



20160727000261560 1/6 \$31.00
Shelby Cnty Judge of Probate, AL
07/27/2016 08:59:45 AM FILED/CERT

<i>Prepared by and after recording return to:</i>	<i>Send Tax Notice to:</i>
<i>Donald M. Warren Burr & Forman LLP 420 North 20th Street Suite 3400 Birmingham, Alabama 35203 (205) 251-3000</i>	<i>Burnette Farms Market, LLC 1235 Third Street Clanton, AL 35045 Attn: Mike and Mary Charles Burnette</i>

SPECIAL WARRANTY DEED

STATE OF ALABAMA)
)
COUNTY OF SHELBY)

KNOW ALL PERSONS BY THESE PRESENTS:

THAT, **BRANCH BANKING AND TRUST COMPANY**, a North Carolina corporation (“Grantor”), for and in consideration of the sum of Ten Dollars (\$10.00) in hand paid to Grantor by **BURNETTE FARMS MARKET, LLC**, an Alabama Limited Liability Company (“Grantee”), whose mailing address is 1235 Third Street, Clanton, Alabama 35045, and for other good and valuable consideration, the receipt and sufficiency of which consideration are hereby acknowledged, has GRANTED, BARGAINED, SOLD, and CONVEYED, and by these presents does GRANT, BARGAIN, SELL and CONVEY, unto Grantee that certain tract of real property located in Shelby County, Alabama, as more particularly described on Exhibit A attached hereto, incorporated herein, and made a part hereof for all purposes, together with Grantor’s interest in any and all rights and appurtenances thereto in any way belonging, and all of the improvements located thereon (said real property, together with said improvements, rights, and appurtenances, being herein collectively referred to as the “Property”).

TO HAVE AND TO HOLD the Property unto Grantee and Grantee’s respective heirs, executors, administrators, legal representatives, successors and assigns forever, subject to the matters herein stated; and Grantor does hereby bind itself and its successors and assigns to WARRANT AND FOREVER DEFEND all and singular the Property unto Grantee and Grantee’s respective heirs, executors, administrators, legal representatives, successors and assigns, against every person lawfully claiming or to claim the same or any part thereof by, through or under Grantor, but not otherwise; provided, that this conveyance and the warranty of Grantor herein contained are subject to (i) zoning and other applicable laws; (ii) any and all rights of redemption under and in accordance with applicable law in favor of any and all parties



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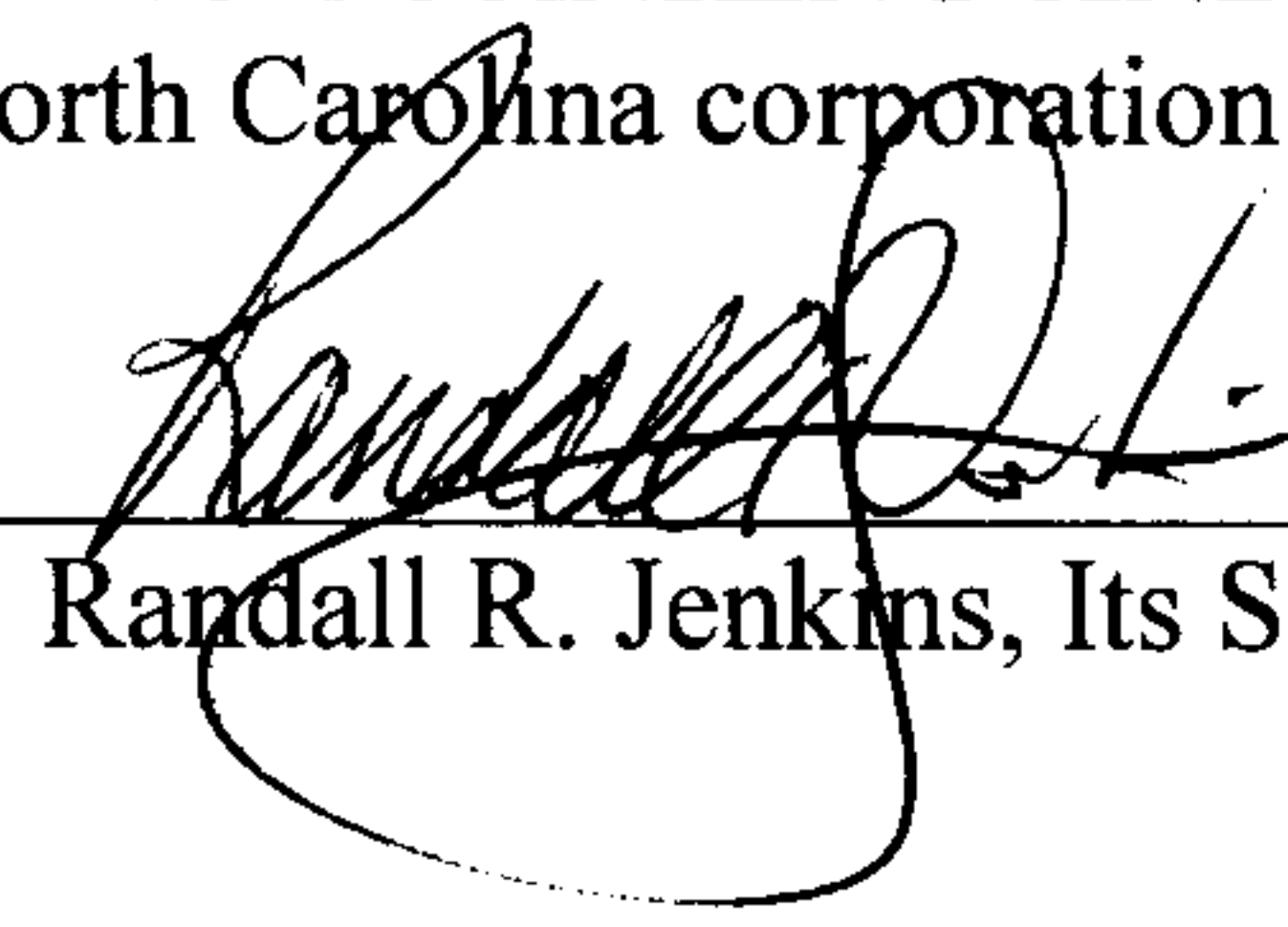
entitled to redeem the Property from that certain mortgage foreclosure sale evidenced by Mortgage Foreclosure Deed dated March 4, 2014, and recorded with the Judge of Probate of Shelby County, Alabama, as Instrument Number 20140304000059090 and (iii) those matters listed on the attached Exhibit B.

Notwithstanding any provision herein to the contrary, Grantor makes no warranties of any nature of any kind, whether statutory, express or implied, with respect to the physical condition of the Property (including, without limitation, any and all improvements located thereon and/or comprising a part thereof), and Grantee by its acceptance of this Deed accepts the physical condition of the Property "AS IS, WITH ALL FAULTS."

GRANTOR:

BRANCH BANKING AND TRUST COMPANY,
 a North Carolina corporation

By: _____



Randall R. Jenkins, Its Senior Vice President

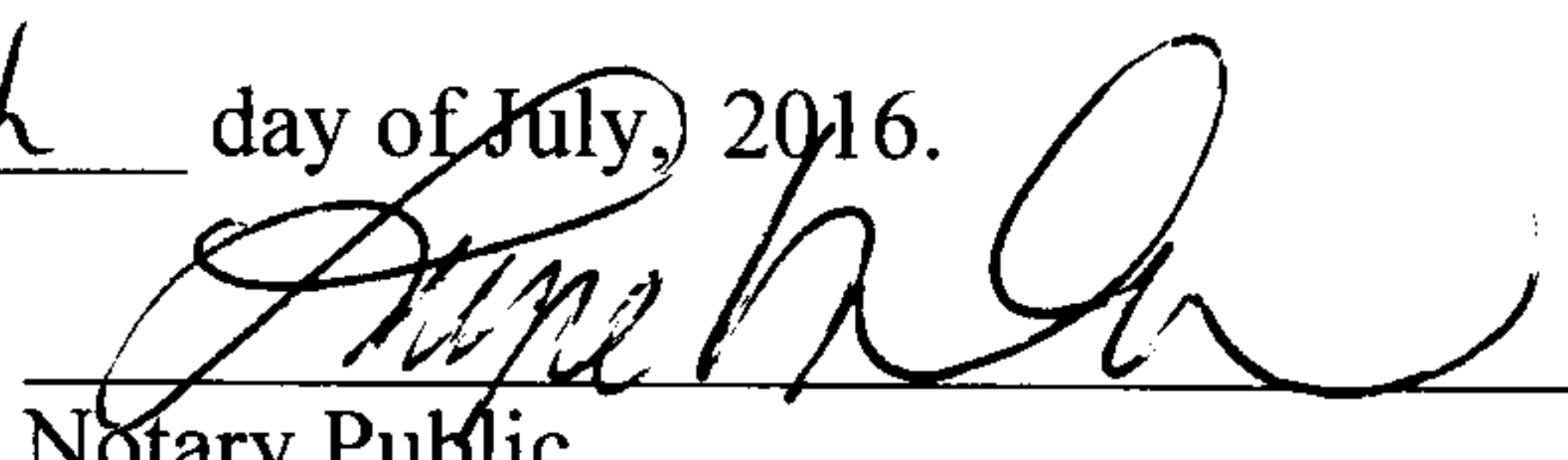
STATE OF TEXAS)

:ss.

COUNTY OF DALLAS)

The undersigned, a Notary Public in and for said County in said State, hereby certifies that Randall R. Jenkins, whose name as Senior Vice President of **BRANCH BANKING AND TRUST COMPANY**, a North Carolina corporation, is signed to the foregoing Special Warranty Deed and who is known to me, acknowledged before me on this day that, being informed of the contents of the foregoing Special Warranty Deed, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation as of the day the same bears date.

Given under my hand this 20th day of July, 2016.



Notary Public

My Commission Expires: 03-25-18

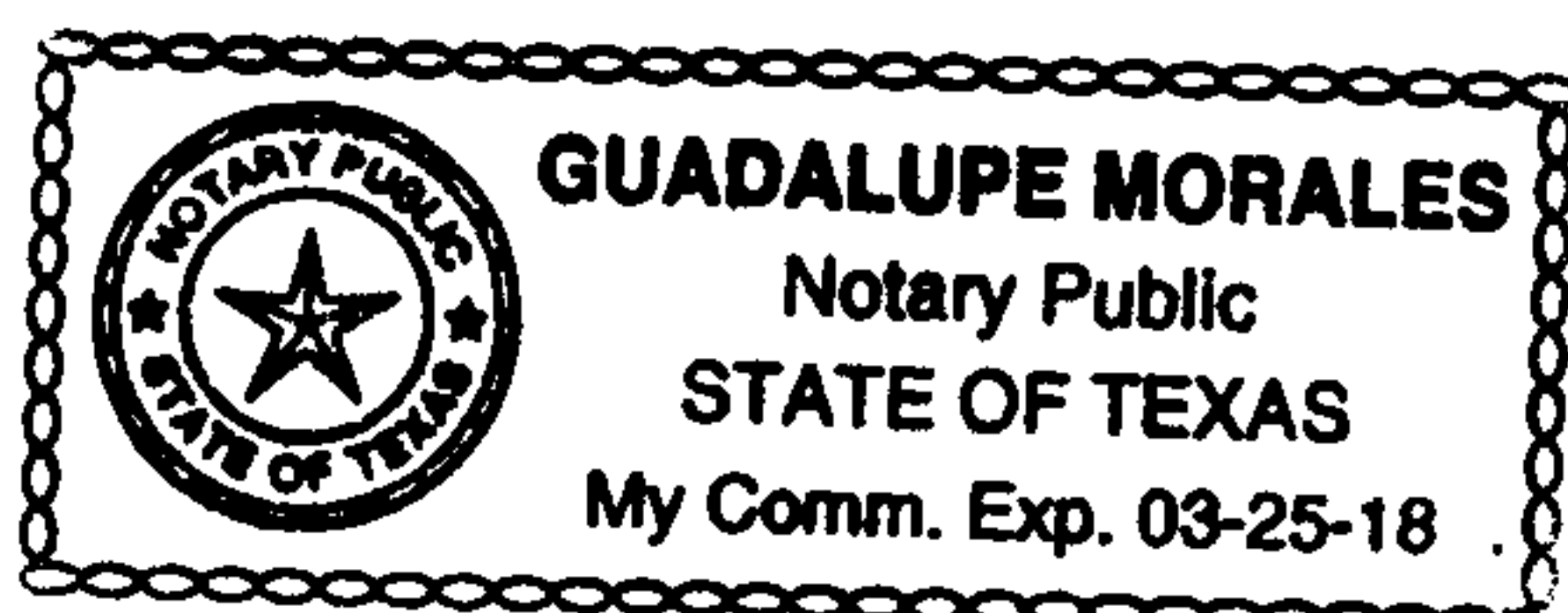
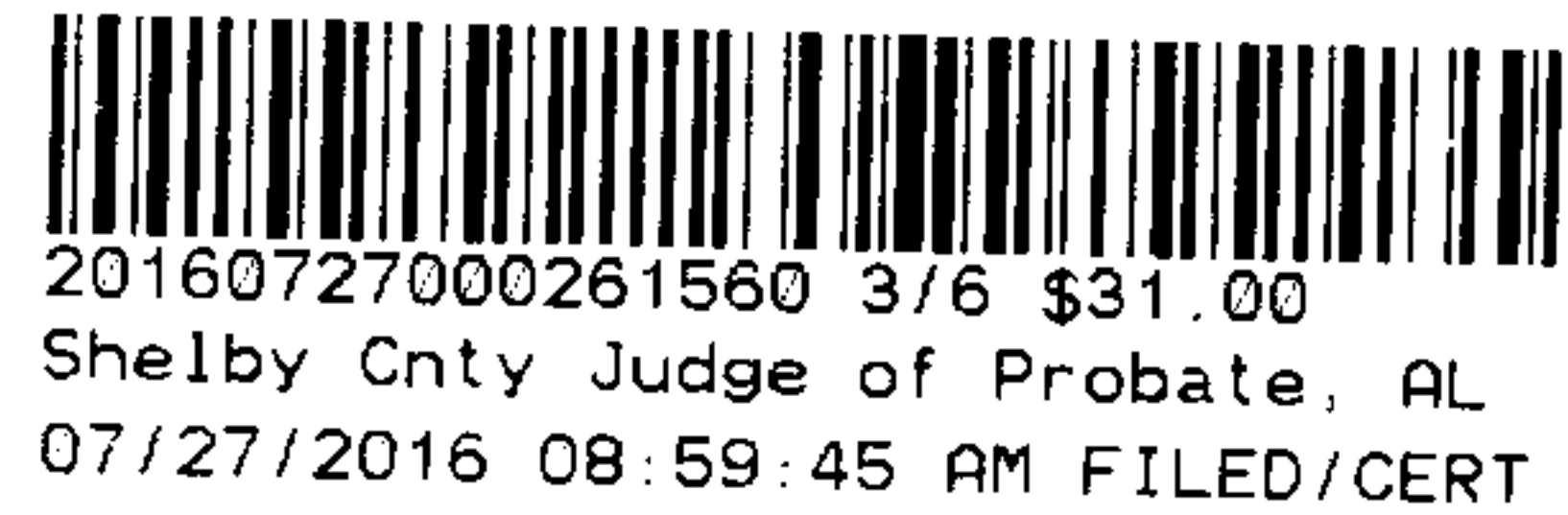


EXHIBIT A
Legal Description



A portion of Lots 1, 2, and 12 of Hayesbury Commercial Park Phase 2, as recorded in Map Book 40, Page 16, in the Office of the Judge of Probate, Shelby County, Alabama, and being more particularly described as follows:

Begin at a found 5/8 inch rebar marking the Westernmost corner of said Lot 2, said point also lying on the Westerly Right of Way of Alabama State Highway 261 (80' R.O.W.); thence run South 34 degrees 49 minutes 44 seconds West along said Right of Way for a distance of 294.69 feet to a found capped iron stamped "Farmer", said point also lying on a tangent curve to the left, said curve having a radius of 1065.41 feet, a central angle of 09 degrees 48 minutes 10 seconds, a chord bearing of South 29 degrees 55 minutes 39 seconds West, and a chord distance of 182.06 feet; thence run along the arc of said curve and said Right of Way for a distance of 182.28 feet to a set 5/8 inch capped rebar stamped CA-560LS, said point also lying on the Eastern-most Right of Way of Old Indian Lake Trail (30' Right of Way); thence leaving said Highway 261 Right of Way run North 01 degrees 35 minutes 59 seconds West along said Right of Way for a distance of 601.12 feet to a set 5/8 inch capped rebar stamped CA-560LS, said point lying on the Southern-most Right of Way of Indian Lake Trail (R.O.W. varies), said point also lies on a non-tangent curve to the left, said curve having a radius of 325.00 feet, a central angle of 28 degrees 51 minutes 25 seconds, a chord bearing of South 40 degrees 37 minutes 49 seconds East, and a chord distance of 161.96 feet; thence leaving said Old Indian Trail Right of Way run along the arc of said curve and said Indian Lake Trail Right of Way for a distance of 163.69 feet to a found capped rebar stamped "237"; thence run South 55 degrees 16 minutes 36 seconds East along said Right of Way for a distance of 22.85 feet to a found 5/8 inch rebar; thence run South 35 degrees 36 minutes 37 seconds West along said Right of Way for a distance of 10.17 feet; thence run South 55 degrees 12 minutes 14 seconds East along said Right of Way for a distance of 180.08 feet to a found 5/8 inch rebar, said point also lying on a non-tangent curve to the right, said curve having a radius of 40.00 feet, a central angle of 90 degrees 02 minutes 48 seconds, a chord bearing of South 10 degrees 08 minutes 11 seconds East, and a chord distance of 56.59 feet; thence run along the arc of said curve and said Right of Way for a distance of 62.86 feet; thence run South 35 degrees 00 minutes 34 seconds West along said Right of Way for a distance of 9.99 feet to a found 5/8 inch rebar; thence run South 55 degrees 23 minutes 56 seconds East along said Right of Way for a distance of 10.06 feet to the POINT OF BEGINNING.

A handwritten signature, possibly "B", is located at the bottom center of the page.

EXHIBIT B
Permitted Encumbrances


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1. Ad Valorem Taxes and assessments for the year 2016 and future years, which said taxes and assessments are not currently due and payable.
2. Any facts, rights, interests, or claims that are not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.
3. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records. Rights of others, if any, in and to the use of any easement that may be located on subject property.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.
5. Any oil, gas, mineral and mining rights leased, granted or retained by prior owners.
6. Less and except any part of subject property lying within a right of way and/or roadway, including, without limitation, any part of the subject property lying within the public right of way of Old Indian Lake Trail.
7. Restrictions, easements, right of ways and reservations of record, if any.
8. Easement to The City of Pelham as recorded in Real 143, Page 358 and Real 143, Page 382.
9. Right of way granted to Alabama Power Company as set out in instrument(s) recorded in Volume 197, Page 359; Volume 101, Page 550, and Volume 217, Page 88.
10. Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto, together with any release of liability for injury or damage to persons or property as a result of the exercise of such rights as recorded in Deed Volume 203, Page 438.
11. Restrictions appearing of record in Instrument No. 20021021000517410.

Real Estate Sales Validation Form

This Document must be filed in accordance with Code of Alabama 1975, Section 40-22-1

Grantor's Name: Branch Banking and Trust Company Mailing Address: 445 Dexter Ave., Suite 8000 Montgomery, Alabama 36104	Grantee's Name: Burnette Farms Market, LLC Mailing Address: 1235 Third Street Clanton, Alabama 35045
Property Address: Lots 1, 2 and 12 Hayesbury Commercial Park, as recorded in Map Book 40, Page 16 in the Office of the Judge of Probate of Shelby County, Alabama	Date of Sale: _____, 2016
	Total Purchase Price: \$215,000.00 or Actual Value: _____ or Assessor's Market Value: _____

The purchase price or actual value claimed on this form can be verified in the following documentary evidence: (check one) (Recordation of documentary evidence is not required):

☐ Bill of Sale	☐ Appraisal
☒ Sales Contract	☐ Other: _____
☐ Closing Statement	

If the conveyance document presented for recordation contains all of the required information referenced above, the filing of this form is not required.

Instructions

Grantor's name and mailing address - provide the name of the person or persons conveying interest to property and their current mailing address.

Grantee's name and mailing address - provide the name of the person or persons to whom interest to property is being conveyed.

Property address - the physical address of the property being conveyed, if available.

Date of Sale - the date on which interest to the property was conveyed.

Total purchase price - the total amount paid for the purchase of the property, both real and personal, being conveyed by the instrument offered for record.

Actual value - if the property is not being sold, the true value of the property, both real and personal, being conveyed by the instrument offered for record. This may be evidenced by an appraisal conducted by a licensed appraiser or the assessor's current market value.

If no proof is provided and the value must be determined, the current estimate of fair market value, excluding current use valuation, of the property as determined by the local official charged with the responsibility of valuing property for property tax purposes will be used and the taxpayer will be penalized pursuant to Code of Alabama 1975 § 40-22-1 (h).

I attest, to the best of my knowledge and belief that the information contained in this document is true and accurate. I further understand that any false statements claimed on this form may result in the imposition of the penalty indicated in Code of Alabama 1975 § 40-22-1 (h).

[Signature appears on the following page]

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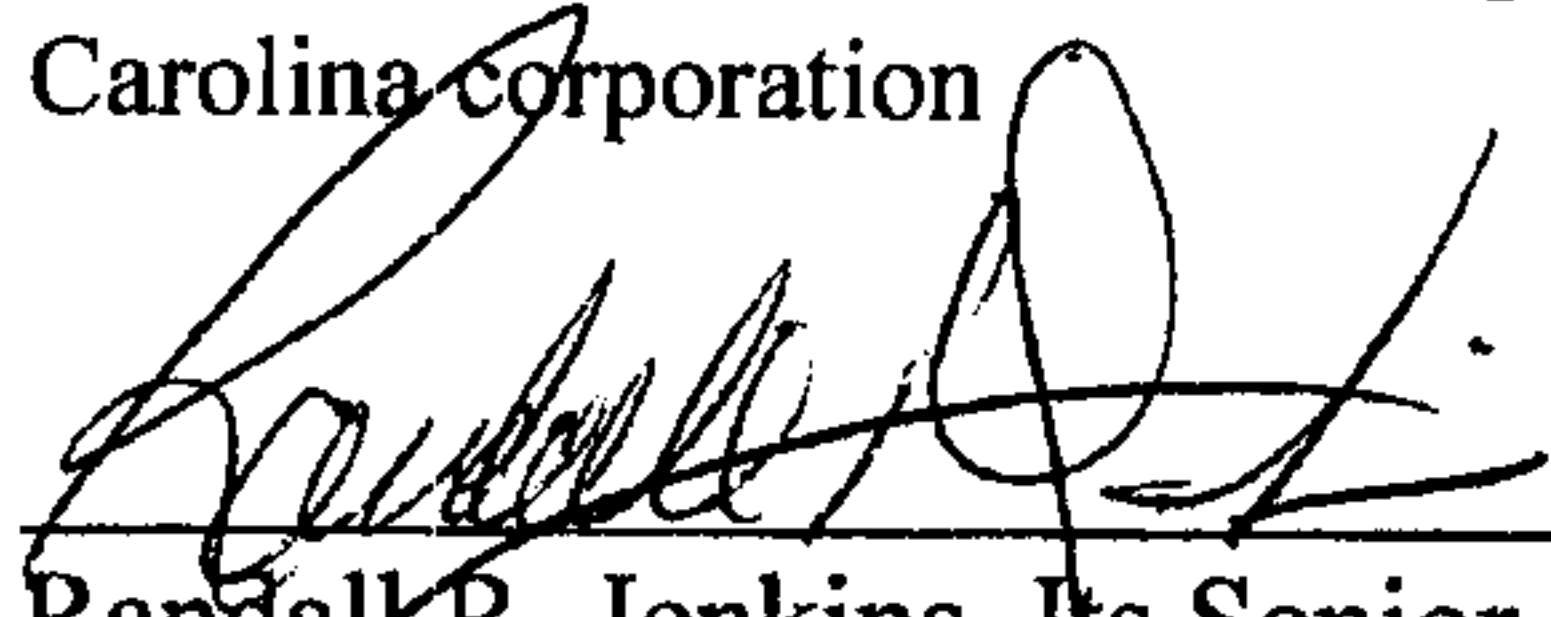
Date: July ____, 2016

X Unattested

GRANTOR

BRANCH BANKING AND TRUST COMPANY,
a North Carolina corporation

By:



Randall R. Jenkins, Its Senior Vice President



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