

20150519000165490 1/7 \$33.00
Shelby Cnty Judge of Probate, AL
05/19/2015 11:25:44 AM FILED/CERT

20150515000475690 1/7
Bk: LR201512 Pg:28746
Jefferson County, Alabama
I certify this instrument filed on:
05/15/2015 11:43:37 AM D
Judge of Probate- Alan L. King

Send Tax Notice to:
1250 NORTH WILSON AVENUE LLC
c/o Marsol Corporation
22730 Fairway Center Dr., Suite 200
Fairview Park, OH 44126
Attn: John W. Kasmarcak

STATE OF ALABAMA
Jefferson COUNTY

SPECIAL WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration to the undersigned Grantor, in hand paid by Grantee, the receipt whereof is hereby acknowledged, VISTA COMMUNITIES VENTURE, LLC, a Delaware limited liability company, herein referred to as Grantor, does grant, bargain, sell and convey unto 1250 NORTH WILSON AVENUE LLC, an Ohio limited liability company, herein referred to as Grantee, an undivided 25.4641% interest as a tenant-in-common in the following described real estate, situated in Jefferson County, Alabama, to-wit: that certain property described on Exhibit A attached hereto.

Subject to ad valorem taxes for the year 2015, and thereafter and those matters set forth on Exhibit B attached hereto.

TO HAVE AND TO HOLD, to Grantee, its successors and assigns.

AND the said Grantor does hereby covenant with and represent unto the said Grantee and unto Grantee's successors and assigns, that it is lawfully seized in fee simple of said premises; that it has a good right to sell and convey the same as aforesaid; that it will warrant and defend the same to the said Grantees, their heirs, successors and assigns forever, against the lawful claims of all persons claiming by, through or under Grantor, but against no others.

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:

Vista Communities Venture, LLC
505 20th St. N, Suite 1150
Birmingham AL 35203
Attn: Andrea E. Haines

Grantee's Name and Mailing Address:

1250 North Wilson Avenue LLC
c/o Marsol Corporation
22730 Fairway Center Dr., Suite 200
Fairview Park, OH 44126
Attn: John W. Kasmarcak

Property Address:

Crowne Woods Apartments
3801 Galleria Woods Drive
Hoover, AL 35244

Date of Sale:

May 14, 2015

Total Purchase Price:

\$12,512,549.00


The Purchase Price can be verified in the Closing Statement

IN WITNESS WHEREOF, this Special Warranty Deed has been executed on the date of the acknowledgment of the Grantor's signature below, to be effective as of the 14th day of May, 2015.

VISTA COMMUNITIES VENTURE, LLC
a Delaware limited liability company

By: CROWNE HOOVER ASSOCIATES,
LIMITED PARTNERSHIP, a Delaware limited
partnership, its Manager

By: CROWNE HOOVER 150, LLC, a Delaware
limited liability company, its General Partner


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By: Alan Z. Engel

Name: Alan Z. Engel

Title: Manager

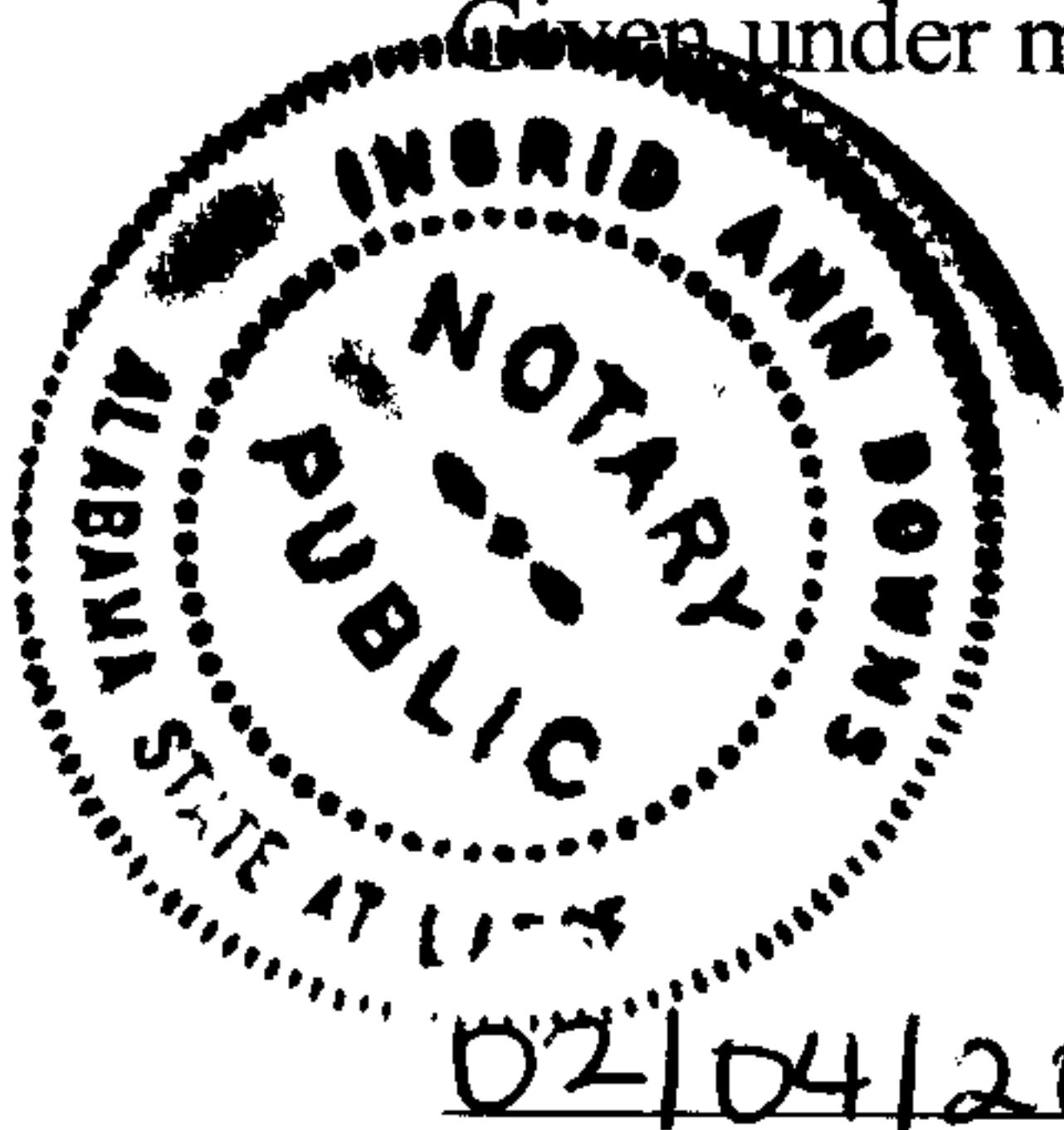
[ACKNOWLEDGEMENT ON NEXT PAGE]

STATE OF ALABAMA)

COUNTY OF Jefferson)

I, Ingrid Ann Downs, a Notary Public in and for said County, in said State, hereby certify that **Alan Z. Engel**, whose name as Manager of Crowne Hoover 150, LLC, a Delaware limited liability company, General Partner of Crowne Hoover Associates, Limited Partnership, a Delaware limited partnership, as Manager of **VISTA COMMUNITIES VENTURE, LLC a Delaware 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, execute the same voluntarily for and as the act of said entity.

Given under my hand and official seal, this the 11th day May, 2015.



Ingrid Ann Downs
NOTARY PUBLIC

My Commission Expires:

This instrument was prepared by:

Scott A. Fisher, Esq.
Arnall Golden Gregory, LLP
171 17th Street, NW, Suite 2100
Atlanta, Georgia 30363

After Recording Return To:

Steven A. Marrer
Kohrman Jackson & Krantz PLL
1375 East 9th Street
Cleveland, Ohio 44114



20150519000165490 3/7 \$33.00
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EXHIBIT A
Legal Description

PARCEL I:

Lot 4-A, according to a Resurvey of Lot 4, Crowne Resurvey of Galleria Woods, First Addition, as recorded in Map Book 32, page 35, in the Probate Office of Jefferson County, Alabama, Bessemer Division,

Together with all rights acquired in Amendment No. 2 to the Declaration of Protective Covenants, Agreements, Easements, Charges and Liens for Riverchase (Business) recorded in Birmingham Real 1437, page 570 and Bessemer Real 348, page 878 in the Probate Office of Jefferson County, Alabama and in Book 19, page 633, in the Probate Office of Shelby County, Alabama.

AND

PARCEL II:

Lot 3, Crowne Resurvey of Galleria Woods, First Addition as recorded in Map Book 30, page 77, in the Probate Office of Jefferson County, Alabama, Bessemer Division and recorded in Map Book 21, page 91, In the Probate Office of Shelby County, Alabama; LESS AND EXCEPT, that rectangular parcel measuring 100 feet by 220 feet shown as "Jefferson County San. Pump Sta." on said Crowne Resurvey of Galleria Woods, First Addition.

Together with all rights acquired in Amendment No. 2 to the Declaration of Protective Covenants, Agreements, Easements, Charges and Liens for Riverchase (Business) recorded in Birmingham Real 1437, page 570 and Bessemer Real 348, page 878 in the Probate Office of Jefferson County, Alabama and In Book 19, page 633 in the Probate Office of Shelby County, Alabama.


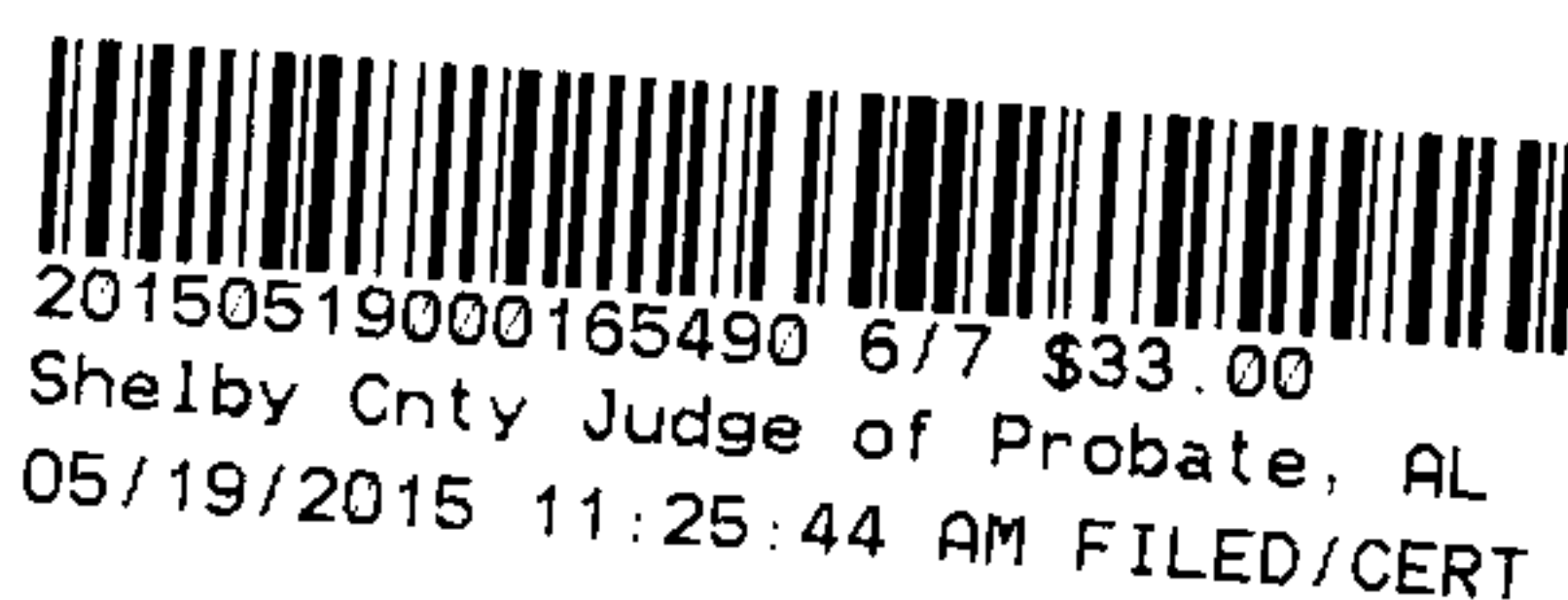

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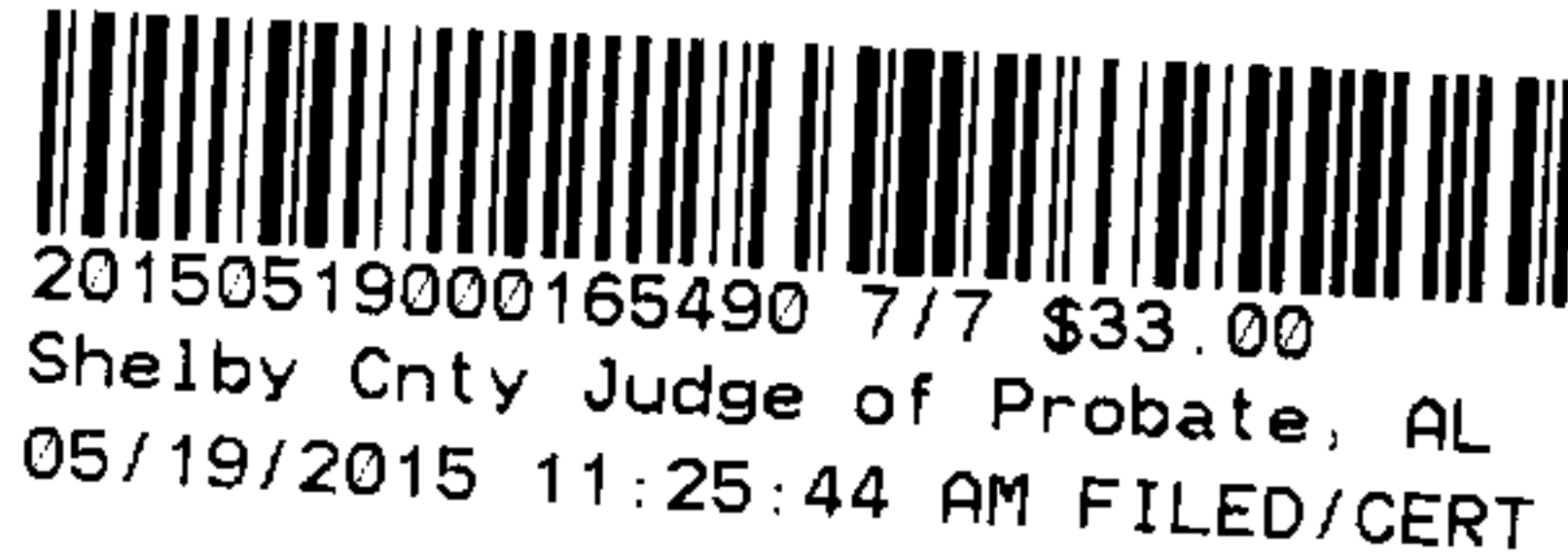
EXHIBIT B

Permitted Exceptions

1. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Any mineral or mineral rights leased, granted or retained by current or prior owners.
3. Taxes and assessments for the year 2015 and subsequent years, not yet due and payable.
4. Rights of tenants in possession, as tenants only, under prior written unrecorded residential leases, without any option to purchase or right of first refusal to purchase contained therein.)
5. Declaration of Protective Covenants, Agreements, Easements, Charges and Liens for Riverchase (Business), as recorded In Shelby Misc. Book 13, Page 50 refiled In Birmingham Real 1236, Page 881 and refiled In Bessemer Real 348, page 837, Amendment No. 1 to Declaration as recorded In Shelby Misc. Book 15, page 189 refiled In Birmingham Real 1294, Page 30 and refiled In Bessemer Real 348, Page 875, further amended by Amendment No. 2 in Shelby Misc. Book 19, page 633, refiled In Birmingham Real 1437, Page 570 and refiled In Bessemer Real 348, Page 878, in the Probate Office of Shelby County, Alabama.
6. Mineral and mining rights and rights incidental thereto recorded in Bessemer Real 220, page 190 and refiled In Birmingham Real 1035, page 584; Birmingham Deed 3642, page 258 and Bessemer Deed 492, page 471, in the Probate Office of Jefferson County, Alabama.
7. Building lines and easements as set out on plat of a Resurvey of Lot 4, Crowne Resurvey of Galleria Woods, recorded in Bessemer Map Book 32, page 35, in the Probate Office of Jefferson County, Alabama.
8. Use restrictions for parking garage, maintenance facilities and ancillary uses for apartment complex as set out in that deed dated 2/5/1997 and recorded 2/6/1997, In Bessemer Instrument 9760/2783, in the Probate Office of Jefferson County, Alabama.

9. Easements and rights of way to Alabama Power Company recorded in Bessemer Real 351, page 498 in the Probate Office of Jefferson County, Alabama.
10. Grant of easement to TCI Cablevision of Alabama, Inc., dated 4/2/1998, filed for record 6/7/2000, recorded in Bessemer Instrument 200061/4876 in the Probate Office of Jefferson County, Alabama.
11. Easement for Sewer Extension granted in Instrument 9706/1249, In the Probate Office of Jefferson County, Alabama.
12. Right of way deed for sewer purposes granted to Jefferson County by Instrument recorded in Instrument 9762/8951 and corrected by Instrument 9802/330, in the Probate Office of Jefferson County, Alabama.
14. Building lines and easements as set out on plat of Crowne Resurvey of Galleria Woods, First Addition, recorded in Bessemer Map Book 30, page 77, in the Jefferson County Probate Office and in Shelby Map Book 21, page 91, in the Probate Office of Shelby County, Alabama.
15. Amended and Restated Agreement Regarding Development Densities in Bessemer Instrument 9760/4194 in the Probate Office of Jefferson County, Alabama.
15. The rights of upstream and downstream riparian owners with respect to the Cahaba River, the centerline of which is the southeastern property line of Parcel II, and Patton Creek, the centerline of which is the southwestern line of Parcel II.
17. Right of way to Jefferson County for sewer purposes as recorded in that Order of Condemnation dated 6/25/1984, filed for record 12/13/2004, in Birmingham Instrument 200416/6060; Bessemer Instrument 200464/0446; Bessemer Real 1032, page 260, in the Probate Office of Jefferson County, Alabama.
18. Right of way deed dated 12/15/1998, filed for record 12/18/1998, recorded in Bessemer Instrument 9863/4384 in the Probate Office of Jefferson County, Alabama.
18. Patton Transfer Pump Station Access Road Easement dated 12/4/1998, filed for record 12/18/1998, recorded in Bessemer Instrument 9863/4386 in the Probate Office of Jefferson County, Alabama.
19. Easement to BellSouth recorded in Birmingham Instrument 200013/2818, In the Probate Office of Jefferson County, Alabama.





20. Grant of Easement to TCI Cablevision of Alabama, Inc., dated 3/3/1999, filed for record 6/7/2000, recorded in Bessemer Instrument 200061/4879 in the Probate Office of Jefferson County.
21. Right of way granted to Jefferson County by Crowne Woods Associates, Ltd. by Instruments recorded in 200363/7814 and 200463/6471, in the Probate Office of Jefferson County, Alabama.
22. Non-Exclusive Storm Drainage Easement by and between Vista Communities Venture, LLC and Shallowford Apartments LLC, recorded March 12, 2015 in Book LR201511, Page 18976 of the Probate Records of Jefferson County.
23. Matters as to Parcel I as shown on the ALTA/ACSM Land Title Survey by Terra Mark Professional Land Surveyors, Project No. 2011-086V, dated December 14, 2014, last revised January 23, 2015, as follows:
 - a.) encroachment of asphalt drive by 17.1' from adjoiner to the southeast; and
 - b.) possible overlap of property lines with property to the northwest as shown on Inset B of survey.
24. Matter(s) as to Parcel II as shown on the ALTA/ACSM Land Title Survey by Geo Survey, Ltd., Project No. 20114180-3, dated December 29, 2014, last revised _____, 2015, as follows:
 - a.) drainage facilities crossing northeasterly line with adjoiner.
25. Right of way deed for sewer purposes granted to Jefferson County by Instrument recorded in Instrument 9762/8951 and corrected by Instrument 9802/330, in the Probate Office of Jefferson County, Alabama.

STATE OF ALABAMA 26. The following matters as delineated on the survey of Paul B. Cannon dated 8/23/2011, last revised 12/19/2011:

hereby certify that no money has been collected on this instrument.

[Signature]

- a) Encroachment of curbing, asphalt and parking into 20' Sewer Easement
- b) Encroachment of Garage Units into Setback Line

TAX COLLECTOR

27.

The following matters as delineated on the survey of James R. Colman dated 8/23/2011, last revised 12/19/2011:

- a) Encroachment of curbing, asphalt and parking into 20' Sewer Easement
- b) Encroachment of curbing and asphalt over property lines

Recorders Note: Taxes all paid
in BK 201512 Pg 28718

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Bk: LR201512 Pg: 28746
Jefferson County, Alabama
05/15/2015 11:43:37 AM D
Fee - \$35.00

Total of Fees and Taxes-\$35.00
CTHORNTON