

Mortgage Recorded Simultaneously

SEND TAX NOTICES TO:
CMK INVESTMENT PROPERTIES, LLC
3290 Carisbrooke Lane
Hoover, Alabama 35226

STATUTORY WARRANTY DEED

STATE OF ALABAMA
COUNTY OF BALDWIN

STATE OF ALABAMA
COUNTY OF SHELBY

BALDWIN COUNTY, ALABAMA
TIM RUSSELL PROBATE JUDGE
Filed/cert. 10/22/2014 12:45 PM
DEED TAX \$ 484.50
TOTAL \$ 505.50
5 Pages

1482553



KNOW ALL MEN BY THESE PRESENTS, that in consideration of the sum of ONE MILLION NINE HUNDRED NINETY SIX THOUSAND ONE HUNDRED SIXTY AND NO/100 DOLLARS (\$1,996,160.00) to the undersigned grantors, in hand paid by the grantee herein, the receipt of which is hereby acknowledged, **B & D REALTY, LLC**, an Alabama limited liability company (herein referred to as "Grantor"), hereby grants, bargains, sells, and conveys unto **CMK INVESTMENT PROPERTIES, LLC**, an Alabama limited liability company (herein referred to as "Grantees"), the real estate situated in Baldwin and Shelby Counties, Alabama, and described on Exhibit "A" attached hereto.

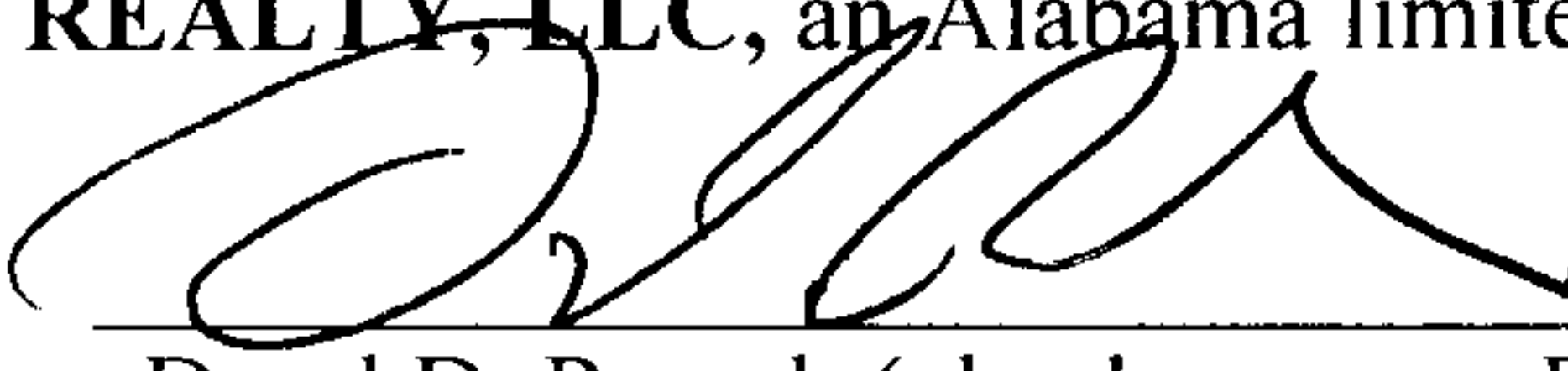
[A portion of the purchase price recited above was paid from a mortgage loan closed simultaneously herewith.]

TO HAVE AND TO HOLD the described premises to Grantee, its successors and assigns forever.

AND THE GRANTOR will warrant and forever defend the right and title to the above described property unto the Grantee against the claims of Grantor and all others claiming by or under Grantor.

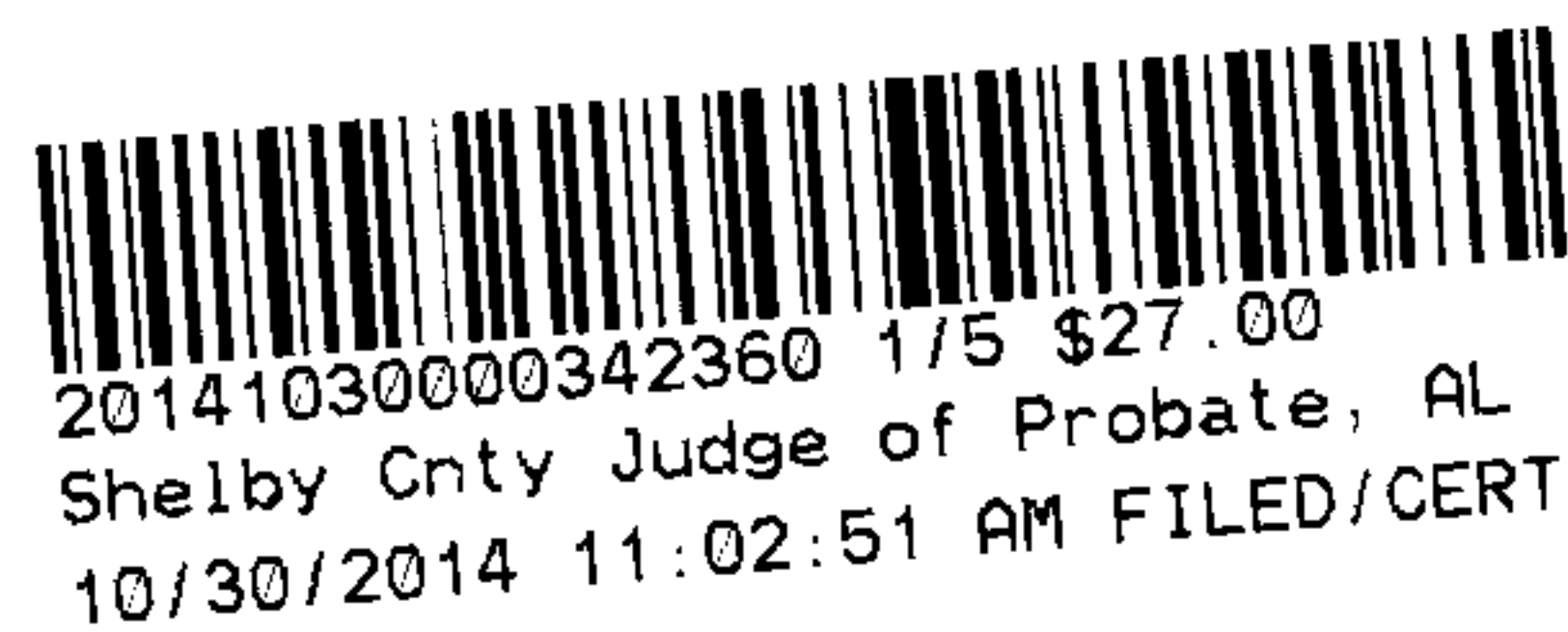
IN WITNESS WHEREOF, the Grantor has signed and sealed this Deed on the 17 day of October, 2014.

B & D REALTY, LLC, an Alabama limited liability company

BY: 

Name: Daryl D. Poarch (also known as Daryl Poarch)

Title: Manager



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STATE OF ALABAMA
JEFFERSON COUNTY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Daryl D. Poarch (also known as Daryl Poarch) whose name as Manager of B & D REALTY, 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 Manager, and with full authority, executed the same voluntarily, as an act of said company, acting in its capacity as aforesaid.

Given under my hand and official seal, this the 17 day of October, 2014.

Heather Elaine Ward

NOTARY PUBLIC

My Commission expires: 7/31/16

THIS INSTRUMENT PREPARED BY AND AFTER
RECORDATION SHOULD BE RETURNED TO:

Wendy Hardegree Davis
Engel, Hairston, & Johanson P.C.
P.O. Box 11405
Birmingham, AL 35202
(205) 328-4600
[D-7765, Conventional]



20141030000342360 2/5 \$27.00
Shelby Cnty Judge of Probate, AL
10/30/2014 11:02:51 AM FILED/CERT

EXHIBIT "A"

Parcel I: (7354 Cahaba Valley Road, Birmingham, Alabama 35242)

Lot 3B2, according to the Survey of Greystone Plaza, as recorded in Map Book 36, page 106, in the Probate Office of Shelby County, Alabama.

Parcel II: (Cahaba Valley Road lot, Birmingham, Alabama 35242)

Lot 3B3, according to the Survey of Greystone Plaza, as recorded in Map Book 36, page 106, in the Probate Office of Shelby County, Alabama.

Parcel III: (2000 McCain Parkway, Pelham, Alabama 35124)

A parcel of land lying in the Southeast 1/4 of the Northeast 1/4 of Section 25, Township 20 South, Range 3 West lying in Shelby County, Alabama, being more particularly described as follows:

Commence at the Southwest corner of Lot 2A of Monroe's Industrial Park, Second Addition, as recorded in Map Book 27, page 53, in the Office of the Judge of Probate of Shelby County, Alabama and run thence North 05°56'26" East a distance of 308.20 feet to a found rebar corner; thence run South 81°12'48" East a distance of 107.58 feet to a found rebar corner; thence run North 00°05'23" East a distance of 335.37 feet to a found rebar corner; thence run South 89°54'37" East a distance of 6.00 feet to a found rebar corner; thence run North 00°05'23" East a distance of 39.03 feet to a found rebar corner; thence run North 89°54'37" West a distance of 6.00 feet to a found rebar corner; thence run North 00°05'23" East a distance of 48.77 feet to a found rebar corner and the point of beginning to the property being described; thence run South 89°38'52" West a distance of 194.21 feet to a found rebar corner on the east margin of McCain Parkway, a paved public roadway; thence run North 05°18'40" East along said margin of said McCain Parkway a distance of 298.57 feet to a found rebar corner; thence run North 82°55'39" East a distance of 167.31 feet to a found rebar corner; thence run South 00°44'00" East a distance of 171.88 feet to a found rebar corner; thence run South 00°39'35" West a distance of 144.84 feet to the point of beginning.

Parcel IV: (931 W. Beach Boulevard, Unit 1207, Gulf Shores, Alabama 36542)

Condominium Unit 1207 of Crystal Shores West, a condominium, according to the Declaration of Condominium thereof, dated 4/26/2006 and recorded at Instrument 971739; together with all exhibits attached thereto, as amended; including the By-Laws of Crystal Shores West, a condominium, in the Probate Office of Baldwin County, Alabama;

TOGETHER WITH the appropriate undivided interest in and to the common elements contained in said declaration, as well as an assignment of the rights to use Parking Space No. 28 as the same as set out in the drawings attached to said declaration.

Parcel V: (1181 Stagg Run Trail (Lot 2), Indian Springs, Alabama 35124)

Lot 2, according to the Survey of Stagg Run, as recorded in Map Book 39, pages 67A & 67B, in the Probate Office of Shelby County, Alabama.

SUBJECT TO: i) taxes and assessments for the year 2014, a lien but not yet payable; ii) Notes and Restrictions as shown by recorded map (Parcels I and II); iii) Declaration of Protective Covenants for the "Watershed Property" which provides, among other things for an Association of assess and maintain the Watershed Maintenance areas, etc., of the development, all of said covenants, restrictions and conditions being set out in Real Volume 194, page 54 and amended by Instrument 20050713000350300, in the Probate Office of Shelby County, Alabama (Parcels I and II); iv) A Deed and Bill of Sale from AmSouth Ancillary Trustee to the Water Works and Sewer Board of the City of Birmingham conveying the sanitary sewer trunkline, pipelines, force mains, gravity flow mains, etc., located under the surface of subject land, as shown by instrument recorded in Real Volume 194, page 43 along the an easement for sanitary sewer lines and water lines as set out in Real Volume 194, page 1 and as shown in Map book 23, page 91, in the Probate Office of Shelby County, Alabama (Parcels I and II); v) Drainage agreement between AmSouth Bank, as Ancillary Trustee and Eddleman and Associates recorded in Real Volume 125, page 238, in the Probate Office of Shelby County, Alabama (Parcels I and II); vi) Reciprocal easement agreement between AmSouth Bank, as Ancillary Trustee and Eddleman and Associates recorded in Real 125, page 249 and Real 199, page 18 in the Probate Office of Shelby County, Alabama (Parcels I and II); vii) Mineral and mining rights and rights incident thereto recorded in Deed Book 28, page 581; Deed Book 121, page 294; Deed Book 235, page 552 and Deed Book 327, page 553, in the Probate Office of Shelby County, Alabama (Parcels I and II); viii) Declaration of covenants, conditions and restrictions as to Brook Highland Common Property as set out in Real 307, page 950 and Supplemented by Instrument 1998-40199 in the Probate Office of Shelby County, Alabama (Parcels I and II); ix) Easement to Alabama Gas Corporation, as recorded in Real 170, page 59; Real 207, page 380 and Real 220, pages 521 and 532, in the Probate Office of Shelby County, Alabama (Parcels I and II); x) Restrictive Agreement recorded in Instrument 1999-45933 and Instrument 1999-45934; as amended by Instrument 20081120000444630 and by Instrument 20081230000479510, in the Probate Office of Shelby County, Alabama (Parcels I and II); xi) Release of Damages as recorded in Instrument 1999-45933, in the Probate Office of Shelby County, Alabama (Parcels I and II); xii) Right of Way granted to Alabama Power Company by instrument recorded in Instrument 20060828000422240 in the Probate Office of Shelby County, Alabama (Parcels I and II); xiii) Covenants, Agreements and Restrictions recorded in Instrument 20020826000405070; amended by Instrument 2007013100046390; further amended by Instrument 2007020200050710, in the Probate Office of Shelby County, Alabama and amended in Book LR200702, page 2946, in the Probate Office of Jefferson County, Alabama (Parcels I and II); xiv) Notice regarding availability of Sanitary Sewer Service recorded in Instrument 20131204000469370, in the Probate Office of Shelby County, Alabama (Parcels I and II); xv) Easement to Alabama Power Company recorded in Instrument 20100902000284350, in the Probate Office of Shelby County, Alabama (Parcels I and II); xvi) Affidavit regarding restrictions recorded in Instrument 20080715000285570, in the Probate Office of Shelby County, Alabama (Parcels I and II); xvii) Restrictive Agreement recorded in Instrument 1998-40200; Instrument 1999-51735 and Instrument 2000-13109, in the Probate Office of Shelby County, Alabama (Parcels I and II); xviii) Slope Easement Agreement as recorded in Instrument 2001-2175, in the Probate Office of Shelby County, Alabama (Parcels I and II); xix) Agreement as recorded in Real 306, page 119, in the Probate Office of Shelby County, Alabama (Parcels I and II); xx) Transmission line permit to Alabama Power Company, recorded in Deed Book 126, page 303, in the Probate Office of Shelby County, Alabama (Parcel III); xxi) Right of way to State of Alabama, recorded in Deed Book 282, page 413, in the Probate Office of Shelby County, Alabama (Parcel III); xxii) Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto which

mineral rights are presently being assessed by Ruth Purvis Worrell, excepted in deed recorded in Real 56, page 481, in the Probate Office of Shelby County, Alabama.) (Parcel III); xxiii) All terms, conditions, covenants, reservations, restrictions, easements, rules, regulations and other limitations promulgated by the Alabama Condominium Ownership Act and as set forth and contained that Certain Declaration of Condominium of Crystal Shores West, together with all exhibits attached thereto, dated April 26, 2006, and recorded on April 28, 2006 at Instrument 971739, together with all amendments thereto, if any (Parcel IV); xxiv) Articles of Incorporation of Crystal Shores West Owners Association, Inc. on April 26, 2006, recorded in Instrument 971723, in the Probate Office of Baldwin County, Alabama (Parcel IV); xxv) By-laws of Crystal Shores West Owners Association, Inc. as recorded in Instrument 971739 (Parcel IV); xxvi) Oil, Gas and Mineral Lease from E & J Realty Co., Inc. to Gary A. McLeod, dated April 20, 1979 recorded in Real Property Book 57, page 577, in the Probate Office of Baldwin County, Alabama (Parcel IV); xxvii) Building setback lines as established by the City of Gulf Shores (Parcel IV); xxviii) Easement for Placement, Construction, Maintenance, and Use of Sand and Associated Sand Stabilization Structures, Vegetation, Vegetation Irrigation Systems, and Access Structures granted the City of Gulf Shores, Alabama and the State of Alabama by and through the Commissioner of the Department of Conservation and Natural Resources, dated November 17, 2000 and recorded in Instrument 578522 (Parcel IV); xxix) Rights of other parties, the United States of America and State of Alabama, in and to the shore, littoral or riparian rights to the property described herein which lies adjacent to the Gulf of Mexico (Parcel IV); xxx) Rights, if any, of the public to use as a public beach or recreation area, any part of the property described hereinabove lying between the body of water abutting said land and the natural line of vegetables, dunes, extreme high water line or the apparent boundary line separating the publicly used are from the upland private area (Parcel IV); xxxi) Easement granted West Beach Properties, LLC by instrument recorded at Instrument 970943, together with rights of other parties thereto (Parcel IV); xxxii) Easement granted Baldwin County Electric Membership Corporation by instrument recorded in Instrument 970945 (Parcel IV); xxxiii) Encroachment of the walls along the West boundary of Lot 35 as shown on plat of survey by Engineering Development Services, LLC dated April 21, 2006, Project # 030633 (Parcel IV); xxxiv) Coastal construction setback line as shown on plat of survey by Engineering Development Services, LLC, dated April 21, 2006, Project # 030633 (Parcel IV); xxxv) Easement to West Beach Properties, LLC, as recorded in Instrument 970943, in the Probate Office of Baldwin County, Alabama (Parcel IV); xxxvi) Conditions and Easements recorded in Instrument 971740 in the Probate Office of Baldwin County, Alabama (Parcel IV); xxxvii) Building line(s) as shown by recorded map (Parcel V); xxxviii) Easement(s) as shown by recorded map (Parcel V); xxxix) Restrictions as shown by recorded map (Parcel V); xli) No further subdivision of lots as restricted by recorded map (Parcel V); xlii) Right of way to South Central Bell, recorded in Real 12, page 163, in the Probate Office of Shelby County, Alabama (Parcel V); xliii) Agreement for Easement as recorded in Real 10, page 693, in the Probate Office of Shelby County, Alabama (Parcel V); xliiii) Restrictions appearing of recorded in Instrument 20071226000576250, as amended by Instrument 20111025000318010, in the Probate Office of Shelby County, Alabama (Parcel V); xlv) Road and Utility Easement recorded in Instrument 2007022300083130, in the Probate Office of Shelby County, Alabama (Parcel V); xlv) Easement recorded in Deed Book 301, page 703; Deed Book 301, page 735 and Real 55, page 471 in the Probate Office of Shelby County, Alabama (Parcel V); xlvii) Agreement as recorded in Misc. Volume 1, page 229 and Misc. Volume 10, page 693, in the Probate Office of Shelby County, Alabama (Parcel V); xlvii) Rights of others in and to the use of private roadways for ingress/egress and utilities as shown in Map Book 39, pages 67A & 67B in the Probate Office of Shelby County, Alabama (Parcel V); xlviii) Easement to Alabama Power Company recorded in Instrument 20120730000275600, in the Probate Office of Shelby County, Alabama (Parcel V); and xlix) coal, oil, gas and mineral and mining rights which are not owned by Grantor.

