

Prepared by and after recording, return to:

Gayle Y. Camp, Attorney
Morris, Manning & Martin LLP
1600 Atlanta Financial Center
3343 Peachtree Road, NE
Atlanta, GA 30326
32244.113120

STATE OF Alabama
COUNTY OF Shelby



20161222000466920 1/7 \$685.50
Shelby Cnty Judge of Probate, AL
12/22/2016 08:33:53 AM FILED/CERT

LIMITED WARRANTY DEED

THIS INDENTURE, made as of the 16 day of December, 2016, by and between **MERRELL BROS. INC.**, an Indiana corporation (“Grantor”), and **DESOTO HOLDINGS, LLC**, an Alabama limited liability company (“Grantee”) (the words “Grantor” and “Grantee” to include their respective successors and assigns where the context requires or permits).

WITNESSETH:

GRANTOR, for and in consideration of the sum of Ten and No/100ths Dollars (\$10.00) in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, aliened, conveyed and confirmed and by these presents does grant, bargain, alien, convey and confirm unto Grantee, all those tracts or parcels of land lying and being in Section 15, Township 20 South, Range 2 East, **Shelby County, Alabama**, as more particularly described on Exhibit “A” attached hereto and by this reference made a part hereof, together with any and all plants, trees, timber, shrubbery, improvements and fixtures located thereon or attached thereto, and all rights, easements, licenses and benefits appurtenant thereto (the “**Property**”), subject to those matters set forth on Exhibit “B” attached hereto and by this reference made a part hereof (the “**Permitted Exceptions**”).

TO HAVE AND HOLD the Property with all and singular the rights, members and appurtenances thereof, to the same being, belonging or in anywise appertaining to the only proper use, benefit and behoof of the Grantee forever in FEE SIMPLE.

AND GRANTOR will, subject to the Permitted Exceptions, warrant and forever defend the right and title to the Property unto Grantee against the claims of all persons claiming by, under, or through Grantor, but not otherwise.

Shelby County, AL 12/22/2016
State of Alabama
Deed Tax: \$652.50

IN WITNESS WHEREOF, Grantor has caused this instrument to be signed and sealed on its behalf by its duly authorized officers as of the day and year first above written.


GRANTOR:

MERRELL BROS., INC., an Indiana corporation

By: Terry Merrell
Terry Merrell
Chief Financial Officer/Treasurer

(Corporate Seal)

STATE OF IN
COUNTY OF Howard


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I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid, to take acknowledgments, appeared Terry Merrell, who is the Chief Executive Officer/Treasurer of Merrell Bros. Inc., an Indiana corporation, who is personally known to me or who has produced a state driver license as identification, and executed the foregoing instrument and acknowledged before me on this day that, being informed of the contents of the conveyance, he, as such officer(s) and with full authority, executed the same voluntarily for and as the act of said corporation.

WITNESS my hand and official seal in the County and State last aforesaid this 11th day of December, 2016.

Mary Diane Lovelace
Signed
MARY DIANE LOVELACE
Printed


NOTARY PUBLIC

My Commission Expires: 3/2/24



EXHIBIT "A"

DeSoto Holdings, LLC
LEGAL DESCRIPTION


20161222000466920 3/7 \$685.50
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Commence at a 3" pipe in place being the Northeast corner of Section 15, Township 20 South, Range 2 East, Shelby County, Alabama; thence proceed South 00° 57' 58" West along the East boundary of said Section 15 for a distance of 3410.50 feet to a point on the Northerly right-of-way of Klein Road (Shelby County Road No. 76); thence proceed South 66° 38' 59" West along the Northerly right-of-way of said road for a distance of 466.72 feet; thence proceed North 22° 05' 33" West along the right-of-way of said road for a distance of 19.92 feet; thence proceed South 65° 50' 42" West along the Northerly right-of-way of said road for a distance of 447.12 feet; thence proceed South 68° 49' 20" West along the Northerly right-of-way of said road for a distance of 99.91 feet; thence proceed South 71° 36' 22" West along the Northerly right-of-way of said road for a distance of 100.11 feet; thence proceed South 75° 04' 17" West along the Northerly right-of-way of said road for a distance of 100.08 feet; thence proceed South 77° 50' 34" West along the Northerly right-of-way of said road for a distance of 73.08 feet; thence proceed South 78° 50' 28" West along the Northerly right-of-way of said road for a distance of 182.56 feet to the centerline of a creek; thence continue South 78° 50' 28" West along the Northerly right-of-way of said road for a distance of 54.85 feet to a ½" rebar in place; thence proceed North 12° 45' 18" East for a distance of 728.78 feet to a ½" rebar in place, said point being the **point of beginning**. From this beginning point proceed South 74° 31' 55" West for a distance of 1834.73 feet to a point on the Easterly right-of-way of Shelby County Road No. 449 (Tanyard Road); thence proceed North 14° 03' 58" West along the Easterly right-of-way of Shelby County Road No. 449 (Tanyard Road) for a distance of 3390.02 feet to the P. C. of a concave curve right having a delta angle of 14° 43' 26" and a radius of 856.26 feet; thence proceed Northwesterly along the curvature of said curve and along the Easterly right-of-way of said road for a chord bearing and distance of North 06° 42' 11" West, 219.44 feet to the P. T. of said curve; thence proceed North 00° 39' 36" East along the Easterly right-of-way of said road for a distance of 108.19 feet to its point of intersection with the North boundary of said Section 15; thence proceed North 88° 51' 45" East along the North boundary of said Section 15 and along a wire fence for a distance 1884.96 feet to the centerline of said creek; thence proceed South 11° 02' 45" East along the centerline of said creek for a distance of 1270.18 feet; thence proceed South 13° 13' 21" East along the centerline of said creek for a distance of 936.94 feet; thence proceed South 08° 11' 56" East along the centerline of said creek for a distance of 498.14 feet; thence proceed South 19° 19' 09" East along the centerline of said creek for a distance of 139.25 feet; thence proceed South 33° 50' 57" East along the centerline of said creek for a distance of 344.76 feet; thence proceed South 07° 12' 58" East along the centerline of said creek for a distance of 81.23 feet; thence proceed South 74° 31' 55" West for a distance of 46.73 feet to the point of beginning.

The above described land is located in the West one-half of the Northeast one-fourth, the East one-half of the Northwest one-fourth, the East one-half of the Southwest one-fourth, the Southwest one-fourth of the Southeast one-fourth and the North one-half of the Southeast one-fourth of Section 15, Township 20 South, Range 2 East, Shelby County, Alabama and contains 146.63 acres, as shown that



20161222000466920 4/7 \$685.50
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that certain Boundary Survey dated October 12, 2016, last revised November 29, 2016, prepared for Merrell Bros Inc. by Ray and Gilliland, P. C. (Ala. Board Cert. No. CA-0114-LS), and bearing the seal of Christopher M. Ray, Alabama Registered Land Surveyor No. 26017.

TOGETHER WITH:

PARCEL NO. 2A: Commence at a 3" pipe in place being the Northeast corner of Section 15, Township 20 South, Range 2 East, Shelby County, Alabama; thence proceed South 00° 57' 58" West along the East boundary of said Section 15 for a distance of 3410.50 feet to a point on the Northerly right-of-way of Klein Road (Shelby County Road No. 76); thence proceed South 66° 38' 59" West along the Northerly right-of-way of said road for a distance of 466.72 feet; thence proceed North 22° 05' 33" West along the right-of-way of said road for a distance of 19.92 feet; thence proceed South 65° 50' 42" West along the Northerly right-of-way of said road for a distance of 447.12 feet; thence proceed South 68° 49' 20" West along the Northerly right-of-way of said road for a distance of 99.91 feet; thence proceed South 71° 36' 22" West along the Northerly right-of-way of said road for a distance of 100.11 feet; thence proceed South 75° 04' 17" West along the Northerly right-of-way of said road for a distance of 100.08 feet; thence proceed South 77° 50' 34" West along the Northerly right-of-way of said road for a distance of 73.08 feet; thence proceed South 78° 50' 28" West along the Northerly right-of-way of said road for a distance of 182.56 feet to the centerline of a creek; thence continue South 78° 50' 28" West along the Northerly right-of-way of said road for a distance of 54.85 feet to a ½" rebar in place; thence proceed North 12° 45' 18" East for a distance of 728.78 feet to a ½" rebar in place; thence proceed South 74° 31' 55" West for a distance of 859.74 feet to the point of beginning. From this beginning point proceed South 15° 36' 42" East for a distance of 603.44 feet to a ½" rebar in place being located on the Northerly right-of-way of said Klein Road; thence proceed South 78° 50' 28" West along the Northerly right-of-way of said road for a distance of 992.25 feet to a ½" rebar in place to its point of intersection with the Easterly right-of-way of Shelby County Highway 449 (Tanyard Road); thence proceed North 14° 03' 58" West along the Easterly right-of-way of said Tanyard Road for a distance of 529.04 feet; thence proceed North 74° 31' 55" East for a distance of 974.99 feet to the point of beginning.

The above described land is located in the North one-half of the Southeast one-fourth of Section 15, Township 20 South, Range 2 East, Shelby County, Alabama and contains 12.76 acres, as shown that that certain Boundary Survey dated October 12, 2016, last revised November 29, 2016, prepared for Merrell Bros Inc. by Ray and Gilliland, P. C. (Ala. Board Cert. No. CA-0114-LS), and bearing the seal of Christopher M. Ray, Alabama Registered Land Surveyor No. 26017.

TOGETHER WITH:

PARCEL NO. 2B: Commence at a 3" pipe in place being the Northeast corner of Section 15, Township 20 South, Range 2 East, Shelby County, Alabama; thence proceed South 00° 57' 58" West along the East boundary of said Section 15 for a distance of 3410.50 feet to a point on the Northerly right-of-way of Klein Road (Shelby County Road No. 76); thence proceed South 66° 38' 59" West along the Northerly right-of-way of said road for a distance of 466.72 feet; thence proceed North 22° 05' 33" West along the

right-of-way of said road for a distance of 19.92 feet; thence proceed South 65° 50' 42" West along the Northerly right-of-way of said road for a distance of 447.12 feet; thence proceed South 68° 49' 20" West along the Northerly right-of-way of said road for a distance of 99.91 feet; thence proceed South 71° 36' 22" West along the Northerly right-of-way of said road for a distance of 100.11 feet; thence proceed South 75° 04' 17" West along the Northerly right-of-way of said road for a distance of 100.08 feet; thence proceed South 77° 50' 34" West along the Northerly right-of-way of said road for a distance of 73.08 feet; thence proceed South 78° 50' 28" West along the Northerly right-of-way of said road for a distance of 182.56 feet to the centerline of a creek, said point being the point of beginning. From this beginning point continue South 78° 50' 28" West along the Northerly right-of-way of said road for a distance of 54.85 feet to a ½" rebar in place; thence proceed North 12° 45' 18" East for a distance of 728.78 feet to a ½" rebar in place; thence proceed North 74° 31' 55" East for a distance of 46.73 feet to the centerline of said creek; thence proceed South 07° 12' 58" East along the centerline of said creek for a distance of 297.88 feet; thence proceed South 14° 01' 41" West along the centerline of said creek for a distance of 155.58 feet; thence proceed South 29° 42' 00" West along the centerline of said creek for a distance of 306.44 feet to the point of beginning.


The above described land is located in the North one-half of the Southeast one-fourth of Section 15, Township 20 South, Range 2 East, Shelby County, Alabama and contains 1.75 acres, as shown that that certain Boundary Survey dated October 12, 2016, last revised November 29, 2016, prepared for Merrell Bros Inc. by Ray and Gilliland, P. C. (Ala. Board Cert. No. CA-0114-LS), and bearing the seal of Christopher M. Ray, Alabama Registered Land Surveyor No. 26017.



20161222000466920 5/7 \$685.50
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EXHIBIT B

DeSoto Holdings, LLC
PERMITTED EXCEPTIONS


20161222000466920 6/7 \$685.50
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1. All taxes for the year 2017 and subsequent years.
2. Easement to Alabama Power Company as recorded in Inst. No. 1997-15401, Probate Records of Shelby County, Alabama.
3. Right of way for Shelby County Highway #449 and Highway #76.
4. Transmission line permit to Alabama Power Company recorded in Deed Book 141, page 164, aforesaid Records.
5. Transmission line permit to Alabama Power Company as recorded in Instrument #2015016000005450, Probate Records of Shelby County, Alabama.
6. All those matters disclosed by that certain Boundary Survey dated October 12, 2016, last revised November 29, 2016, prepared for Merrell Bros Inc. by Ray and Gilliland, P. C. (Ala. Board Cert. No. CA-0114-LS), and bearing the seal of Christopher M. Ray, Alabama Registered Land Surveyor No. 26017, including:
 - a. wire fence along northern boundary of Parcel 2,
 - b. Alabama Power Company transmission line crossing Parcel 2,
 - c. Alabama Power Company distribution line along Tanyard Road and western boundary of Parcel 2 and Parcel 2A,
 - d. Tanyard Road as western boundary of Parcel 2 and Parcel 2A,
 - e. Alabama Highway #76 as southern boundary of Parcel 2A and Parcel 2B, and
 - f. centerline of creek as eastern boundary of Parcel 2 and Parcel 2B.



20161222000466920 7/7 \$685.50
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Real Estate Sales Validation Form

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

Grantor's Name	<u>Merrell Bros. Inc.</u>	Grantee's Name	<u>DeSoto Holdings, LLC</u>
Mailing Address	<u>, AL</u>	Mailing Address	<u>, AL</u>
Property Address	<u>0 Tanyard Rd.</u>	Date of Sale	<u></u>
	<u>Harpersville, AL 35078</u>	Total Purchase Price	<u></u>
		or	<u></u>
		Actual Value	<u></u>
		or	<u></u>
		Assessor's Market Value	<u>652,491.50</u>

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)

<input type="checkbox"/> Bill of Sale	<input type="checkbox"/> Appraisal
<input type="checkbox"/> Sales Contract	<input checked="" type="checkbox"/> Other <u>tax assessment</u>
<input type="checkbox"/> 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 of 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).

Date 12/22/16

Unattested

(verified by)

Print Merrell Bros. Inc.

Sign

(Grantor/Grantee/Owner/Agent) circle one

DeSoto Holdings, LLC - Juan Rosales