

**THIS INSTRUMENT WAS PREPARED BY
AND AFTER RECORDING RETURN TO:**

A. Wade Cornelius, Esq.
MIXON FIRM, LLC
Two Perimeter Park South, Suite 430W
Birmingham, Alabama 35243

Send tax notices to:
Tacalera B LLC
c/o Derek R. Waltchack
120 18th St. South, Suite 101
Birmingham, Alabama 35233

STATE OF ALABAMA)

COUNTY OF SHELBY)

STATUTORY WARRANTY DEED


KNOW ALL MEN BY THESE PRESENTS, that for and in consideration of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration in hand paid to the undersigned **TACALERA, LLC**, an Alabama limited liability company (the "Grantor"), by **TACALERA B LLC**, an Alabama limited liability company (the "Grantee"), the receipt of which is acknowledged, the said Grantor does GRANT, BARGAIN, SELL AND CONVEY unto the Grantee, its successors and assigns, as tenant in common, a fifteen percent (15%) undivided interest in that certain real estate situated in Shelby County, Alabama, which is described in Exhibit A attached hereto and made a part hereof together with all improvements and fixtures thereon and all easements and other appurtenances thereto (the "Property").

It is expressly understood and agreed that this Statutory Warranty Deed is made subject to the following (the "Exceptions"):

1. Ad valorem taxes and assessments for 2013 and subsequent years.
2. Easements, or claims of easements, not shown by the public records.
3. Encroachments, overlaps, boundary line disputes, or other matters which would be disclosed by an accurate survey and inspection of the premises.
4. 35-foot building line on east side of lot as shown on recorded map.
15-foot building line on south and west sides of lot as shown on recorded map.
15-foot sanitary sewer easement running through lot as shown on recorded map.
5. Right-of-way granted to Alabama Power Company recorded in Inst. No. 2001-25731 and Inst. No. 2002-39879.
6. Right-of-way as recorded in Inst. No. 2003-38423.
7. Restrictions appearing of record in Inst. No. 2001-25730.
8. Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto, including release of damages.
9. Lease agreement by and between Tacalera, LLC and South Tacala, LLC, a memorandum of which is recorded in Inst. No. 2003-37458.
10. Collateral Assignment and Lessee's Interest in Leases from Tacala, LLC to Wells Fargo as recorded in Inst. No. 20100304000063760.

TO HAVE AND TO HOLD the said Property unto the Grantee, its successors and assigns, as tenant in common, together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining and unto its successors and assigns forever.


Shelby County, AL 08/30/2013
State of Alabama
Deed Tax: \$225.00


20130830000355130 1/6 \$254.00
Shelby Cnty Judge of Probate, AL
08/30/2013 02:48:08 PM FILED/CERT

The Property is subject to that certain Mortgage dated November 17, 2011, and recorded in Instrument Number 20111118000350460, the recording tax on which has been previously paid.

The Grantor hereby covenants and agrees with the Grantee, and its successors and assigns, that the Grantor, and its successors and assigns, will warrant and defend the above described Property against the lawful claims (unless otherwise noted above) of all persons claiming by, through, or under the Grantor, but not further or otherwise.

[Signature page follows]


20130830000355130 2/6 \$254.00
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IN WITNESS WHEREOF, the Grantor has hereto set its signature and seal on the date of the acknowledgment of the Grantor's signature below, to be effective as of Aug 30, 2013.

GRANTOR:

TACALERA, LLC,
an Alabama limited liability company

By: [Signature]
Derek R. Waltchack, its Manager

STATE OF Alabama)
COUNTY OF Jefferson)

I, Andrew W. Cornelius, a Notary Public in and for said County in said State, hereby certify that Derek R. Waltchack, whose name as Manager of **TACALERA, LLC**, an Alabama 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 foregoing conveyance, he, as such Manager and with full authority, executed the same voluntarily for and as the act of said limited liability company.

Given under my hand and official seal, this 30th day of August, 2013.

[Signature]
Notary Public

AFFIX SEAL

My commission expires: 7/13/2016



20130830000355130 3/6 \$254.00
Shelby Cnty Judge of Probate, AL
08/30/2013 02:48:08 PM FILED/CERT

Exhibit A

(Legal Description)

Parcel 1:

Lot 5A according to Baker Seafood, Inc Resurvey (Being a Resurvey of Lots 4 and 5, Wal-Mart Supercenter #3271 Subdivision, as recorded in Map Book 27, page 117) as recorded in Map Book 31 page 92, in the Office of the Judge of Probate of Shelby County, Alabama, also being situated in the Northwest Quarter of the Southeast Quarter of Section 4, Township 22 South, Range 2 West, St. Stephens Meridian, Shelby County, Alabama, and being more particularly described as follows:

Commence at an axle found at the southwest corner of the Southwest Quarter of the Northeast Quarter, of Section 4, Township 22 South, Range 2 West, St. Stephens Meridian, Shelby County, Alabama; thence run North 02°06'24" West along the west line of said quarter, for a distance of 512.99 feet; thence leaving said quarter line, run South 89°47'07" East for a distance of 1036.65 feet to the west right-of-way line of Highway 31 (right-of-way width 100 feet); thence run South 10°16'53" East along said right-of-way line, for a distance of 466.48 feet to a point (50 feet left of 290+25.0) at the intersection of said right-of-way line and the west right-of-way line of 1-65 (right-of-way width varies); thence run South 79°34'19" West continuing along said right-of-way line, for a distance of 49.72 feet to a point (100 feet left of 290+25.0) to the Point of Curvature of a curve to the right, having a radius of 854.81 feet, a central angle of 05° 36' 58", a chord length of 83.76 feet and a chord bearing of South 07° 31' 03" East; thence continue along the arc of said curve and said right-of-way for a distance of 83.79 feet to a capped iron found (PLS #19262) and the POINT OF BEGINNING; said point also being the Point of Curvature of a curve to the right, having a radius of 854.81 feet, a central angle of 10° 08' 50", a chord length of 151.19 feet and a chord bearing of South 00° 21' 51" West; thence continue along the arc of said curve and right-of-way for a distance of 151.39 feet to the Point of Curvature of a non-tangent curve to the left, having a radius of 121.50 feet, a central angle of 20° 57' 11", a chord length of 44.19 feet and a chord bearing of North 79° 08' 51" West; thence, leaving said right-of-way, continue along the arc of said curve for a distance of 44.43 feet to the Point of Tangency of said curve; thence run North 89° 37' 26" West for a distance of 121.82 feet to the Point of Curvature of a curve to the right, having a radius of 23.50 feet, a central angle of 90° 00' 00", a chord length of 33.23 feet and a chord bearing of North 44° 37' 26" West; thence continue along the arc of said curve for a distance of 36.91 feet to the Point of Tangency of said curve; thence run North 00° 22' 34" East for a distance of 119.55 feet to a capped iron found (PLS #19262); thence run South 89° 39' 17" East for a distance of 188.73 feet to the POINT OF BEGINNING; being situated in Shelby County, Alabama.



20130830000355130 4/6 \$254.00
Shelby Cnty Judge of Probate, AL
08/30/2013 02:48:08 PM FILED/CERT

Exhibit A


(Legal Description - continued)

Parcel 2:

Together with a non-exclusive access easement as conveyed to Baker Seafood, Inc., on May 29, 2001, and recorded in Inst. # 2001-25731, including ingress and egress across the following described property:

Line description of 25 feet ingress and egress easement:

Commence at the SW corner of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 4, Township 22 North, Range 2 West, Shelby County, Alabama; thence North 02 deg. 06 min. 24 sec. West 512.99 feet; thence South 89 deg. 47 min. 07 sec. East 1036.65 feet; thence South 10 deg. 16 min. 53 sec. East 396.25 feet to the Westerly margin of U. S. Highway 31; thence continue along said road South 10 deg. 16 min. 53 sec. East 80.24 feet; thence continue along said right of way South 79 deg. 34 min. 19 sec. West 49.72 feet; thence continue along said right of way on a curve said curve concave to the West having a radius of 854.82 feet along a chord bearing and distance South 02 deg. 26 min. 38 sec. East for a chord distance of 234.44 feet to the beginning of a 25 foot ingress and egress easement; Thence leaving said right of way along a curve said curve concave to the South having a radius of 121.50 feet along a chord bearing north 79 deg. 08 min. 51 sec. West for a distance of 44.19 feet; thence North 89 deg. 37 min. 26 sec. West 121.82 feet to the beginning of a curve said curve concave to the northeast having a radius 23.50 feet along a chord bearing North 44 deg. 37 min. 26 sec. West a chord distance of 33.23 feet; thence north 00 deg. 23 min. 01 sec. East 230.63 feet to the beginning of a curve said curve concave to the Southeast having a radius of 43.50 feet on a chord bearing North 40 deg. 02 min. 50 sec. East a chord distance of 55.54 feet; thence North 79 deg. 43 min. 07 sec. East 120.73 feet; thence South 10 deg. 16 min. 53 sec. East 5.0 feet; thence North 79 deg. 43 min. 07 sec. East 40.25 feet; thence South 65 deg. 30 min. 48 sec. East 18.21 feet to the point of beginning, said easement being 25 feet left of the above described line begin a 25 foot ingress and egress easement; being situated in Shelby County, Alabama.


20130830000355130 5/6 \$254.00
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08/30/2013 02:48:08 PM FILED/CERT

Real Estate Sales Validation Form

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

Grantor's Name Tacalera, LLC
Mailing Address 120 18th Street South, Ste 101
Birmingham, AL 35233

Grantee's Name Tacalera B LLC
Mailing Address 120 18th Street South, Ste 101
Birmingham, AL 35233

Property Address 121 Supercenter Drive
Calera, AL 35233

Date of Sale 8/30/13
Total Purchase Price \$

or
Actual Value \$ 225,000

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 8/30/13

Print A. Wade Cornbliss

☐ Unattested
(verified by)

Sign [Signature]
(Grantor/Grantee/Owner/Agent) circle one

Form RT-1



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