


This instrument prepared by  
(and after recording return to):  
Meredith E. Level, Esq.  
Lowndes, Drosdick, Doster,  
Kantor & Reed, P.A.  
450 S. Orange Avenue, Suite 200  
Orlando, Florida 32801

Property Appraiser's Parcel  
Identification Number: 23-6-14-2-001-001.004

  
20160119000018640 1/7 \$12694.50  
Shelby Cnty Judge of Probate, AL  
01/19/2016 12:21:28 PM FILED/CERT

### STATUTORY WARRANTY DEED

**THIS STATUTORY WARRANTY DEED**, made and entered into this 15<sup>th</sup> day of January, 2016, by and between **SCHILLECI WHITE STONE, LLC**, an Alabama limited liability company ("Grantor"), whose mailing address is c/o JMS Realty, LLC, 1761 Platt Place, Montgomery, Alabama 36117, in consideration of ten dollars (\$10.00) and other valuable considerations received from **PSM ALABAMA HOLDINGS, LLC**, an Alabama limited liability company ("Grantee"), whose mailing address is c/o Publix Super Markets, Inc., Post Office Box 407, Lakeland, Florida 33802-0407.

That the Grantor, for and in consideration of the sum of TWELVE MILLION SIX HUNDRED SIXTY-TWO THOUSAND FIVE HUNDRED AND NO/100 DOLLARS (\$12,662,500.00), to it in hand paid the receipt whereof is hereby acknowledged, by these presents does grant, bargain, seller, and convey unto the Grantee, its successors and assigns forever, that certain parcel of land lying and being in the City of Alabaster, County of Shelby, State of Alabama, as more particularly described in the **Exhibit A** annexed hereto and by this reference made a part hereof (the "Property").

**TOGETHER WITH** all and singular the rights, tenements, privileges, hereditaments, and appurtenances thereto belonging or in anywise appertaining and together with all rights and easements of record.

**SUBJECT TO** all matters listed in **Exhibit B** (the "Permitted Title Matters") annexed hereto and by this reference made a part hereof, without intending to reimpose same.


**TO HAVE AND TO HOLD** the above described premises, with the appurtenances, unto the said Grantee, its successors and assigns, in fee simple forever.

And the Grantor hereby covenants with Grantee that Grantor is lawfully seized of the Property in fee simple; that Grantor has good right and lawful authority to sell and convey the Property; and that Grantor does hereby specially warrant the title to the Property subject to the Permitted Title Matters and will defend the same against the lawful claims of all persons claiming by, through or under the Grantor, but not otherwise.

Publix #1073  
White Stone Shopping Center  
Alabaster, Shelby County, Alabama  
0058683\168839\2464346

Shelby County, AL 01/19/2016  
State of Alabama  
Deed Tax: \$12662.50

All recording references herein refer to the records in the Office of the Judge of Probate,  
Shelby County, Alabama.



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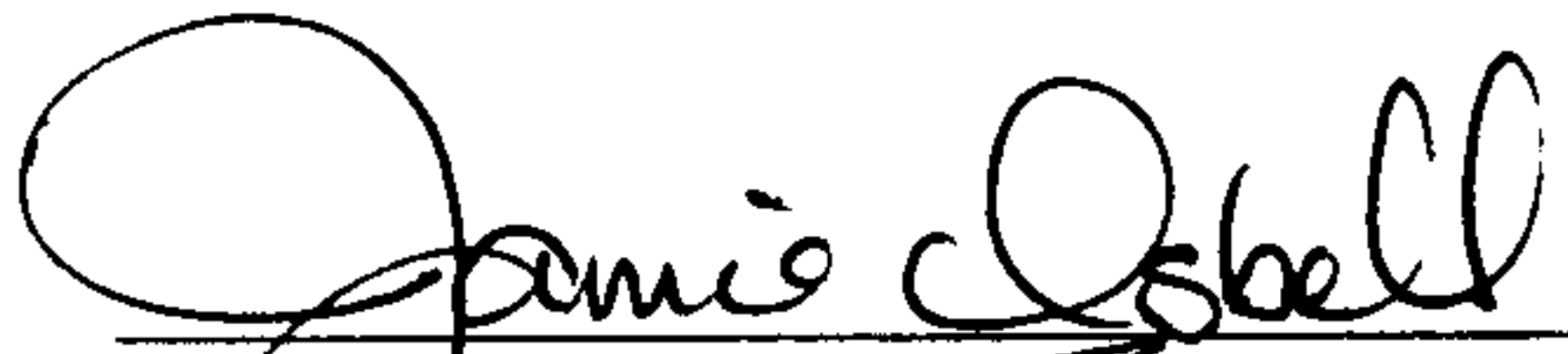
*[Signatures appear on following page]*




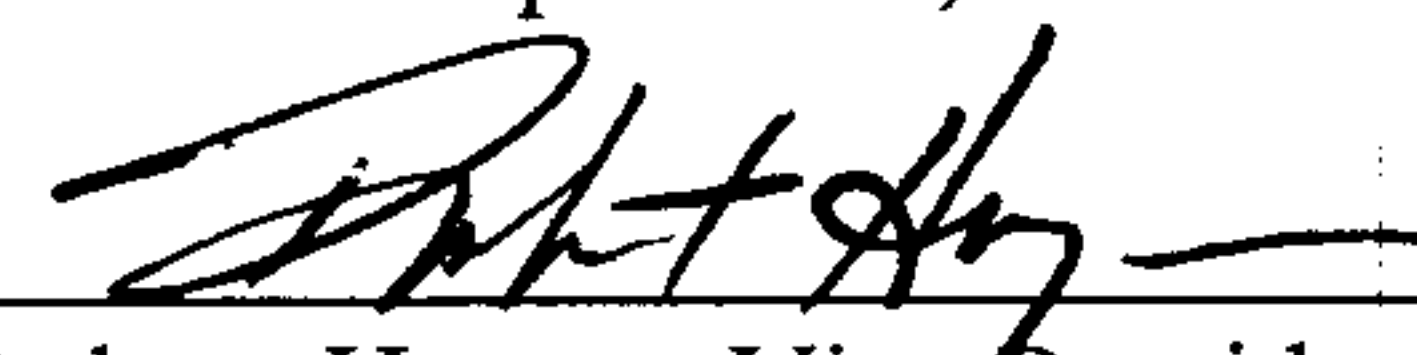
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Signed in the presence of:

**SCHILLECI WHITE STONE, LLC,**  
an Alabama limited liability company

  
(print name): Jamie Isbell

By: **SCHILLECI WHITE STONE**  
**MANAGEMENT, INC.,**  
an Alabama corporation, Its Manager

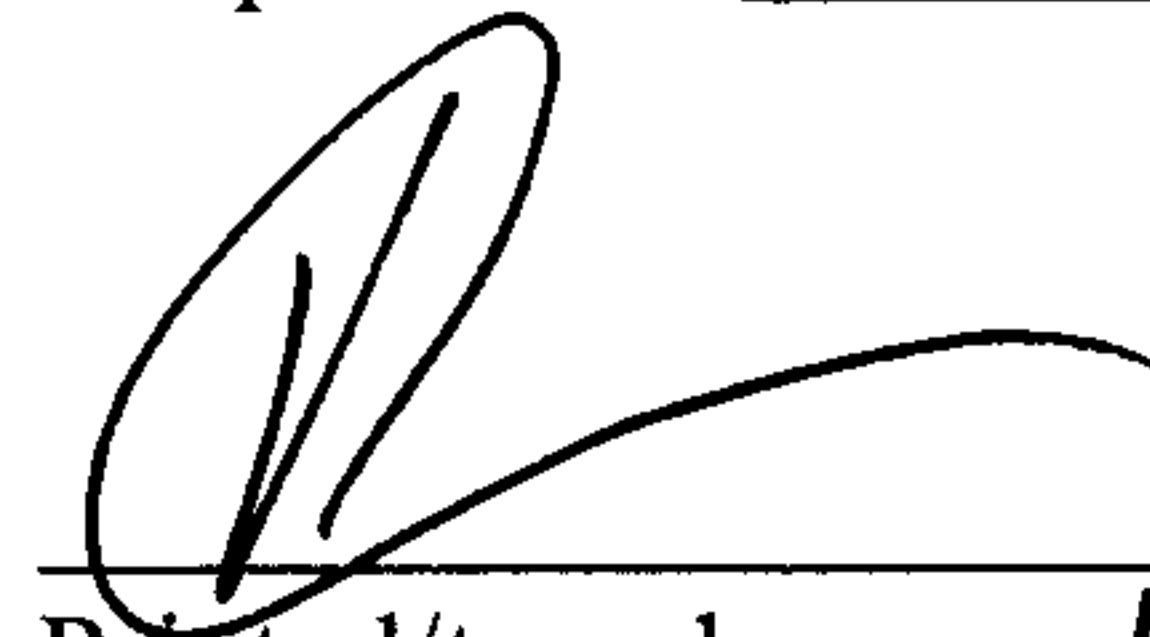
  
(print name): Rhonda J. McFarling By:   
Robert Hogan, Vice President

STATE OF ALABAMA

COUNTY OF ~~MONTGOMERY~~ Jefferson

The foregoing instrument was signed and acknowledged before me this 13<sup>th</sup> day of January, 2016, by Robert Hogan as Vice President of **SCHILLECI WHITE STONE MANAGEMENT, INC.,** an Alabama corporation, the Manager of **SCHILLECI WHITE STONE, LLC,** an Alabama limited liability company, on behalf of the limited liability company. Such person is personally known to me ~~or produced~~ \_\_\_\_\_  
\_\_\_\_\_ as identification.

Notary Seal



Printed/typed name: Vincent J. Schilleci

Notary Public-State of Alabama

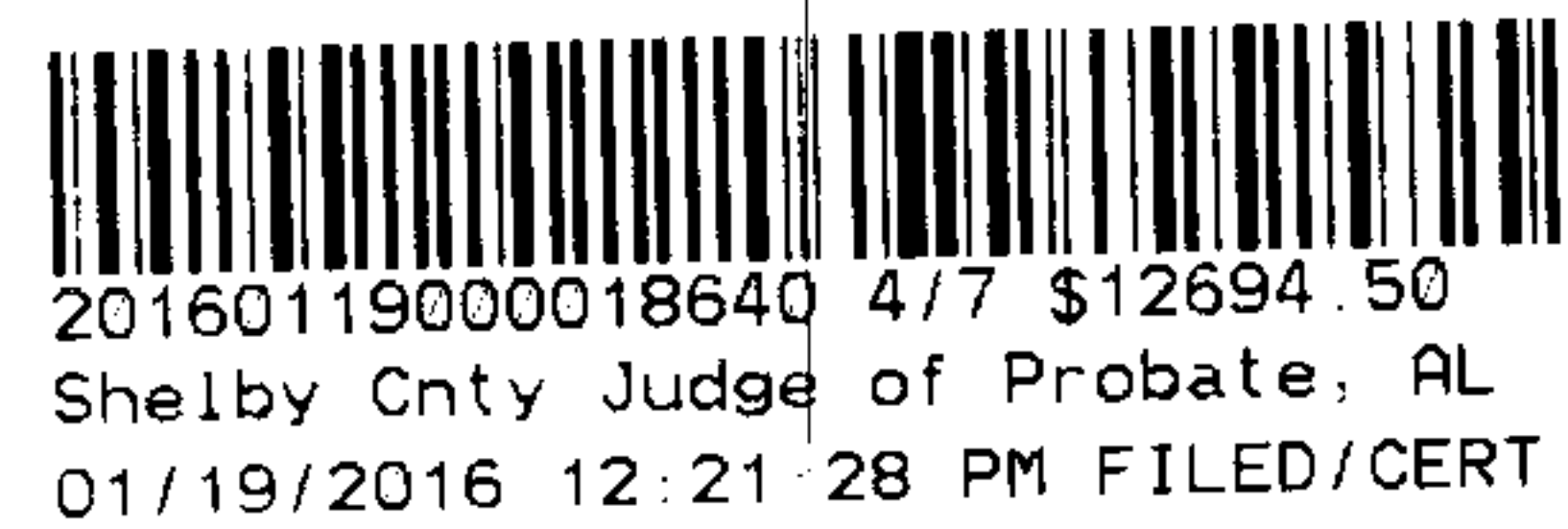
Commission Number: \_\_\_\_\_

Commission expires: 9/2/18



**EXHIBIT A**

**Property Description**



Street Address: 9200 Highway 119, Alabaster, Alabama 35007-5344

**PARCEL 1:**

Lot 7, according to the Map of the White Stone Center Subdivision, as said map appears of record in the Office of the Judge of Probate of Shelby County, Alabama, in Map Book 33, at Pages 138-A and 138-B, (hereinafter referred to as "Lot 7").

**PARCEL 2:**

SLOPE EASEMENT FOR THE BENEFIT OF PARCELS 1 THRU 7 AS CREATED BY THAT CERTAIN EASEMENT AGREEMENT BETWEEN DOUGLAS M. KENT AND NINA KENT AND ALABASTER RETAIL PROPERTY, L.L.C., DATED JANUARY 27, 2003, RECORDED IN INSTRUMENT NUMBER 20030210000081000, OVER, UNDER AND ACROSS THE FOLLOWING DESCRIBED PROPERTY:

An easement located in the Northeast quarter of the Northwest quarter of Section 14, Township 21 South, Range 3 West, Shelby County, Alabama, and being more particularly described as follows:

Commence at the Northwest corner of Section 14; thence run South 89 degrees 03 minutes 42 seconds East and along the section line 2343.49 feet; thence run South 25 degrees 30 minutes 31 seconds West 617.60 feet to the POINT OF BEGINNING; thence continue South 25 degrees 30 minutes 31 seconds West 589.55 feet; thence run North 44 degrees 42 minutes 44 seconds East 69.92 feet; thence run North 25 degrees 30 minutes 31 seconds East 355.71 feet; thence run North 17 degrees 42 minutes 15 seconds East 169.38 feet to the POINT OF BEGINNING.

**PARCEL 3:**

Non-exclusive and perpetual right, privilege and easement for vehicular and pedestrian access, ingress, and egress over and across all roadways, driveways, entrance ways and sidewalks from time to time located on the Common Area of the Shopping Center Tract, each of Outparcels 1 thru 5, both inclusive, and Future Development Area #2 for the purpose of providing pedestrian and vehicular access, ingress, and egress, but not parking, between the Shopping Center Tract, each of Outparcels 1 thru 5, both inclusive, and Future Development Area #2 and for providing such access, ingress and egress to and from publicly dedicated rights of way abutting the Shopping Center Tract, each of Outparcels 1 thru 5, both inclusive, and Future Development Area #2 and the non-exclusive and perpetual right, privilege and easement in, to, over, along, and across those portions of the Common Area on each Tract necessary for the installation, operation, flow, passage, use, maintenance, connection, repair, relocation and removal of utility lines, including but not limited to sanitary sewers, storm drains, water (fire and domestic), gas, electrical, telephone and communication lines, all as set forth in the Declaration of Restrictions,

Covenants and Conditions and Grant of Easements as recorded under Instrument Number 20031124000768400, and as clarified by clarification regarding curb-cuts between Outparcel 2 and the Shopping Center Tract as recorded under Instrument Number 20040329000157920.

PARCEL 4:

TOGETHER WITH the use and benefit of all of the rights, easements, covenants, restrictions and conditions for the use or benefit of said Lot 7 under or by virtue of the following declarations, easements, restrictive covenants, conveyances and other instruments:

(a) DECLARATION OF RESTRICTIONS, COVENANTS AND CONDITIONS AND GRANT OF EASEMENTS (WHITE STONE SHOPPING CENTER) DATED MAY 14, 2003, AND RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE OF SHELBY COUNTY, ALABAMA, IN INSTRUMENT NUMBER 20031124000768400, AS CLARIFIED BY THAT CERTAIN CLARIFICATION REGARDING CURB-CUTS BETWEEN OUTPARCEL 2 AND THE SHOPPING CENTER TRACT DATED MARCH 23, 2004, AND RECORDED IN SAID PROBATE OFFICE IN INSTRUMENT NUMBER 20040329000157920;

(b) DECLARATION OF RESTRICTIONS (Outparcel) dated November 20, 2003, and recorded in said Probate Office in Instrument Number 20031124000768410;

(c) DECLARATION OF RESTRICTIONS (Outparcel) dated March 23, 2004, and recorded in said Probate Office in Instrument Number 20040329000157910;

(d) DECLARATION OF RESTRICTIONS (Outparcel) dated August 31, 2004, and recorded in said Probate Office in Instrument Number 20040903000495500;

(e) DECLARATION OF RESTRICTIONS (Outparcel) dated March 10, 2004, and recorded in said Probate Office in Instrument Number 20040316000133490;


(f) DECLARATION OF NON-EXCLUSIVE ACCESS AND UTILITY EASEMENTS dated March 10, 2004, and recorded in said Probate Office in Instrument Number 20040609000308960; and

(g) DECLARATION OF RESTRICTIONS dated October 5, 2005 and recorded in said Probate Office in Instrument Number 20051010000525290.



**EXHIBIT B**

**Permitted Title Matters**

  
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1. Taxes and assessments for the year 2016 and subsequent years, not yet due and payable.
2. Easement(s) for public utilities, sanitary sewers, storm sewers, and storm ditches as recorded in Map Book 33, Pages 138-A and 138-B in the Probate Office of Shelby County, Alabama. (as to Parcels 1, 2, 3, and 4)
3. Right of Way deed as shown in instrument recorded in Deed Book 216, Page 584 in said Probate Office. (as to Parcels 1, 2, 3, and 4)
4. Easement(s)/Right(s) of Way granted the City of Alabaster for sewer pipeline as recorded under Instrument Number 1999-30479 and under Instrument Number 1999-30482, all as shown on the recorded Plat, in the Probate Office of Shelby County, Alabama. (as to Parcels 1, 2, 3, and 4)
5. Easement(s)/Right(s) of Way granted Alabama Power Company for electric transmission lines as recorded under Instrument Number 20040115000028690 and under Instrument Number 20040312000127310 in said Probate Office. (as to Parcel 1)
6. Terms and conditions that certain Memorandum of Lease by Alabaster Retail Property, L.L.C., an Alabama limited liability company, as Lessor, and Publix Alabama, LLC, an Alabama limited liability company, as Lessee, dated January 17, 2003, and filed February 10, 2003 in Instrument Number: 20030210000081140, and further Amendment recorded under Instrument Number 20060525000248720, as assigned by Assignment and Assumption of Lease (Publix) dated and recorded of even date herewith in said Probate Office.
7. Parking Lot and Road Crossing Agreement by and between Southern Natural Gas Company, a Delaware corporation and Alabaster Retail Property, L.L.C. recorded March 16, 2004 in Instrument Number 20040316000133480 in said Probate Office. (as to Parcel No. 3)
8. Slope Easement Agreement as recorded in Instrument Number 2003021000008100 in said Probate Office. (as to Parcels 1, 2, 3, and 4)
9. Easement to Alabama Power Company as recorded in Instrument Number 20100928000320150 in said Probate Office. (as to Parcels 1, 2, 3, and 4)
10. Easement granted by BellSouth Telecommunications, Inc. d/b/a AT&T Alabama to Alabama Power Company as recorded in Instrument Number 20100928000320160 in said Probate Office. (as to Parcels 1, 2, 3, and 4)
11. Declaration of restrictions, covenants, conditions, and grant of easements, dated May 14, 2001, and recorded in Instrument Number 20031124000768400, and as clarified by that certain clarification regarding curb-cuts between outparcel 2 and the Shopping Center tract dated

March 23, 2004 and recorded in Instrument No. 20040329000157920 in said Probate Office. (as to Parcels 1, 2, 3, and 4)

12. Declaration of restrictions (Outparcel) dated November 20, 2003, and recorded in said Probate Office in Instrument Number 20031124000768410 in said Probate Office. (as to Parcels 1, 2, 3, and 4)

13. Declaration of restrictions (Outparcel) dated August 31, 2004, and recorded in said Probate Office in Instrument Number 20040903000495500 in said Probate Office. (as to Parcels 1, 2, 3, and 4)

14. Declaration of restrictions (Outparcel) dated March 10, 2004, and recorded in said Probate Office in Instrument Number 20040316000133490 in said Probate Office. (as to Parcels 1, 2, 3, and 4)

15. Declaration of Restrictions dated October 5, 2005, and recorded in said Probate Office in Instrument Number Instrument Number 20051010000525290 in said Probate Office. (as to Parcels 1, 2, 3, and 4)

16. Easement and right of Way to BellSouth Communications as recorded in Instrument Number 20100907000287560 in said Probate Office. (as to Parcels 1, 2, 3, and 4)



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