

Please Index Under:


Grantors:

- Oxmoor II, Inc.
- Pebble Partners, LLP
- John E. Van Valkenburgh
- Carl D. Panattoni, Yolanda Panattoni, Leonard Panattoni, Christina Kowalski, and Elaine Schaedler, as co-trustees of the P-GST Trust dated December 26, 1989

Grantee: EB Investments, LLC

AGREEMENT

STATE OF ALABAMA
COUNTY OF SHELBY


20151002000345840 1/13 \$57.00
Shelby Cnty Judge of Probate, AL
10/02/2015 11:56:57 AM FILED/CERT

THIS AGREEMENT (hereinafter the “Agreement”) pertains to that certain Deed dated September 30 , 1998, recorded on November 16, 1998, in the Office of the Judge of Probate of Shelby County, Alabama, in Instrument # 1998-45530 (hereinafter referred to as the “Deed”) by and between **Oxmoor II, Inc., John E. Van Valkenburgh** individually, **Pebble Partners, LLP**, and **Carl D. Panattoni, Yolanda Panattoni, Leonard Panattoni, Christina Kowalski, and Elaine Schaedler**, as co-trustees of the P-GST Trust dated December 26, 1989 (hereinafter these grantors shall be severally and collectively referred to as the “Grantors”) and **EB Investments, LLC** (hereinafter referred to as the “Grantee”).

WHEREAS, by and through the Deed, Grantors deeded certain real estate situated in Shelby County, Alabama described on Exhibit “A” attached hereto and made a part hereof (hereinafter the “Property”) to Grantee’s predecessor in title.

WHEREAS, the Restrictions specifically appoint Pebble Partners to act for all of the Grantors with respect to certification to any interested person of whether compliance may been had with the Restrictions.

WHEREAS, Pebble Partners was cancelled on February 27, 2004 according to records maintained by the Alabama Secretary of State shown on Exhibit “B” attached hereto and made part of hereof. Michael H. Graham and Steven V. Graham were the sole members of and are the successors to Pebble Partners, LLP, and as such, are the persons to act on behalf of all the original Grantors.

WHEREAS, Oxmoor II, Inc., was dissolved according to the records maintained by the California Secretary of State as shown in Exhibit “C” attached hereto and made part hereof.


WHEREAS, Grantee’s predecessor in title has erected certain improvements on the Property which were consented to by all the Grantors and those improvements are not in violation of the Restrictions.

WHEREAS, Grantee or its successors or assigns desires to be able to make any improvements to the Property that Grantee or its successors or assigns sees fit in its sole discretion.

WHEREAS, for the consideration stated herein, Grantors agree to remove and strike the Restrictions from the Deed so that the Property will no longer be encumbered by the Restrictions.

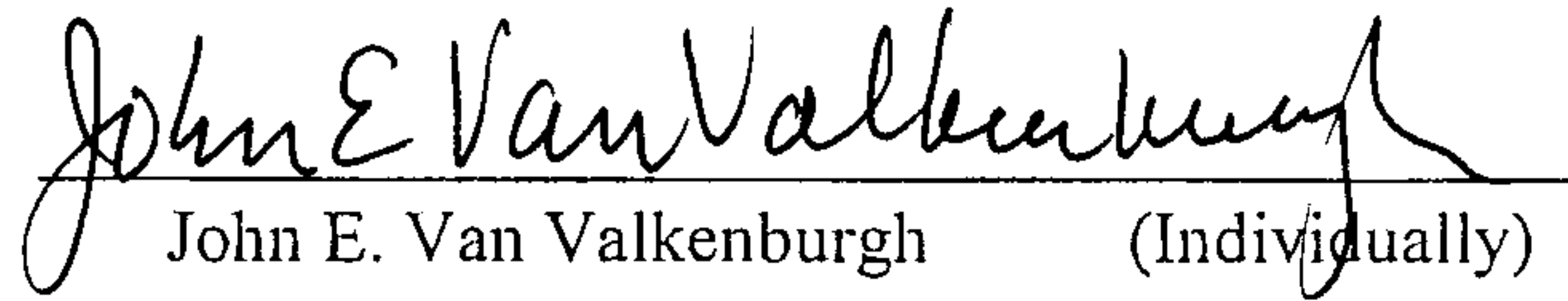
NOW THEREFORE, for Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by each party hereto, Grantee and Grantors agree as follows:

1. Grantee and Grantors hereby agree and declare that the improvements are not in violation of the Restrictions as forth in the Deed.
2. The Grantors hereby remove and strike the Restrictions from the Deed. Henceforth the Property shall no longer be encumbered by the Restrictions.
3. This Agreement may be executed in any number of counterparts, each of which shall be deemed to be an original and all of which taken together, shall constitute one and the same instrument.
4. Pebble Partners cannot and shall not be required to execute this document as Partners was cancelled on February 27, 2004; therefore, Michael H. Graham and Steven V. Graham as successors to the entity formerly known as Pebble Partners are executing the document in such capacity, that is, as the successors to the entity formerly known as Pebble Partners.


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[Signature Lines and Notary Acknowledgments on Following Pages]

IN WITNESS WHEREOF, the parties hereto have executed this Plan effective as of the 27 Day of July, 2015.


John E. Van Valkenburgh (Individually)

[Notary Acknowledgements on Following Pages]



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CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189



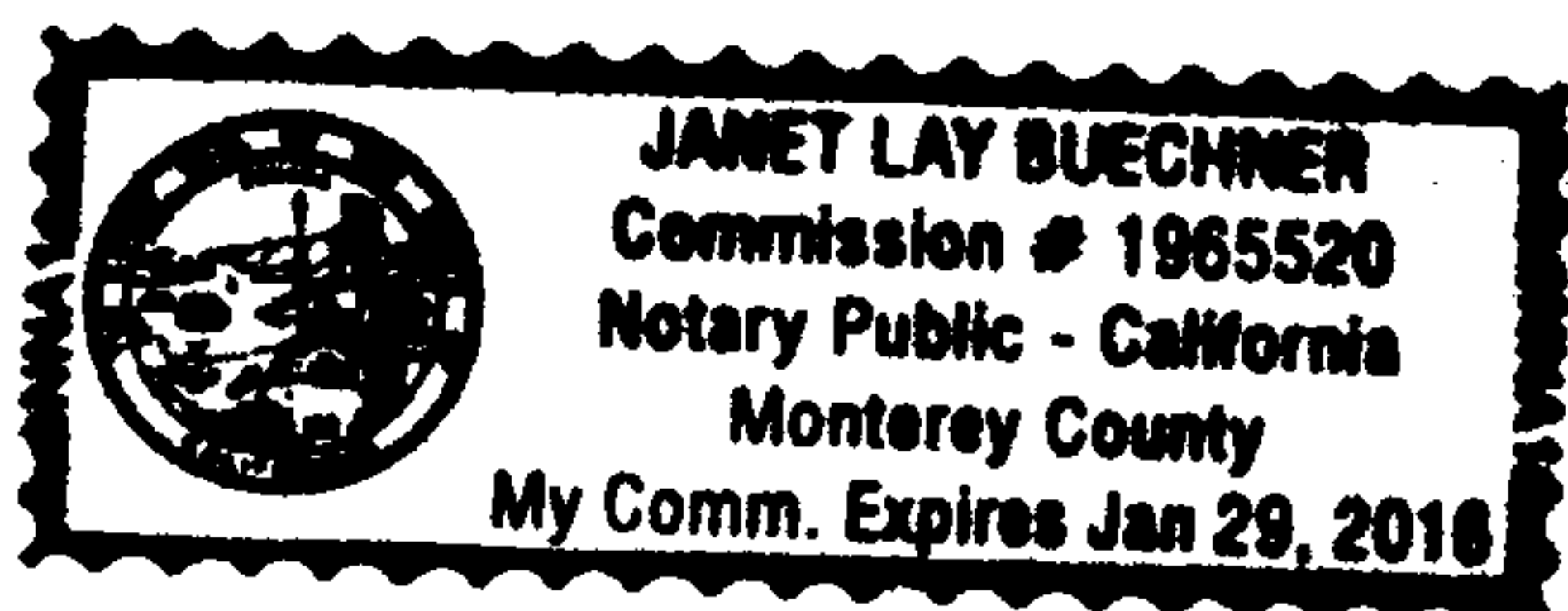
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State of California

County of Monterey

On July 27, 2015 before me, Janet Lay Buechner, Notary Public
Date Here Insert Name and Title of the Officer

personally appeared John E Van Valkenburgh
Name(s) of Signer(s)



who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Place Notary Seal Above

Signature: Janet Lay Buechner
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

☐ Corporate Officer — Title(s): _____

☐ Individual

☐ Partner — ☐ Limited ☐ General

☐ Attorney in Fact

☐ Trustee

☐ Guardian or Conservator

☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT
OF SIGNER

Top of thumb here

Signer's Name: _____

☐ Corporate Officer — Title(s): _____

☐ Individual

☐ Partner — ☐ Limited ☐ General

☐ Attorney in Fact

☐ Trustee

☐ Guardian or Conservator

☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT
OF SIGNER

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IN WITNESS WHEREOF, the parties hereto have executed this Plan effective as of the 14 Day of Aug., 2015.

Michael Graham

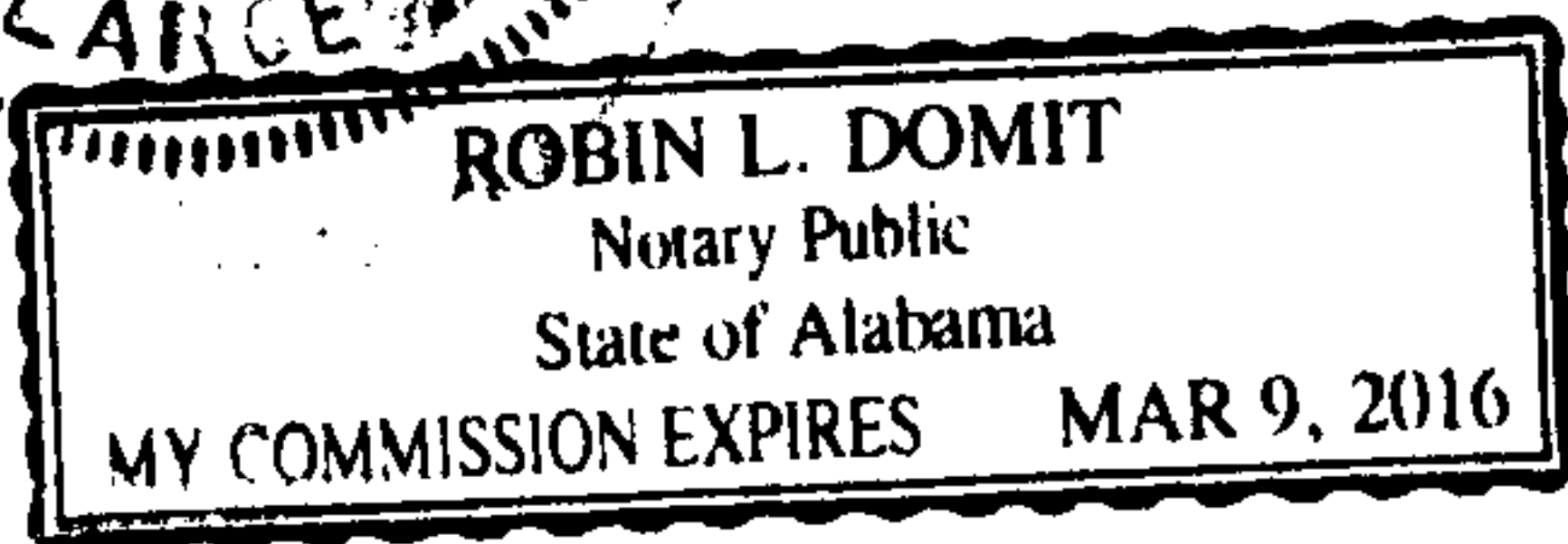
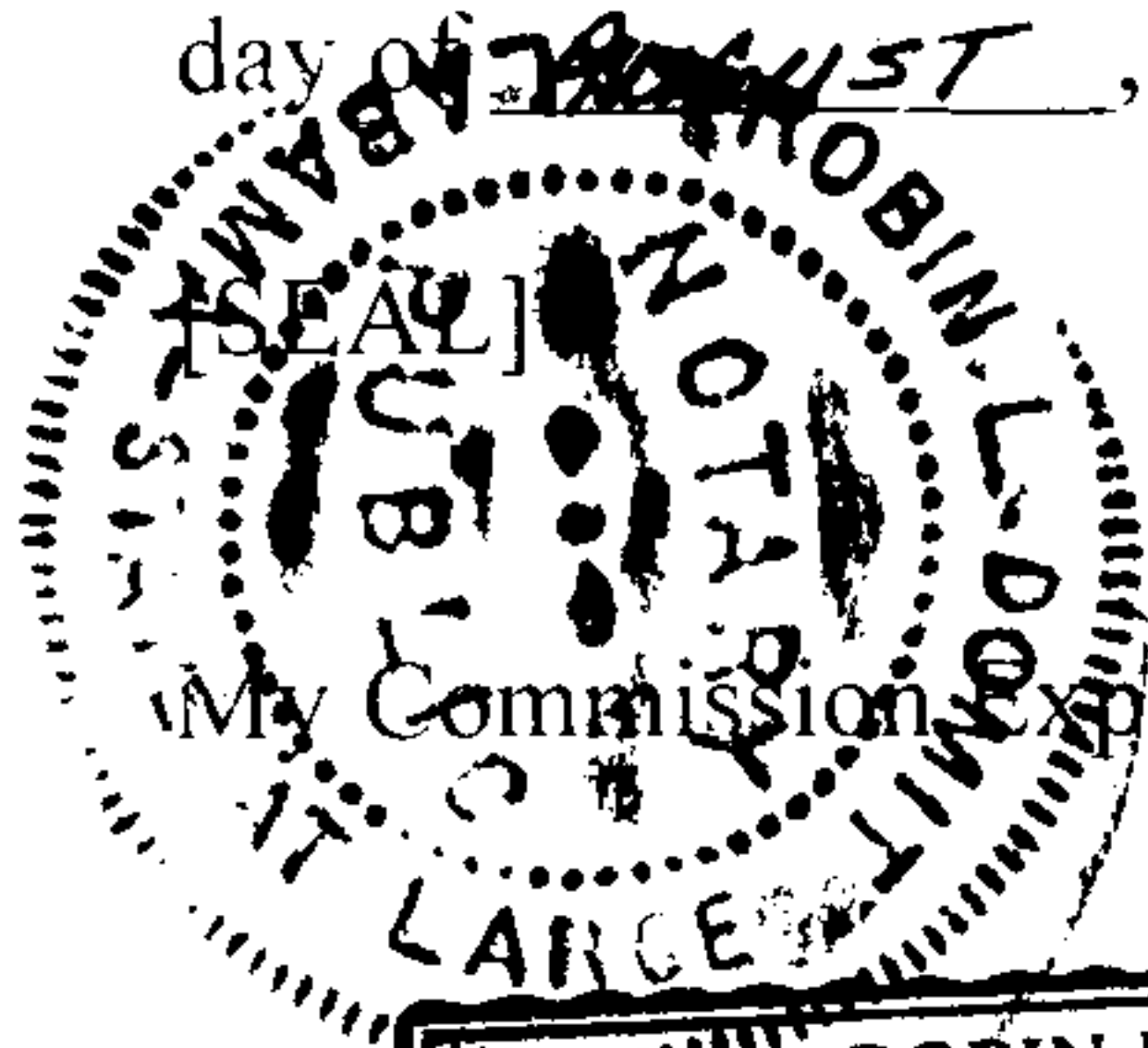
Michael H. Graham (Individually)

STATE OF ALABAMA)
SHELBY COUNTY)

I, the undersigned authority, for and in said County and in said State, do hereby certify that Michael H. Graham, whose name 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 executed the same voluntarily on the day the same bears date. Given under my hand and official seal this the 14 day of AUGUST, 2015.

Robin L. Domit

Notary Public



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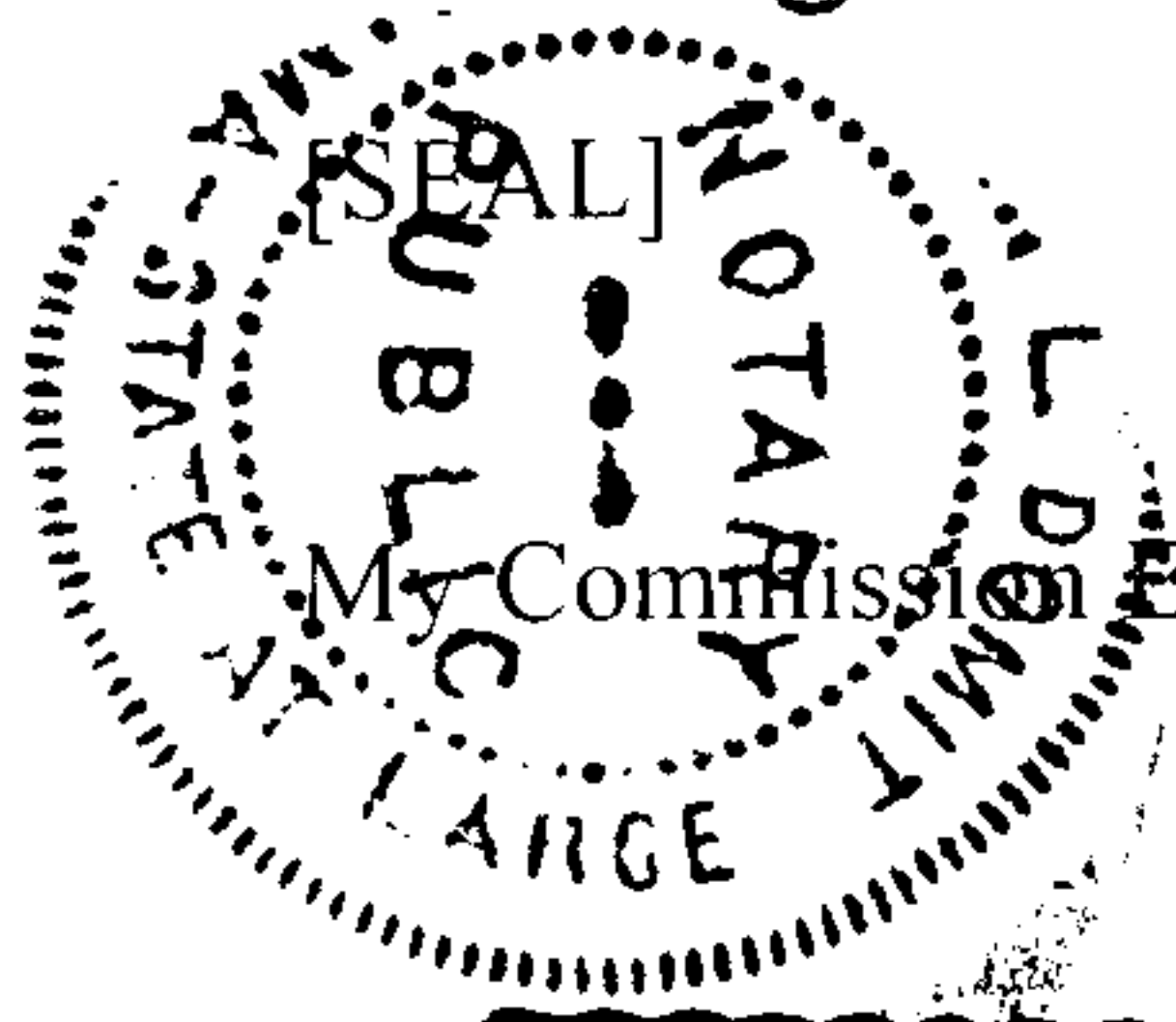
IN WITNESS WHEREOF, the parties hereto have executed this Plan effective as of the 14th Day of Aug., 2015.

Steven V. Graham
Steven V. Graham (Individually)

STATE OF ALABAMA)
SHELBY COUNTY)

I, the undersigned authority, for and in said County and in said State, do hereby certify that Steven V. Graham, whose name 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 executed the same voluntarily on the day the same bears date. Given under my hand and official seal this the 14th day of August, 2015.

Robin L. Domit
Notary Public



My Commission Expires:

ROBIN L. DOMIT
Notary Public
State of Alabama
MY COMMISSION EXPIRES MAR 9, 2016

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EXHIBIT A



20151002000345840 8/13 \$57.00
Shelby Cnty Judge of Probate, AL
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A parcel of land situated in Section 31, Township 19 South, Range 2 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the Northwest corner of the Southeast $\frac{1}{4}$ of Section 31, Township 19 South, Range 2 West, Shelby County, Alabama, and run in an Easterly direction along the North line of said section a distance of 329.55 feet to a point, said point lying on the Southwesterly boundary line of Cahaba Valley Park North, as recorded in Map Book 13, Page 140a and 140b, in the Office of the Judge of Probate of Shelby County, Alabama; thence turn a deflection angle of $60^{\circ} 17' 38''$ to the right and run in a Southeasterly direction along said boundary line of Cahaba Valley Park North a distance of 1010.09 feet to a point, said point being an iron pin found at the Northeast corner of the real property that is described in Instrument # 1994-08119 as recorded in the Probate Office of Shelby County, Alabama; thence turn a deflection angle of $88^{\circ} 06' 12''$ and run to the right in a Southwesterly direction on a line that is 250 feet Northwest of the Northwesterly right of way line of Alabama Highway # 119, a distance of 983.20 feet to a point; thence turn a deflection angle to the right of $93^{\circ} 32' 32''$ and run in a Northwesterly direction a distance of 135.00 feet to a point, said point being the point of beginning of the parcel herein described; thence continue along last described course in a Northwesterly direction 144.20 feet to a point; thence turn an interior angle of $93^{\circ} 32' 32''$ and run to the right in a Northeasterly direction a distance of 398.06 feet to a point, said point being on the Southwesterly right of way line of Southgate Drive, as recorded in Map Book 20, Page 98, at the Office of the Judge of Probate of Shelby County, Alabama; thence turn an interior angle of $88^{\circ} 06' 12''$ and run to the right, in a Southeasterly direction, along said right of way, a distance of 144.00 feet to a point; thence turn an interior angle of $91^{\circ} 53' 48''$ and run to the right, in a Southwesterly direction a distance of 402.20 feet to the point of beginning.

Situated in Shelby County, Alabama

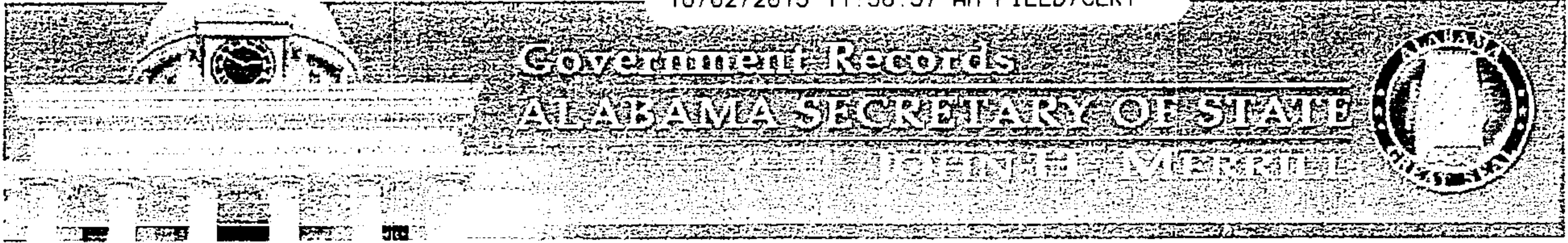


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EXHIBIT B



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Business Entity Details

Pebble Partners, LLP	
Entity ID Number	400 - 241
Entity Type	Domestic Regtd. Ltd. Liability Partnership
Principal Address	2220 WOODCREST PLACE STE 210 BIRMINGHAM, AL 35209
Principal Mailing Address	Not Provided
Status	Cancelled
Cancelled Date	2-27-2004
Place of Formation	Jefferson County
Formation Date	8-21-1997
Registered Agent Name	GRAHAM, H MICHAEL
Registered Office Street Address	9 W MONTCREST DR BIRMINGHAM, AL 35213
Registered Office Mailing Address	Not Provided
Nature of Business	REAL ESTATE INVESTMENT
Capital Authorized	
Capital Paid In	
Members	
Member Name	GRAHAM, STEVEN V
Member Street Address	Not Provided
Member Mailing Address	Not Provided
Member Name	GRAHAM, H MICHAEL
Member Street Address	Not Provided
Member Mailing Address	Not Provided
Transactions	
Transaction Date	3-16-1998
Miscellaneous Filing Entry	ANNUAL NOTICE
Transaction Date	2-1-1999
Miscellaneous Filing Entry	ANNUAL NOTICE FILED
Transaction Date	2-28-2000
Miscellaneous Filing Entry	2000 ANNUAL NOTICE
Transaction Date	2-15-2001
Miscellaneous Filing Entry	2001 ANNUAL NOTICE
Transaction Date	2-21-2002
Miscellaneous Filing Entry	2002 ANNUAL NOTICE
Transaction Date	2-11-2004
Miscellaneous Filing Entry	2003 ANNUAL REPORT
Transaction Date	2-11-2004
Miscellaneous Filing Entry	2004 ANNUAL REPORT
Scanned Documents	
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Document Date / Type / Pages	8-21-1997 Articles of Formation 2 pgs.
Document Date / Type / Pages	3-16-1998 Miscellaneous Entry 1 pg.
Document Date / Type / Pages	2-1-1999 Miscellaneous Entry 1 pg.
Document Date / Type / Pages	2-28-2000 Miscellaneous Entry 1 pg.
Document Date / Type / Pages	2-15-2001 Miscellaneous Entry 1 pg.
Document Date / Type / Pages	2-21-2002 Miscellaneous Entry 1 pg.
Document Date / Type / Pages	2-11-2004 Miscellaneous Entry 1 pg.
Document Date / Type / Pages	2-27-2004 Cancellation 2 pgs.

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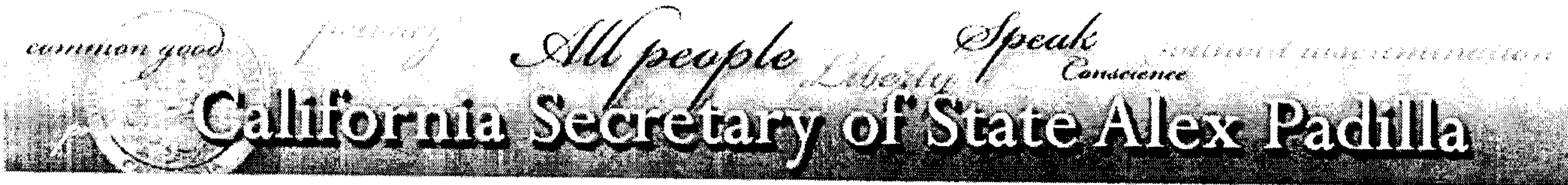


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20151002000345840 12/13 \$57.00
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EXHIBIT C



Secretary of State Main Website **Business Programs** Notary & Authentications Elections Campaign & Lobbying

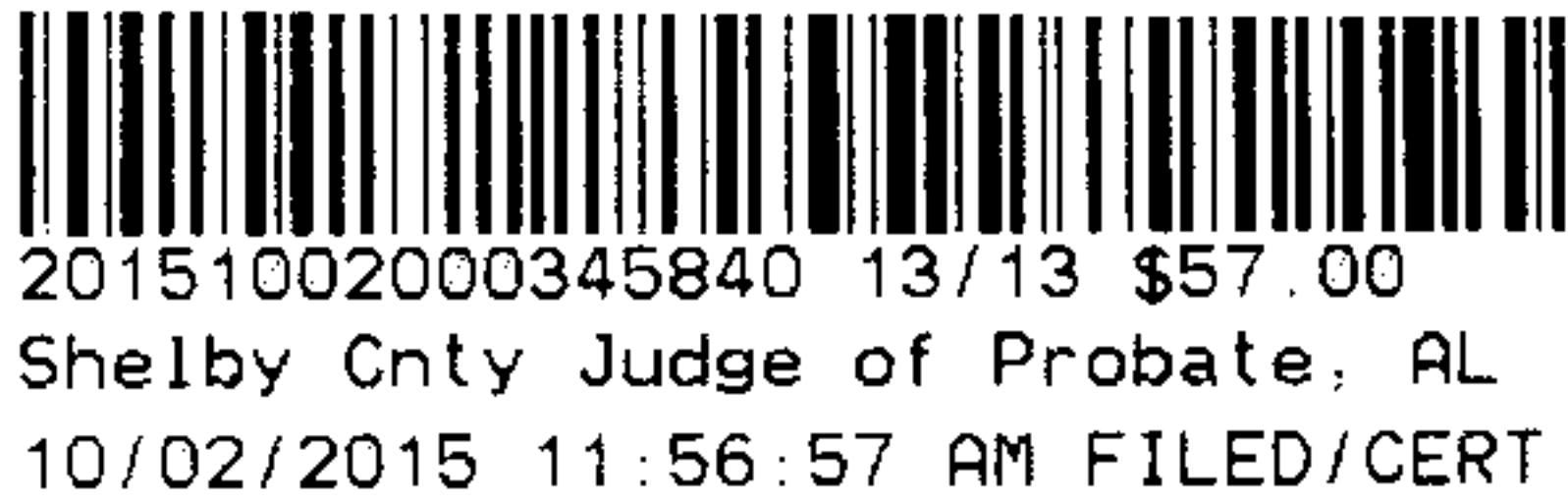
Business Entities (BE)

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- Customer Alerts
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 - **Misleading Business Solicitations**

Business Entity Detail

Data is updated to the California Business Search on Wednesday and Saturday mornings. Results reflect work processed through Friday, September 11, 2015. Please refer to **Processing Times** for the received dates of filings currently being processed. The data provided is not a complete or certified record of an entity.

Entity Name:	OXMOOR II, INC.
Entity Number:	C1894654
Date Filed:	08/05/1994
Status:	DISSOLVED
Jurisdiction:	CALIFORNIA
Entity Address:	5150 SUNRISE BLVD STE E 4
Entity City, State, Zip:	FAIR OAKS CA 95628
Agent for Service of Process:	MICHAEL R MURPHY
Agent Address:	5150 SUNRISE BLVD STE E 4
Agent City, State, Zip:	FAIR OAKS CA 95628



- * Indicates the information is not contained in the California Secretary of State's database.
- If the status of the corporation is "Surrender," the agent for service of process is automatically revoked. Please refer to California Corporations Code **section 2114** for information relating to service upon corporations that have surrendered.
 - For information on checking or reserving a name, refer to **Name Availability**.
 - For information on ordering certificates, copies of documents and/or status reports or to request a more extensive search, refer to **Information Requests**.
 - For help with searching an entity name, refer to **Search Tips**.
 - For descriptions of the various fields and status types, refer to **Field Descriptions and Status Definitions**.

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