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Shelby Cnty Judge of Probate, AL
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STATE OF TEXAS

COUNTY OF HARRIS

Clerk: NICOLE


AFFIDAVIT AS TO APPORTIONED VALUES

Personally appeared before me, the undersigned officer duly authorized to administer oaths, Grady W. Roberts, Manager of GWR 16 Management, LLC, Manager of GWR Kenley, LLC ("Deponent"), who being duly sworn according to law, deposes and says on oath as follows:

The Deponent is selling the real property set forth on Exhibit A attached hereto and made a part hereof. The sale price of the real property is \$45,042,229.25. The real property is located in both Jefferson County and Shelby County, Alabama. The Deponent apportions the sale price of the real property between the two counties as follows:

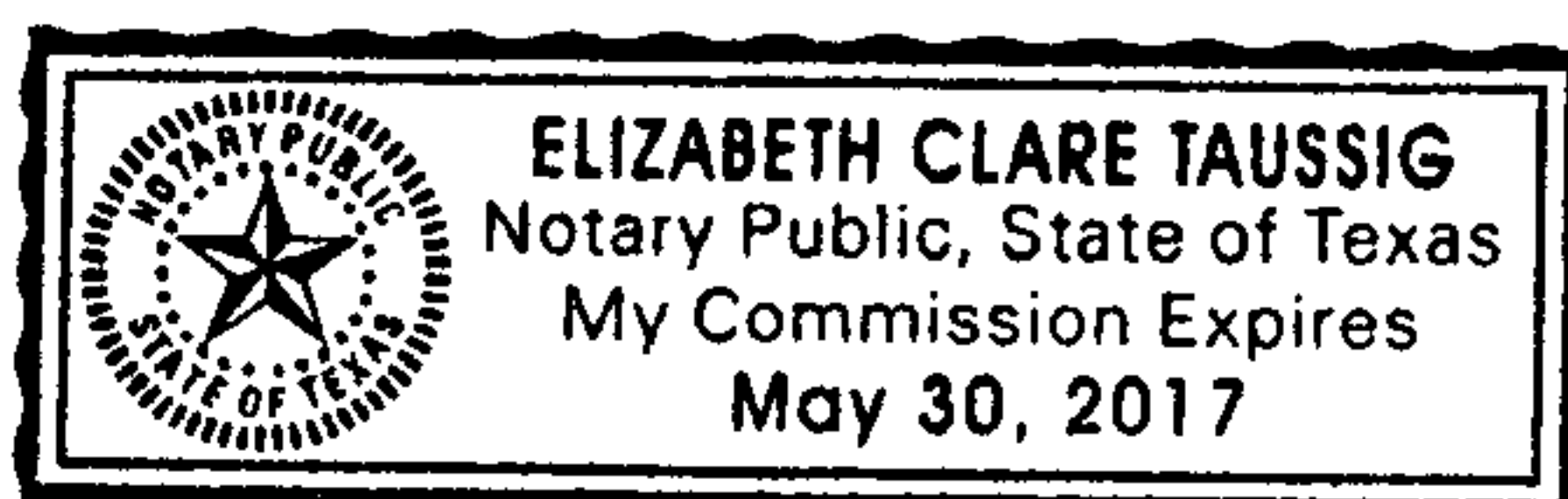
<u>County</u>	<u>Amount Apportioned</u>	<u>Percentage</u>
Shelby	\$42,790,117.78	95.00%
Jefferson	\$2,252,111.47	5.00%

Sworn to and subscribed before me,
this 9 day of March, 2015.


Notary Public

MY COMMISSION EXPIRES: May 30, 2017

{AFFIX NOTARY SEAL}



GWR Kenley, LLC,
a Delaware limited liability company

By: GWR 16 Management, LLC,
a Delaware limited liability company,
its Manager


By: 
Grady W. Roberts, Manager

EXHIBIT A

Land Located in the Counties of Shelby and Jefferson, State of Alabama, described as follows:

PARCEL I

LOT 1

Lot 1, Kenley Survey, as recorded in Map Book 24, Page 90, in the office of the Judge of Probate of Shelby County, Alabama, being more particularly described as follows:

A parcel of land situated in the SW 1/4 of the SE 1/4 of Section 25, Township 18 South, Range 2 West and the NW 1/4 of the NE 1/4 of Section 36, Township 18 South, Range 2 West, Shelby County, Alabama, being more particularly described as follows:

Begin at the Northwest corner of the SW 1/4 of the SE 1/4 of Section 25, Township 18 South, Range 2 West and run South along the West line of said 1/4-1/4 section a distance of 684.25 feet to a point; thence 90°00' to the left in an Easterly direction a distance of 266 feet, more or less, to a point on the edge of a lake; thence in a generally Southeasterly direction along the edge of the lake a distance of 1960 feet, more or less, to a point on a line lying 30 feet West of and parallel to the East line of said 1/4-1/4 section; thence in a Northerly direction along said line a distance of 113 feet, more or less, to a point; thence 90°00' to the right in an Easterly direction a distance of 30.00 feet to a point on the East line of said 1/4-1/4 section; thence 90°00' to the left in a Northerly direction along the East line of said 1/4-1/4 section a distance of 1165.03 feet to the Northeast corner of said 1/4-1/4 section; thence 87°54'49" to the left in a Westerly direction along the North line of said 1/4-1/4 section a distance of 1320.29 feet to the POINT OF BEGINNING.

LOT 2

Lot 2, Kenley Survey, as recorded in Map Book 24, Page 90, in the office of the Judge of Probate of Shelby County, Alabama, being more particularly described as follows:

A parcel of land situated in the NW 1/4 of the NE 1/4 of Section 36, and the SW 1/4 of the SE 1/4 of Section 25, both in Township 18 South, Range 2 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the Northwest corner of the SW 1/4 of the SE 1/4 of Section 25, Township 18 South, Range 2 West and run in a Southerly direction along the West line of said 1/4-1/4 section a distance of 684.25 feet to the POINT OF BEGINNING; thence 90°00' to the left in an Easterly direction a distance of 266 feet, more or less, to a point on the edge of a lake; thence in a generally Southeasterly direction a distance of 1960 feet, more or less, to a point on a line lying 30.00 feet West of and parallel to the East line of said 1/4-1/4 section; thence in a Northerly direction along said line a distance of 113 feet, more or less, to a point; thence 90°00' to the right in an Easterly direction a distance of 30.00 feet to a point on the East line of said 1/4-1/4 section; thence 90°00' to the right in a Southerly direction along the East line of said 1/4-1/4 section a distance of 150.00 feet to the Southeast corner of said 1/4-1/4 section; thence 0°02'48" to the right in a Southerly

direction a distance of 313.00 feet to a point; thence 119°46'09" to the right in a Northwesterly direction a distance of 676.92 feet to a point; thence 76°15'36" to the left in a Southwesterly direction a distance of 166.93 feet to a point; thence 68°38'40" to the right in a Northwesterly direction a distance of 157.66 feet to a point; thence 80°48" to the left in a Southwesterly direction a distance of 189 feet, more or less, to a point on the edge of a lake; thence in a generally Northwesterly direction along the edge of the lake a distance of 620 feet, more or less, to a point; thence in a Westerly direction a distance of 83 feet, more or less, to a point on the West line of the SW 1/4 of the SE 1/4 of Section 25, Township 18 South, Range 2 West; thence 90°00' to the right in a Northerly direction along the West line of said 1/4-1/4 section a distance of 463.17 feet to the POINT OF BEGINNING.

PARCEL II

A 60 foot non-exclusive roadway easement for ingress and egress to East Inverness Parkway as described in the instrument recorded in Real Volume 28, Page 673 in the Probate Office of Shelby County, Alabama being situated in Shelby County, Alabama.

PARCEL III

An easement for, and the right to construct and maintain, a limited access roadway and temporary construction access, as set out in the Access Roadway Easement dated December 7, 1995 from The Water Works and Sewer Board of the City of Birmingham, a public corporation to Crystal Tree I, a Texas Limited Partnership, recorded as Instrument No. 1995-36410 in the Probate Office of Shelby County, Alabama, and subject to the terms, covenants, and conditions therein, over and across the following described parcel:

Begin at the Southeast corner of the NW 1/4 of the SE 1/4 of Section 25, Township 18 South, Range 2 West and run in a Westerly direction along the South line of said 1/4-1/4 section a distance of 80.00 feet to a point; thence right in a Northeasterly direction a distance of 93 feet, more or less, to a point on the East line of said 1/4-1/4 section; said point being 50.04 feet Northerly of the Southeast corner of said 1/4-1/4 section; thence right in a Southerly direction along the East line of said 1/4-1/4 section a distance of 50.04 feet to the POINT OF BEGINNING; being situated in Shelby County, Alabama.

PARCEL IV

An easement for, and rights to construct and maintain, a dam embankment as set out in the Dam Embankment Easement dated December 7, 1995, from The Water Works and Sewer Board of the City of Birmingham, a public corporation, to Crystal Tree I, a Texas Limited Partnership, recorded as Instrument No. 9514/1348 in the Probate Office of Jefferson County, Alabama, and subject to the terms, covenants, and conditions therein, over and across the following described parcel:

Commence at the Southeast corner of the SE 1/4 of the SW 1/4 of Section 25, Township 18 South, Range 2 West, and run in a Northerly direction a distance of 34.86 feet to the POINT OF BEGINNING; thence continue in a Northerly direction along the last stated course a distance of 558.69 feet to a point; thence 170°11'13" to the left in a Southwesterly direction a distance of



245.83 feet to a point; thence 17°21'18" to the left in a Southeasterly direction a distance of 319.22 feet to the POINT OF BEGINNING, being situated in Jefferson County, Alabama.

PARCEL V

A perpetual, nonexclusive easement for operation of the drain valve and for maintenance of the Dam Embankment as set out in the Extended Dam Embankment Easement Agreement, dated August 27, 1998 from The Water Works and Sewer Board of The City of Birmingham, a public corporation, to Crystal Tree I, a Texas Limited Partnership, recorded as Instrument No. 9811/2851 in the Probate Office of Jefferson County, Alabama, and subject to the Indemnity set out therein, over and across the following described parcel:

Commence at the Southeast corner of the SE 1/4 of the SW 1/4 of Section 25, Township 18 South, Range 2 West and run in a Northerly direction a distance of 34.86 feet to the POINT OF BEGINNING; thence 7°32'31" to the left in a Northwesterly direction a distance of 319.22 feet to a point; thence 17°21'18" to the right in a Northeasterly direction a distance of 245.83 feet to a point on the East line of said 1/4-1/4 section; thence 9°48'47" to the left in a Northerly direction along the East line of said 1/4-1/4 section a distance of 205.36 feet to a point; thence 170°11'13" to the left in a Southwesterly direction a distance of 453.52 feet to a point; thence 17°21'18" to the left in a Southeasterly direction a distance of 319.78 feet to a point; thence 82°13'41" to the left in an Easterly direction a distance of 35.32 feet to the POINT OF BEGINNING; being situated in Jefferson County, Alabama.

PARCEL VI

Embankment Access & Sewer Limit Easement

The Embankment Access Easement, a perpetual, nonexclusive, easement for vehicular and pedestrian ingress and egress, as set out in the Embankment Access and Sewer Line Easement Agreement by and between The Water Works and Sewer Board of the City of Birmingham and Crystal Tree I Limited Partnership, dated August 27, 1998, recorded as Instrument Number 9811/2853 in the Probate Office of Jefferson County, Alabama and Instrument Number 1998-33769 in the Probate Office of Shelby County, Alabama, subject to the terms, Indemnity, and provisions therein, said easement more particularly described as follows:

Commence at the Northwest corner of the NW 1/4 of the NE 1/4 of Section 36, Township 18 South, Range 2 West and run South along the West line of said 1/4-1/4 section a distance of 368.81 feet to a point; thence 87°59'25" to the left in an Easterly direction a distance of 213.62 feet to a point; thence 106°14'58" to the left in a Northwesterly direction a distance of 17.45 feet to the P.C. (point of curve) of a curve to the left having a radius of 400.00 feet and a central angle of 20°06'01"; thence along the arc of said curve in a Northwesterly direction a distance of 140.33 feet to the P.T. (point of tangent) of said curve; thence in the tangent to said curve in a Northwesterly direction a distance of 88.90 feet to the P.C. (point of curve) of a curve to the right having a radius of 296.75 feet and a central angle of 31°37'25"; thence along the arc of said curve in a Northwesterly direction a distance of 163.79 feet to the P.T. (point of tangent) of said curve; thence in the tangent to said curve in a Northwesterly direction a distance of 89.83 feet to a point; thence 87°10'23" to the left in a Westerly direction a distance of 46.78 feet to the POINT OF

BEGINNING; thence continue along the last stated course a distance of 87.97 feet to the P.C. (point of curve) of a curve to the right having a radius of 117.01 feet and a central angle of $56^{\circ}19'33''$; thence along the arc of said curve in a Northwesterly direction a distance of 114.93 feet to the P.C.C. (point of compound curve) of a curve to the right having a radius of 62.00 feet and a central angle of $53^{\circ}11'34''$; thence along the arc of said curve in a Northwesterly, Northerly and Northeasterly direction a distance of 57.56 feet to the P.C.C. (point of compound curve) of a curve to the right having a radius of 148.31 feet and a central angle of $23^{\circ}34'46''$; thence along the arc of said curve in a Northeasterly direction a distance of 61.04 feet to the P.T. (point of tangent) of said curve; thence in the tangent to said curve in a Northeasterly direction a distance of 40.03 feet to the P.C. (point of curve) of a curve to the right having a radius of 150.00 feet and a central angle of $24^{\circ}17'46''$; thence along the arc of said curve in a Northeasterly direction a distance of 63.61 feet to the P.R.C. (point of reverse curve) of a curve to the left having a radius of 70.00 feet and a central angle of $61^{\circ}27'41''$; thence along the arc of said curve in a Northeasterly direction a distance of 75.09 feet to the P.T. (point of tangent) of said curve; thence in the tangent to said curve in a Northeasterly direction a distance of 71.29 feet to the P.C. (point of curve) of a curve to the right having a radius of 335.00 feet and a central angle of $9^{\circ}46'$; thence along the arc of said curve in a Northeasterly direction a distance of 57.10 feet to the P.R.C. (point of reverse curve) of a curve to the left having a radius of 250.47 feet and a central angle of $22^{\circ}45'53''$; thence along the arc of said curve in a Northeasterly, Northerly and Northwesterly direction a distance of 99.52 feet to the POINT OF ENDING.

PARCEL VII:

Lot 3, Kenley Survey, as recorded in Map Book 24, Page 90, in the office of the Judge of Probate of Shelby County, Alabama, being more particularly described as follows:

A parcel of land situated in the N.E. 1/4 of the N.W. 1/4 and the N.W. 1/4 of the N.E. 1/4 of Section 36 and the S.W. 1/4 of the S.E. 1/4 of Section 25, both in Township 18 South, Range 2 West, Shelby County, Alabama, being more particularly described as follows:

Begin at the Northeast corner of the N.E. 1/4 of the N.W. 1/4 of Section 36, Township 18 South, Range 2 West and run in a Westerly direction along the North line of said 1/4-1/4 section a distance of 658.08 feet to a point; thence $91^{\circ}59'05''$ to the left in a Southerly direction a distance of 223.32 feet to a point; thence $88^{\circ}03'07''$ to the left in an Easterly direction a distance of 600.00 feet to a point; thence $90^{\circ}00'$ to the right in a Southerly direction a distance of 145.81 feet to a point; thence $90^{\circ}00'$ to the left in an Easterly direction a distance of 63.44 feet to a point; thence $0^{\circ}00'13''$ to the left in an Easterly direction a distance of 207.65 feet to a point; thence $107^{\circ}23'05''$ to the left in a Northwesterly direction a distance of 33.17 feet to a point; thence $37^{\circ}27'$ to the right in a Northeasterly direction a distance of 135.37 feet to a point; thence $89^{\circ}18'30''$ to the right in a Southeasterly direction a distance of 119.33 feet to a point; thence $80^{\circ}18'$ to the left in a Northeasterly direction a distance of 14 feet, more or less, to a point on the edge of a lake; thence in a generally Northwesterly direction along the edge of said lake a distance of 620 feet, more or less, to a point; thence in a Westerly direction a distance of 83 feet, more or less, to a point on the West line of the S.W. 1/4 of the S.E. 1/4 of Section 25, Township 18 South, Range 2 West; thence $90^{\circ}00'$ to the left in a Southerly direction along the West line of said 1/4-1/4 section a distance of 163.54 feet to the POINT OF BEGINNING.



PARCEL VIII:

Begin at the Southwest corner of the N.E. 1/4 of the S.E. 1/4 of Section 25, Township 18 South, Range 2 West and run in an Easterly direction along the South line of said 1/4-1/4 section a distance of 907.79 feet to the Southwesterly right-of-way line of Cahaba Beach Road; thence $159^{\circ}31'46''$ to the left in a Northwesterly direction along the Southwesterly right-of-way line of said road a distance of 142.98 feet to a point on a line that is 50.00 feet North of and parallel to the South line of said 1/4-1/4 section; thence $20^{\circ}28'14''$ to the left in a Westerly direction along a line that is 50.00 feet North of and parallel to the South line of said 1/4-1/4 section a distance of 565.77 feet to a point; thence $90^{\circ}00'$ to the right in a Northerly direction a distance of 10.00 feet to a point on a line that is 60.00 feet North of and parallel to the South line of said 1/4-1/4 section; thence $90^{\circ}00'$ to the left in a Westerly direction along a line that is 60.00 feet North of and parallel to the South line of said 1/4-1/4 section a distance of 150.00 feet to a point; thence $90^{\circ}00'$ to the left in a Southerly direction a distance of 10.00 feet to a point on a line that is 50.00 feet North of and parallel to the South line of said 1/4-1/4 section; thence $90^{\circ}00'$ to the right in a Westerly direction along a line that is 50.00 feet North of and parallel to the South line of said 1/4-1/4 section a distance of 60.00 feet to a point on the West line of said 1/4-1/4 section; thence $92^{\circ}12'30''$ to the left in a Southerly direction along the West line of said 1/4-1/4 section a distance of 50.04 feet to the POINT OF BEGINNING; being situated in Shelby County, Alabama.

