

20130909000366750 1/9 \$39.00
Shelby Cnty Judge of Probate, AL
09/09/2013 02:45:04 PM FILED/CERT

THIS INSTRUMENT PREPARED BY:

J. Murphy McMillan, Esq.
Baker, Donelson, Bearman, Caldwell & Berkowitz
420 North 20th Street, Suite 1400
Birmingham, Alabama 35203-5202

Send Tax Notice To:

BOEX, LLC
P.O. Box 7598
St. Petersburg, Florida 33734

STATE OF ALABAMA)
)
COUNTY OF SHELBY)

STATUTORY WARRANTY DEED

THIS IS A STATUTORY WARRANTY DEED executed and delivered this 20 day of August, 2013, by RL REGI Alabama, LLC, an Alabama limited liability company (hereinafter referred to as the "Grantor"), to BOEX, LLC, a Florida limited liability company (hereinafter referred to as the "Grantee").

KNOW ALL MEN BY THESE PRESENTS: That in consideration of the sum of Two Hundred Twenty Thousand and 00/100 Dollars and (\$220,000.00) in hand paid by Grantee to Grantor and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by Grantor, Grantor does by these presents grant, bargain, sell and convey unto Grantee that certain real property situated in Shelby County, Alabama, as more particularly described on Exhibit A attached hereto and incorporated herein (the "Property");

TOGETHER WITH all appurtenances thereto belonging or in anywise appertaining and all right, title and interest of Grantor in and to all roads, alleys and ways bounding the Property. This conveyance is subject to those matters set forth on Exhibit B attached hereto.

TO HAVE AND TO HOLD, to the said Grantee, its successors and assigns forever. Grantor does for itself, its successors and assigns, covenant with Grantee, its successors and assigns, that Grantor, and its successors and assigns, shall warrant and defend the same to Grantee, its successors and assigns, forever, against the lawful claims (unless otherwise noted above) of all persons claiming by, through, or under Grantor, but not further or otherwise.

Pursuant to the provisions of Ala. Code § 40-22-1 (1975), the following information is offered in lieu of submitting Form RT-1:

Grantor's Name and Mailing Address: Grantee's Name and Mailing Address:

RL REGI Alabama, LLC
c/o Rialto Capital Advisors, LLC
750 Hammond Drive
Building 6, Suite 300
Atlanta, Georgia 30328

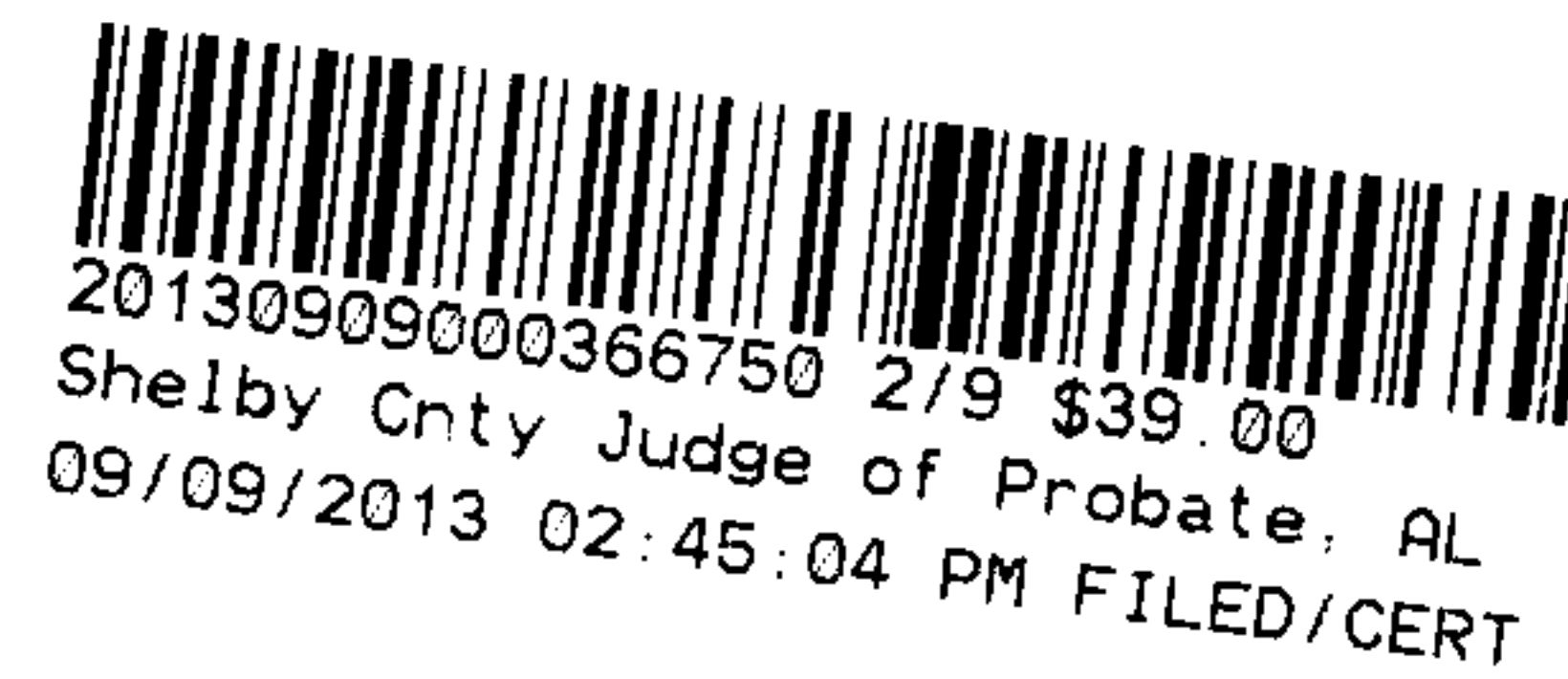
BOEX, LLC
P.O. Box 7598
St. Petersburg, Florida 33734

Property Address: n/a

Purchase Price: \$220,000.00

The Purchase Price of the Property can be verified by the closing statement.

[Signatures appear on following page.]



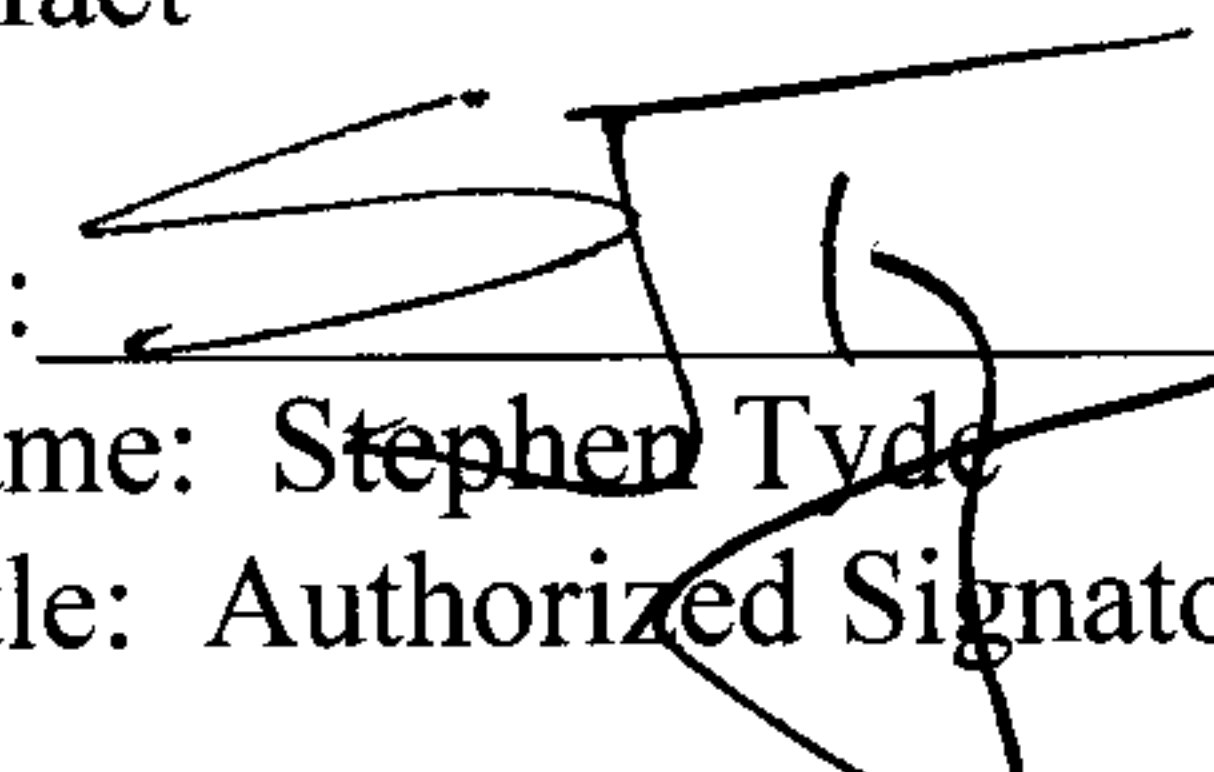
IN WITNESS WHEREOF, the Grantor has caused this Statutory Warranty Deed to be executed as of the date first written above.

GRANTOR:

RL REGI Alabama, LLC, an Alabama Limited Liability Company

By: RL REGI Financial, LLC, a Florida Limited Liability Company, its Sole Member

By: Rialto Capital Advisors, LLC, a Delaware Limited Liability Company, as its attorney-in-fact

By: 
Name: Stephen Tyde
Title: Authorized Signatory

By: 
Name: Mark King
Title: Authorized Signatory

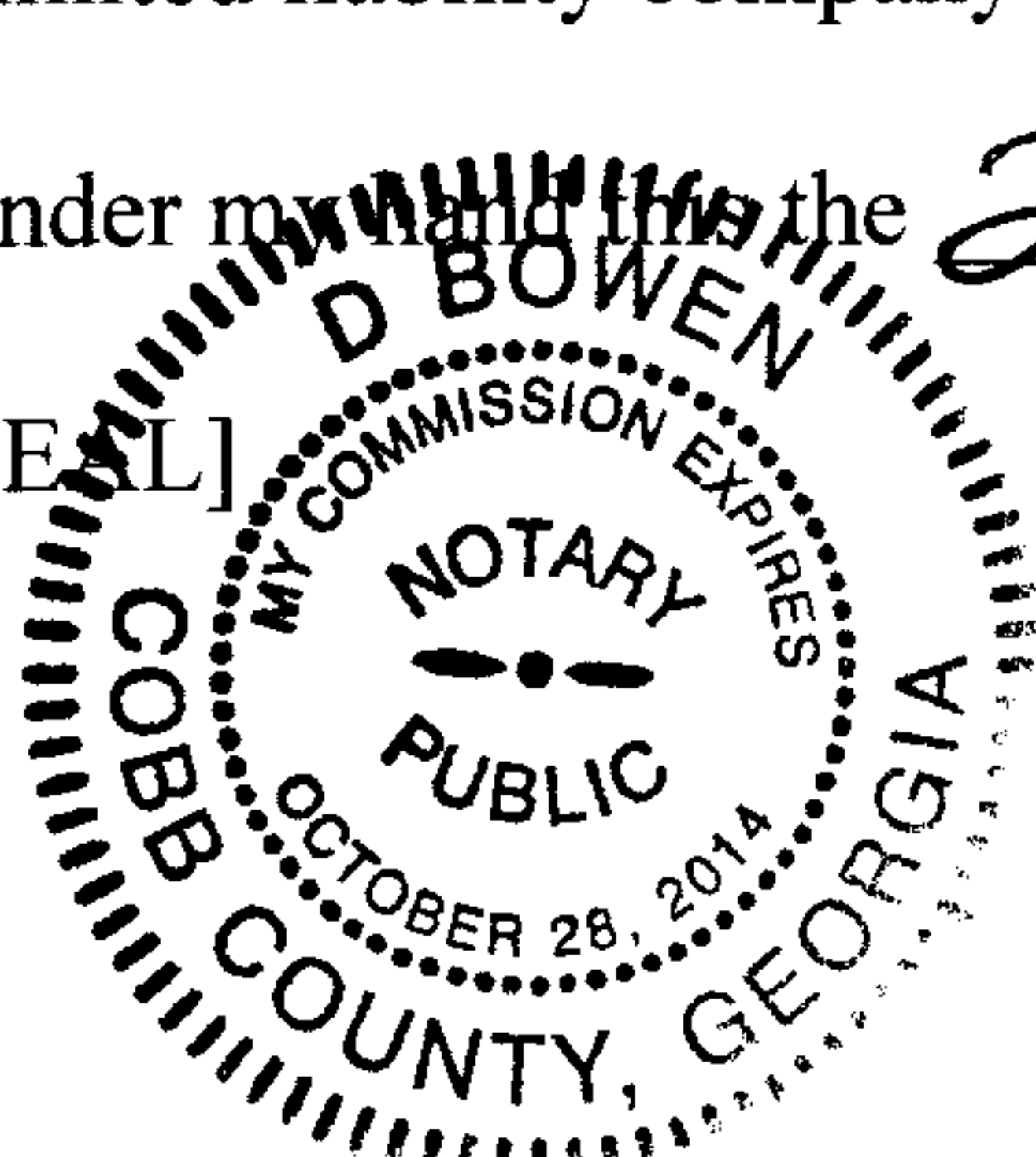
STATE OF GEORGIA)

FULTON COUNTY)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Stephen Tyde, whose name as Authorized Signatory of Rialto Capital Advisors, LLC, a Delaware limited liability company, as attorney-in-fact of RL REGI FINANCIAL, LLC, a Florida limited liability company, as sole member of **RL REGI ALABAMA, 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 Instrument, he, as such Authorized Signatory and with full authority, executed the same voluntarily for and as the act of said limited liability company on the day the same bears date.

Given under my hand and the 28th day of August, 2013.

[NOTARIAL SEAL]



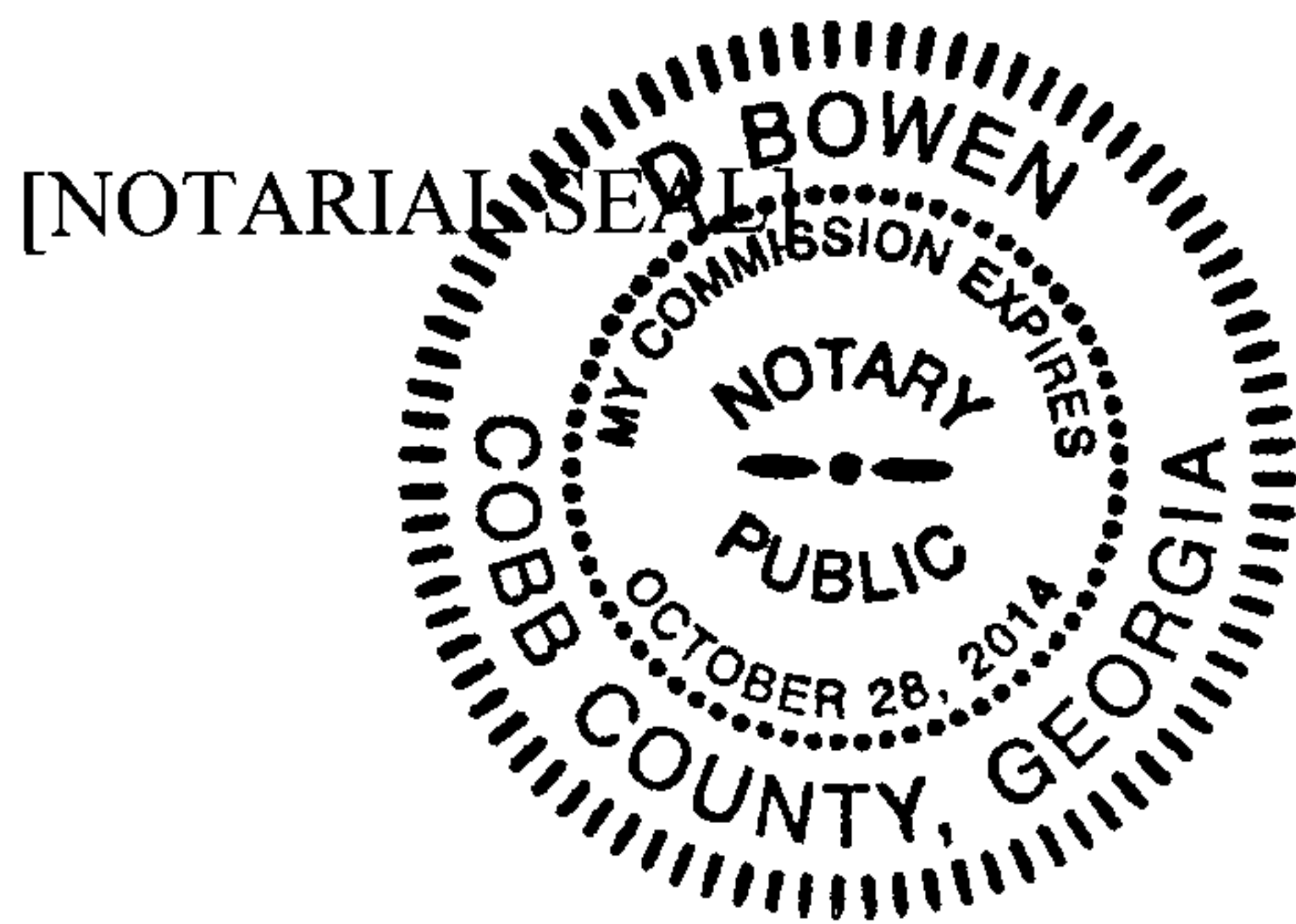

Notary Public
My Commission Expires: 10/28/14

STATE OF GEORGIA)

FULTON COUNTY)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Mark King, whose name as Authorized Signatory of Rialto Capital Advisors, LLC, a Delaware limited liability company, as attorney-in-fact of RL REGI FINANCIAL, LLC, a Florida limited liability company, as sole member of **RL REGI ALABAMA, 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 Instrument, he, as such Authorized Signatory and with full authority, executed the same voluntarily for and as the act of said limited liability company on the day the same bears date.

Given under my hand this the 28th day of August, 2013.



David Bowen

Notary Public

My Commission Expires: 10/28/14

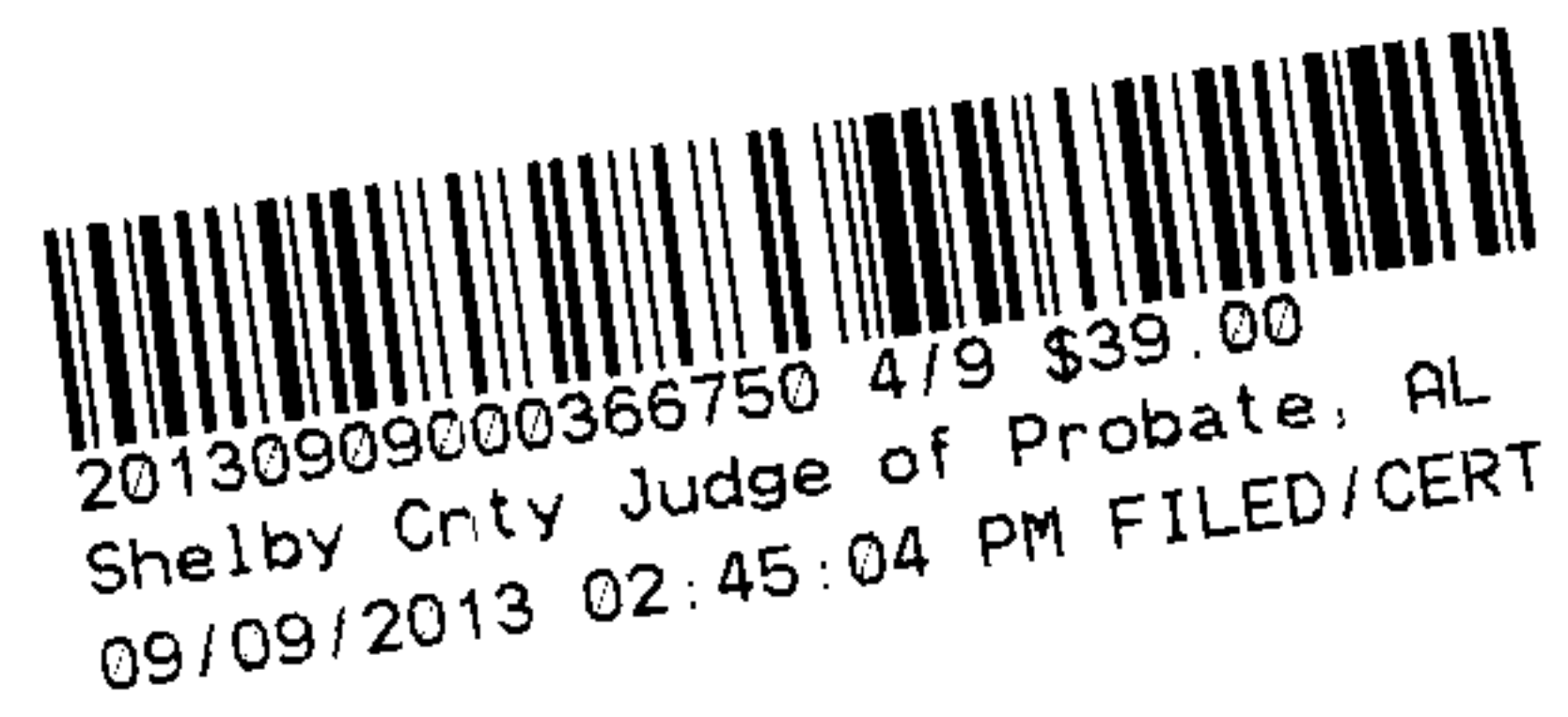


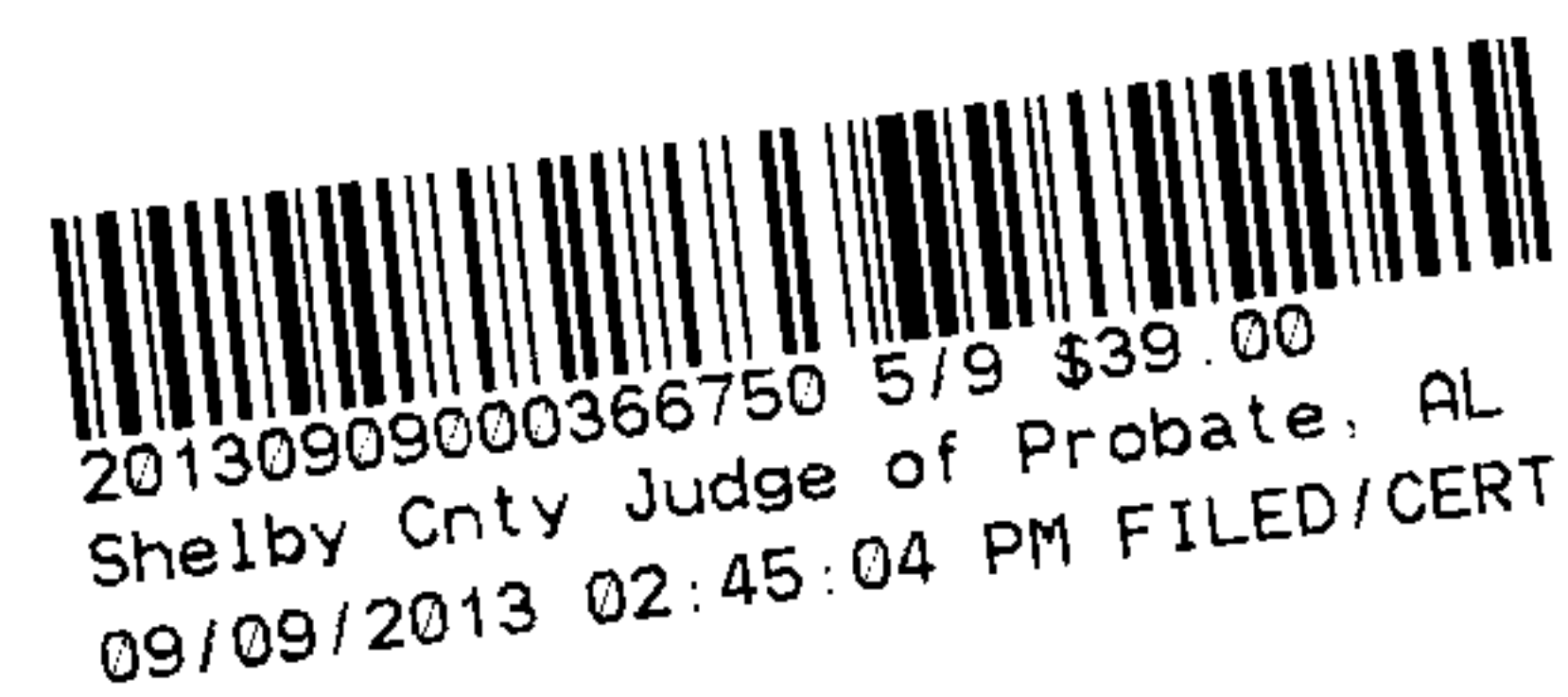
EXHIBIT A
LEGAL DESCRIPTION

A part of the North $\frac{1}{2}$ of the Northeast $\frac{1}{4}$, Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ and East $\frac{1}{2}$ of Northwest $\frac{1}{4}$ of Section 11, Township 22 South, Range 3 West, being more particularly described as follows:

Beginning at the Northeast corner of Section 11, Township 22 South, Range 3 West, Shelby County, Alabama, and run thence South 00 degrees 01 minutes 35 seconds West along the East line of said $\frac{1}{4}$ $\frac{1}{4}$ section a distance of 913.89 feet to a found capped rebar corner; thence run South 79 degrees 39 minutes 59 seconds West a distance of 1,327.75 feet to a found capped rebar corner; thence run South 62 degrees 38 minutes 45 seconds West a distance of 254.66 feet to a set rebar corner; thence run South 65 degrees 08 minutes 18 seconds west a distance of 106.17 feet to a set rebar corner; thence run South 65 degrees 08 minutes 17 seconds West a distance of 163.29 feet to a set rebar corner; thence run South 69 degrees 36 minutes 37 seconds West a distance of 259.20 feet to a found capped rebar corner; thence run North 57 degrees 56 minutes 45 seconds West a distance of 922.84 feet to a found capped rebar corner; thence run North 67 degrees 27 minutes 08 seconds West a distance of 257.18 feet to a found capped rebar corner on the Easterly margin of Alex Mill Road, a chert surfaced public road in a curve to the left having a central angle of 10 degrees 46 minutes 43 seconds and a radius of 400.05 feet; thence run Northerly along the arc of said road an arc distance of 75.26 feet to the P. O. R. C. of a curve to the right having a central angle of 10 degrees 35 minutes 42 seconds and a radius of 780.00 feet; thence run Northerly along the arc of said curve an arc distance of 144.24 feet to the P. T. of said curves; thence run North 09 degrees 59 minutes 25 seconds East along the same said Easterly margin of same said Alex Mill Road a distance of 421.12 feet to the intersection of the Easterly right of way of Alex Mill Road with the Easterly right of way of Alabama Highway No. 119 on a curve to the right having a central angle of 10 degrees 53 minutes 52 seconds and a radius of 1,574.14 feet; thence run Northerly along the arc of said curve an arc distance of 300.16 feet to the P. T. of said curve and a set rebar corner; thence run a tangent distance along said Easterly right of way of said Highway 119 on a bearing of North 06 degrees 03 minutes 05 seconds East a distance of 70.29 feet to a found capped rebar corner; thence run South 88 degrees 18 minutes 10 seconds East a distance of 297.09 feet to a set rebar corner; thence run South 87 degrees 42 minutes 12 seconds East a distance of 2,586.51 feet to the point of beginning, being situated in Shelby County, Alabama.

LESS AND EXCEPT THE FOLLOWING DESCRIBED PROPERTIES:

Lots 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 112, 113, 114, 115, 116, 117, 118, 119, 120, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, and 187, Common Area A and Common Area B, according to the map of Heritage Trace, Phase I, Sector I, as recorded in Map Book 34, Page 114 in the Probate Office of Shelby County, Alabama.



Lots 79, 80, 81, 82, 83, 109, 110, and 111, according to the survey of Heritage Trace, Phase I, Sector 2, as recorded in Map Book 35, Page 81 in the Probate Office of Shelby County, Alabama.

Lots 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, and 62 according to the survey of Heritage Trace, Phase 2 as recorded in Map Book 36, Page 71 in the Probate Office of Shelby County, Alabama.

Lots 167, 168, 169, and 170 according to the survey of Heritage Trace, Phase 3 as recorded in Map Book 39, Page 17 in the Probate Office of Shelby County, Alabama.

Lot 1 according to the map of Alex Mill Farms as recorded in Map Book 35, Page 80 in the Probate Office of Shelby County, Alabama.



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EXHIBIT B

PERMITTED EXCEPTIONS

1. Taxes and assessments for 2013 and subsequent years and not yet due and payable.
2. Easement(s) to Alabama Power Company as shown by instrument recorded as Instrument No. 20020926000463810.
3. Less and except any portion of the Property lying within a road right of way.
4. Easement for the construction, operation, and maintenance of a sanitary sewer line as set out in Instrument No. 20060609000275960.
5. Restrictive Covenants and grant of Land Easement to Alabama Power Company as set out in Instrument No. 20050204000057370.
6. Declaration of Protective Covenants for Heritage Trace, as Residential Subdivision as set out in Instrument No. 20050307000105180, with Supplementary Declaration as set out in Instrument No. 20060201000053670, with Supplementary Declaration as set out in Instrument No. 20060405000158110, Supplementary Declaration as recorded in Instrument No. 20071018000484990.
7. Grant of Land Easement with Restrictive Covenants as recorded in Instrument No. 20061212000601000 and Instrument No. 20091212000601000.
8. Easements, restrictions, and setback lines as shown on recorded map.
9. Rights of others in and to the use of Common Area A as shown on Map recorded in Map Book 34, Page 114.



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AFFIDAVIT OF CONSIDERATION

STATE OF GEORGIA)

FULTON COUNTY)

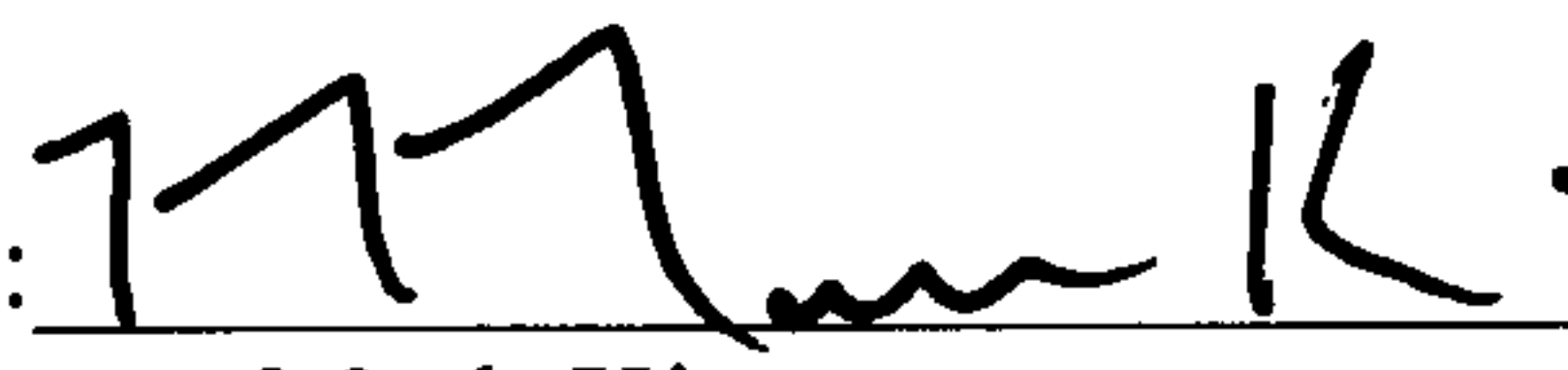
I hereby swear or affirm that the actual consideration for this transfer is \$220,000.00.

RL REGI Alabama, LLC, an Alabama Limited Liability Company

By: RL REGI Financial, LLC, a Florida Limited Liability Company, its Sole Member

By: Rialto Capital Advisors, LLC, a Delaware Limited Liability Company, as its attorney-in-fact

By: 
Name: Stephen Tyde
Title: Authorized Signatory

By: 
Name: Mark King
Title: Authorized Signatory


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STATE OF GEORGIA)

FULTON COUNTY)

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Given under my hand this the 28th day of August, 2013.

[NOTARIAL SEAL]



D. Bowen

Notary Public

My Commission Expires: 10/28/14

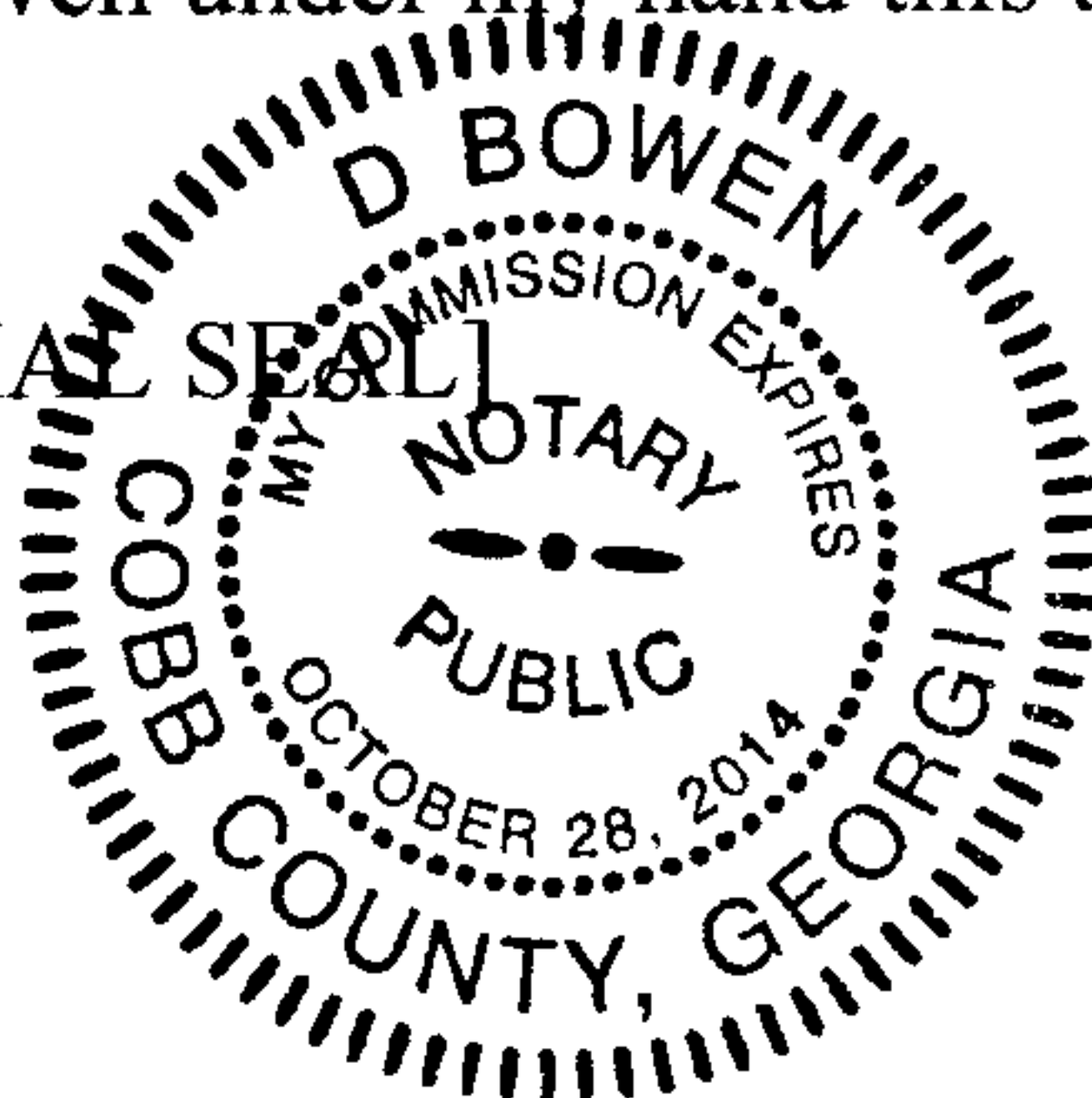
STATE OF GEORGIA)

FULTON COUNTY)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Mark King, whose name as Authorized Signatory of Rialto Capital Advisors, LLC, a Delaware limited liability company, as attorney-in-fact of RL REGI FINANCIAL, LLC, a Florida limited liability company, as sole member of **RL REGI ALABAMA, 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 Instrument, he, as such Authorized Signatory and with full authority, executed the same voluntarily for and as the act of said limited liability company on the day the same bears date.

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