way line of U.S. Highway 31; thence 102° 18' left in a Northwesterly direction along said right of way a distance of 317.80 feet to the point of beginning; thence continue along last described course a distance of 344.43 feet; thence 84° 29' 36" left in a Southwesterly direction a distance of 621.22 feet; thence 90° right in a Northwesterly direction a distance of 222.33 feet; thence 90° left in a Southwesterly direction a distance of 313.80 feet to the Easterly right of way line of the Old Ashville-Montevallo Highway; thence 89° 48' 24" left, in a Southeasterly direction along said right of way line a distance of 518.42 feet to the Northeasterly right of way line of the Seaboard Coast Line Railroad; thence 20° 45' left, in a Southeasterly direction, along said right of way of said Seaboard Coast Line Railroad, a distance of 130.72 feet; thence 52° 39' left, in an Easterly direction a distance of 476.70 feet; thence 102° 18' left in a Northwesterly direction a distance of 188.73 feet; thence 102° 18' right in an Easterly direction a distance of 472.0 feet to the point of beginning; being situated in Shelby County, Alabama.

PARCEL III:

Begin on the West line of Old U.S. Highway #31 at the place where it crosses the South line of SW ¼ of SW ¼ of Section 13, Township 20 South, Range 3 West and run along said right of way North, 13° 45' West, 312.5 feet; thence South 89° 30' West 322 feet to the point of beginning of the land herein described; thence continue South 89° 30' West, 150 feet; thence South, 13° 45' East, 164.5 feet; thence North, 89° 30' East, 150 feet; thence North 13° 45' West, 164.5 feet to the point of beginning; and being situated in the SW ¼ of the SW ¼ of Section 13, Township 20 South, Range 3 West, Shelby County, Alabama.

Also the right, along with other adjoining property owners, to use the following described strip of land as a road right of way; it being the intention that said roadway shall belong to the persons owning the above described property, their heirs and assigns forever. That said described strip of property is described as follows:

Commence at the South line of SW ¼ of SW ¼ of Section 13, Township 20 South, Range 3 West where the same crosses the West line of U.S. Highway #31 and run along the West line of said highway North 13° 45' West 128 feet to the point of beginning of the strip of land herein described; thence South 89° 30' West 472 feet; thence North 13° 45' West 20 feet; thence North 89° 30' East


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472 feet to the West line of the said highway; thence along same South 13° 45' East 20 feet to the point of beginning.

ALSO:

Begin on the West line of old Highway #31 at the place where it crosses the South line of the SW ¼ of the SW ¼ of Section 13, Township 20 South, Range 3 West and run along said right of way North 13° 45' West, 312.5 feet (317.83 feet measured); thence South 89° 30' West, (South 88° 34' 44" West measured) 322 feet to the point of beginning of the land herein described; thence North 88° 34' 44" East, a distance of 81.72 feet; thence South 11° 50' 01" East, a distance of 15.39 feet; thence continue Southerly along said line, a distance of 152.83 feet; thence South 88° 34' 44" West, a distance of 76.05 feet; thence North 13° 43' 16" West, a distance of 169.33 feet to the POINT OF BEGINNING.

Less and except any portion of subject property lying within a road right of way or railroad right of way.

PARCEL IV:

A parcel of land located in the Southeast ¼ of Section 14, Township 20 South, Range 3 West, Shelby County, Alabama, more particularly described as follows:

Commence at the Southeast corner of said Section 14; thence in a Westerly direction along the South line of said Section 14 a distance of 201.98 feet to the center line of Atlantic Coast Line Railroad right of way; thence 62° 35' right along the center line of said right of way in a Northwesterly direction a distance of 196.31 feet to the intersection of the center line of the Ashville-Montevallo Road; thence 20° 35' right in a Northwesterly direction along said center line of said road a distance of 703.74 feet; thence 90° left in a Southwesterly direction a distance of 30.0 feet to the West right of way line of said road and the Point of Beginning of herein described property; thence continue along last described course a distance of 180.88 feet to the Northeast right of way line of Atlantic Coast Line Railroad; thence 69° 25' right in a Northwesterly direction along said right of way a distance of 594.74 feet to the beginning of a curve to the left, said curve having a central angle of 27° 12' (measure 8° 07' 53") and a radius of 2,914.82 feet; thence along arc of said curve a distance of 413.67 feet; thence 125° 32' 53" right, measured from tangent of said curve, in an Easterly direction a distance of 670.32 feet to the West right of way line of Ashville-Montevallo Road, said point being on a curve to the left having a central angle of 2° 23' 18" and a radius of 277.35 feet (calculated 2,775.35); thence 95° 34' 48" right, measured to tangent of said curve, in a Southerly direction along arc of said curve a distance of 115.69 feet to end of said curve; thence continue along said right of way line in a Southerly direction a distance of 180.82 feet to the beginning of a curve to the left, said curve having a central angle of 10° 01' 30" and a radius of 3,223.53 feet; thence continue along arc of said curve in a Southerly direction a distance of 564.02 feet to end of said curve and the Point of Beginning.


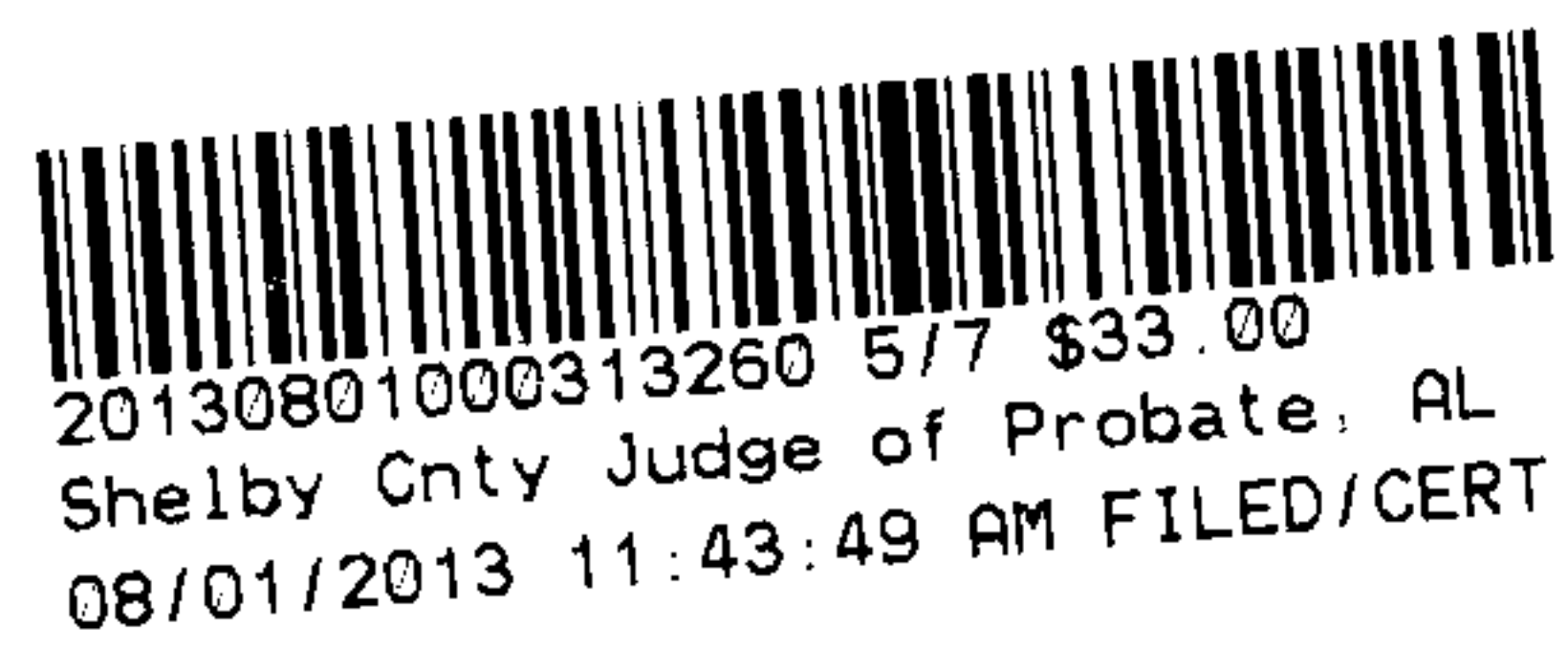

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EXHIBIT "B" - PERMITTED ENCUMBRANCES

1. Easement recorded in Deed Book 248, page 150; Deed Book 248, page 137; Instrument 1999-39634; Instrument 1999-39635; Instrument 1999-39636; Real Book 89, page 283; and Deed Book 248, page 146, all in the Probate Office of Shelby County, Alabama.
2. Easement to Alabama Power Company recorded in Deed Book 242, page 931; Deed Book 248, page 840; Instrument 2000-5535; Deed Book 329, page 795; Deed Book 248, page 837; and Deed Book 353, page 947, all in the Probate Office of Shelby County, Alabama.
3. Waiver recorded in Real Book 380, page 478 in the Probate Office of Shelby County, Alabama.
4. Easement to the City of Pelham, as recorded in Deed Book 338, page 361, in the Probate Office of Shelby County, Alabama.
5. Rights of others in and to the use of easement for ingress/egress recorded in Instrument 20060512000224900 and Instrument 20091006000378890 in the Probate Office of Shelby County, Alabama.
6. Right of Way granted to Alabama Power Company by instrument recorded in Deed Book 241, page 383 in the Probate Office of Shelby County, Alabama.
7. Right of way for spur track recorded in Deed Book 226, page 635 in the Probate Office of Shelby County, Alabama.
8. Transmission line permit to Alabama Power Company, recorded in Deed Book 101, page 517; Deed Book 93, page 392; Deed Book 127, page 566; and Deed Book 248, page 835, all in the Probate Office of Shelby County, Alabama.
9. Easement to Plantation Pipeline, as recorded in Deed Book 112, page 217, and Deed Book 145, page 430, both in the Probate Office of Shelby County, Alabama.
10. Agreement as recorded in Deed Book 248, page 154, in the Probate Office of Shelby County, Alabama.
11. Easement to Southern Natural Gas, as recorded in Deed Book 267, page 172, in the Probate Office of Shelby County, Alabama.
12. 100 foot right of way to Seaboard Coast Line Railroad Company, recorded in Deed Book 36, page 254, in the Probate Office of Shelby County, Alabama.

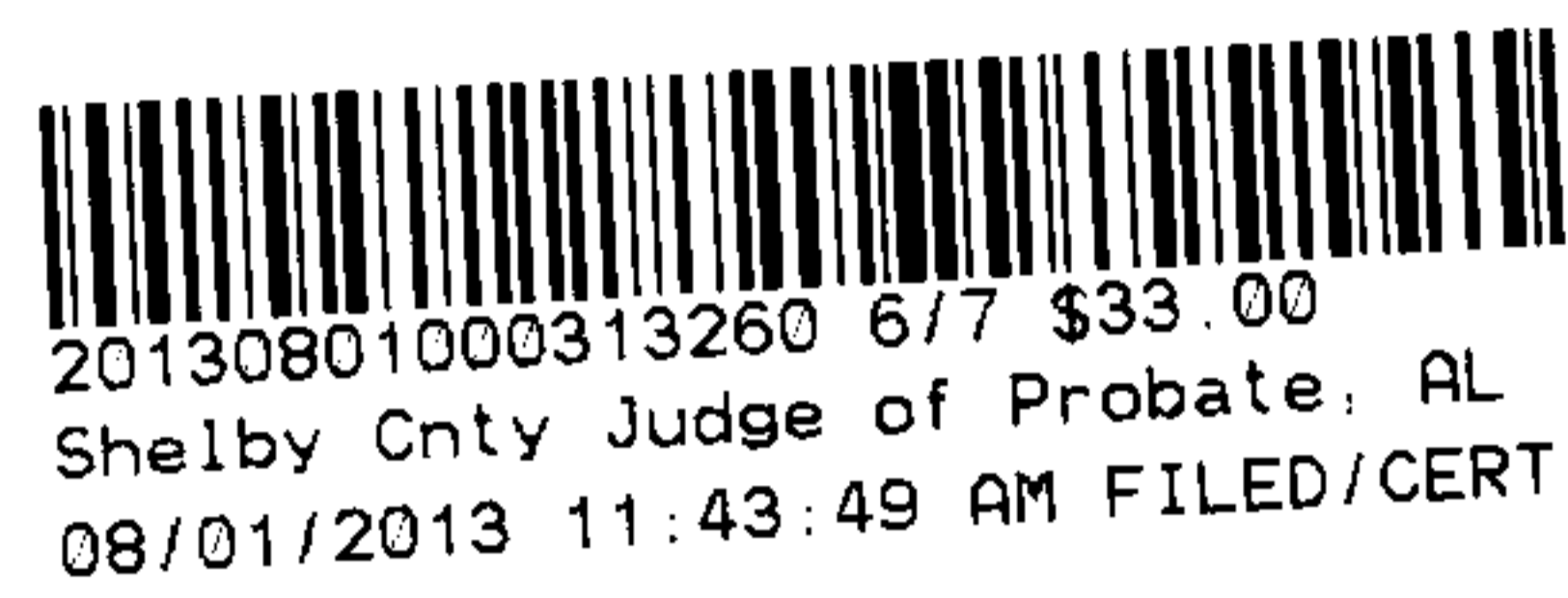


13. Less and except any portion of subject property lying within a road right of way or railroad right of way.

14. Rights of tenants in possession.

15. Mineral and mining rights not owned by GRANTOR.

16. Taxes and assessments for the year 2013, and subsequent years.



Real Estate Sales Validation Form

This Document must be filed in accordance with Code of Alabama 1975, Section 40-22-1

Grantor's Name HHH Acquisition Company, LLC
Mailing Address PO Box 1191
Knoxville, TN 37901

Grantee's Name City of Pelham, Alabama
Mailing Address PO Box 1419
Pelham, AL 35124

Property Address 3140 Pelham Parkway
3080 Lee Street
Pelham, AL 35124

Date of Sale 7-30-13
Total Purchase Price \$ 2,892,308.00
or
Actual Value \$
or
Assessor's Market Value \$

The purchase price or actual value claimed on this form can be verified in the following documentary evidence: (check one) (Recordation of documentary evidence is not required)

☐ Bill of Sale
☒ Sales Contract
☐ Closing Statement

☐ Appraisal
☐ Other

If the conveyance document presented for recordation contains all of the required information referenced above, the filing of this form is not required.

Instructions

Grantor's name and mailing address - provide the name of the person or persons conveying interest to property and their current mailing address.

Grantee's name and mailing address - provide the name of the person or persons to whom interest to property is being conveyed.

Property address - the physical address of the property being conveyed, if available.

Date of Sale - the date on which interest to the property was conveyed.

Total purchase price - the total amount paid for the purchase of the property, both real and personal, being conveyed by the instrument offered for record.

Actual value - if the property is not being sold, the true value of the property, both real and personal, being conveyed by the instrument offered for record. This may be evidenced by an appraisal conducted by a licensed appraiser or the assessor's current market value.

If no proof is provided and the value must be determined, the current estimate of fair market value, excluding current use valuation, of the property as determined by the local official charged with the responsibility of valuing property for property tax purposes will be used and the taxpayer will be penalized pursuant to Code of Alabama 1975 § 40-22-1 (h).

I attest, to the best of my knowledge and belief that the information contained in this document is true and accurate. I further understand that any false statements claimed on this form may result in the imposition of the penalty indicated in Code of Alabama 1975 § 40-22-1 (h).

Date 7-30-13

Print HHH Acquisition Company, LLC

Unattested

(verified by)

Sign

(Grantor/Grantee/Owner/Agent) circle one

Form RT-1