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This Instrument Prepared By: Martin G. Woosley, Esq. Martin, Rawson & Woosley, P.C. #2 Metroplex Drive, Suite 102 Birmingham, Alabama 35209 Send Tax Notice To: Calera Crossing, LLC P.O. Box 160306 Mobile, Alabama 36616-1306

| STATE OF ALABAMA |) | |
|------------------|---|-------------------------|
| | : | STATUTORY WARRANTY DEED |
| COUNTY OF SHELBY |) | |

THIS STATUTORY WARRANTY DEED is entered into as of the <u>7</u> day of November, 2016, by CITY OF CALERA, ALABAMA, an Alabama municipal corporation ("Grantor") in favor of CALERA CROSSINGS, LLC, an Alabama limited liability company ("Grantee").

RECITALS

WHEREAS, the Grantor and Grantee have previously entered into that certain Outparcel Ground Lease "(Outparcel Ground Lease") dated February 21, 2014, as evidenced by Memorandum of Lease dated as of February 21, 2014 and recorded as Instrument No. 20140221000048340, in the Probate Office of Shelby County, Alabama; and

WHEREAS, Grantee has entered into an agreement to sell a portion of the Premises described in the Outparcel Ground Lease (the "Property" described herein on Exhibit A attached hereto) and has requested that Grantor convey its interest in said Property to a prospective purchaser; and

WHEREAS, in accordance with the terms and conditions of the Outparcel Ground Lease, Grantee is to pay Grantor \$250,973.00 as consideration for such conveyance of the Property to Grantee; and

WHEREAS, the foregoing actions will be in furtherance of the Resolution of the City, a certified copy of which is attached hereto and made a part hereof.

WITNESSETH

NOW THEREFORE, that for and in consideration of the mutual agreements of the parties hereto, and the payment of Two Hundred Fifty Thousand Nine Hundred Seventy-Three and NO/100 Dollars (\$250,973.00), the receipt and sufficiency whereof are acknowledged, the undersigned Grantor does hereby grant, bargain, sell and convey unto Grantee, its successors and assigns, the Property described on Exhibit A attached hereto (and the improvements thereon, and appurtenances thereto, if any), subject to the following:

- 1. Ad valorem taxes for the tax year commencing October 1, 2017, not yet due and payable.
- 2. Minerals and mining rights, if any, not owned by Grantor.

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- Easements and notes on plats recorded in Map Book 36, Page 62 and Map Book 41, Page 48, in the Probate Office of Shelby County, Alabama.
- 4. Easements granted Alabama Power Company recorded in Deed Book 99, Page 465, Instrument No. 20091026000401820, Instrument No. 20091026000401830, in the Probate Office of Shelby County, Alabama.
- 5. Agreement of Easements, Covenants, Conditions and Restrictions recorded in Instrument No. 20090305000081410, in the Probate Office of Shelby County, Alabama.
- 6. Covenants, conditions and restrictions contained in Memorandum of Lease by and between Calera Crossings, LLC and Publix Alabama, LLC recorded in Instrument No. 20090305000081420; as amended by First Amendment to Memorandum of Lease Instrument No. 20090305000081450; and as further amended by Second Amendment to Memorandum of Lease recorded in Instrument No. 20100125000023590, in the Probate Office of Shelby County, Alabama.
- 7. Easements and other matters which would be disclosed by an accurate and complete survey of said property and not shown by the public records.

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

Pursuant to the provisions of Ala. Code 40-22-1 (1975), the following information is offered in lieu of submitting Form RT-1:

Grantors' name and mailing address: City of Calera 7901 Highway 31 Grantees' name and mailing address:
Calera Crossings, LLC
41 West Interstate 65 Service Road
Mobile, Alabama 36616

Property Address:

Calera, Alabama 35040

Vacant land, Lot 6 Calera Marketplace

Purchase Price:

\$250,973

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed under seal as of the ______ day of November, 2016.

"GRANTOR:"

CITY OF CALERA, ALABAMA

Jours Salaw

Attest:

Connie Payton

City Clerk

By:

Name: Jon G. Graham

Its:

Mayor

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| STATE OF ALABAMA | |
|------------------|---|
| | ; |
| COUNTY OF SHELBY |) |

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Jon G. Graham and Connic Payton, whose names as Mayor and City Clerk, respectively, of the CITY OF CALERA, ALABAMA, are signed to the foregoing instrument, and who are known to me, acknowledged before me on this day that, being informed of the contents of said instrument, they as such Mayor and City Clerk and with full authority, executed the same voluntarily for and as the act of said municipal corporation on the day the same bears date.

Given under my hand and official seal this 7

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Notary Public

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EXHIBIT A

Lot 6, according to the plat of Calera Marketplace, as recorded in Map Book 41, Page 48, in the Probate Office of Shelby County, Alabama.



Filed and Recorded
Official Public Records
Judge James W. Fuhrmeister, Probate Judge,
County Clerk
Shelby County, AL
11/22/2016 11:38:46 AM
\$275.00 CHARITY
20161122000429720

July 2