

20170307000078950
03/07/2017 02:19:25 PM
DEEDS 1/4

Neither title nor survey examined by preparer at the request of the parties herein.

This Instrument Prepared By:
Chesley P. Payne
1780 Gadsden Highway
Birmingham, Alabama 35235

Send Tax Notice To:
HD Land Holdings, LLC
3112 Blue Lake Drive, Suite 100
Birmingham, AL. 35243

STATE OF ALABAMA ()
COUNTY OF SHELBY ()

STATUTORY WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS that for and in consideration of TWO MILLION NINE HUNDRED FORTY THOUSAND AND NO/100 DOLLARS (\$2,940,000.00) in hand paid to the undersigned Grantor, GPEP, LLC, an Alabama Limited Liability Company (herein referred to as "GRANTOR") in hand paid and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, said Grantor does hereby grant, bargain, sell and convey unto HD LAND HOLDINGS, LLC (herein referred to as GRANTEE), subject to the matters hereinafter set forth, the following described real estate, situated in Shelby County, State of Alabama, to-wit:

See Exhibit "A" attached hereto and made a part hereof by reference, as if set forth in full herein for the complete legal description of the property being conveyed by this instrument.

Subject to the following:

1. Rights or claims of parties in possession not shown by the public records.
2. Easements, or claims of easements, not shown by the Public Records.
3. Encroachments, overlaps, boundary line disputes, or other matters which would be disclosed by an accurate and complete land survey and inspection of the Land and not shown by Public Records.
4. Any lien, or right to a lien, for services, labor or materials heretofore or hereafter furnished, imposed by law and not shown by the public records.
5. Taxes or assessments which are not shown as existing liens by either the public records or the records of any taxing authority that levies taxes or assessments on real property.
6. Taxes for the year 2017 and subsequent years.
7. Easements, building lines, and restrictions as shown in Book 14, Page 114.
8. Restrictions appearing of record in Volume 206, Page 448.
9. Right-of-way granted to Alabama Power Company as recorded in Volume 111, Page 408 and Volume 273, Page 201.
10. Right-of-way granted to City of Pelham recorded in Volume 312, Page 523. Less and except portion conveyed to Eagle Point Golf Club recorded in Instrument No. 1994-36852.
11. Declaration of Easements, Covenants and Restrictions for Griffin Park at Eagle Point filed for record in Instrument No. 20160620000210350 as modified in Instrument No. 201606230021270, in said Probate Office.
12. Easement from Highpointe Investments, LLC to Newcastle Development, LLC for Access Road as recorded in Instrument No. 20160620000210340.
13. Sanitary Sewer force main situated on Westerly property line and water line running from westerly property line as shown on survey of Engineering Design Group, LLC dated June 13, 2016, last revised June 21, 2016.
14. Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto, including release of damages.

15. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the date of this conveyance and recordation of same.

TO HAVE AND TO HOLD UNTO THE SAID GRANTEE, its successors and assigns forever.

The undersigned hereby certifies that this instrument is being executed according to the Articles of Organization and Operating Agreement of the limited liability company and that the Articles have not been modified or amended.

IN WITNESS WHEREOF, the said Grantor, GPEP, LLC, by its Member, J. Brooks Harris, who is authorized to execute this conveyance, has hereunto set its signature and seal, on this the 4th day of January, 2017.

GPEP, LLC

BY:

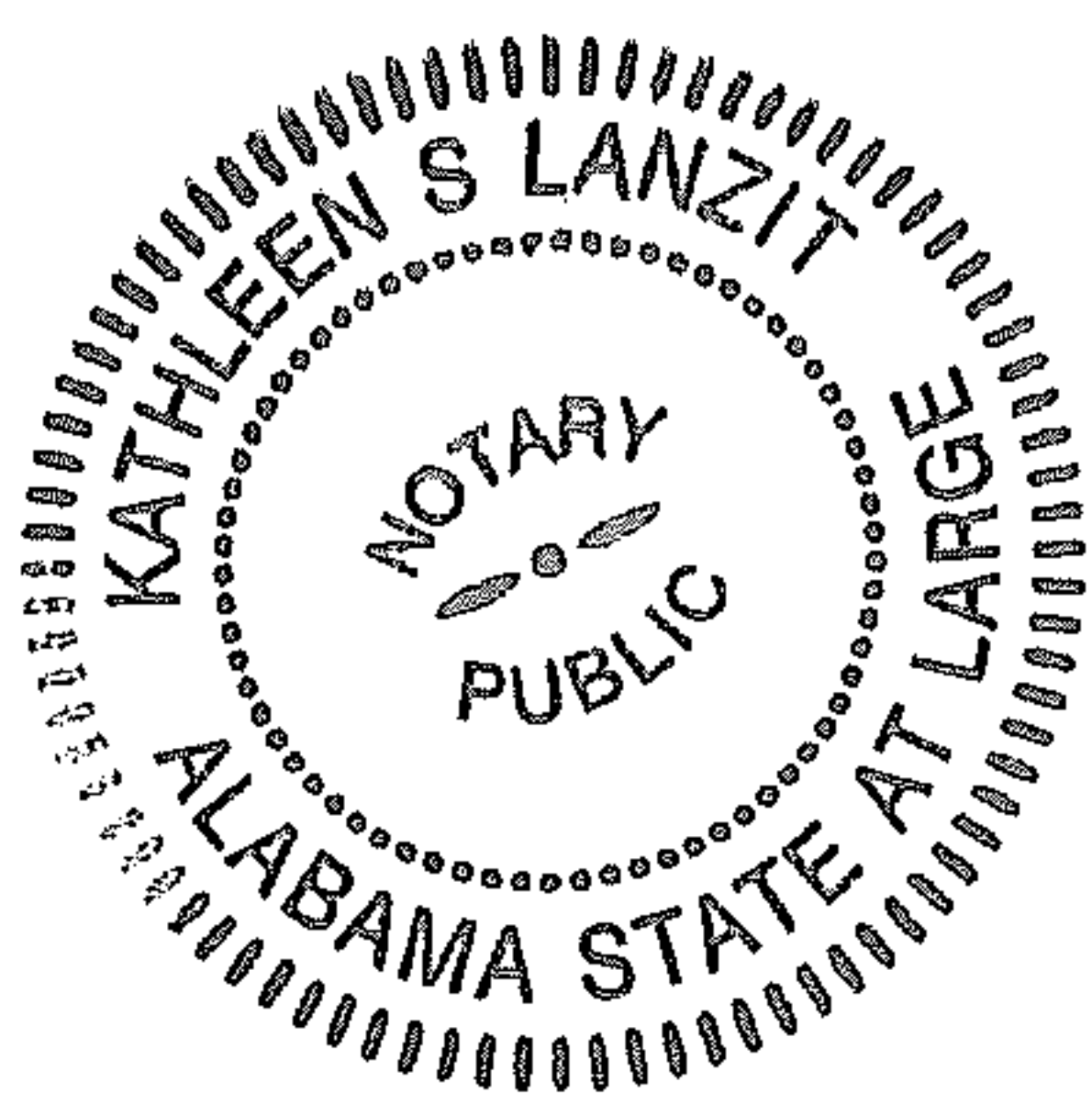
J. Brooks Harris
J. Brooks Harris, Member

STATE OF ALABAMA ()
COUNTY OF JEFFERSON ()

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that J. Brooks Harris, whose name as Member of GPEP, LLC, an Alabama Limited Liability Company, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me, on this day, that, being informed of the contents of this conveyance, he, in his capacity as such Member and with full authority, executed the same voluntarily for and as the act of the said limited liability company on day the same bears date.

2017.

Given under my hand and official seal, this the 4 day of January,



Kathleen Lanzit
Notary Public
My Commission Expires: 10/4/2020

EXHIBIT "A"
LEGAL DESCRIPTION

PARCEL D

A parcel of land situated in Sections 7, and 8, Township 19 South, Range 1 West, Shelby County, Alabama, being more particularly described as follows:

BEGIN at a 3" capped pipe at the SW corner of the SW 1/4 of the NW 1/4 of said Section 8, Township 19 South, Range 1 West, Shelby County, Alabama for the point of beginning; thence N 89°50'15" E along the south line of said 1/4-1/4 section a distance of 861.57 feet to a point; thence N 23°18'25" E leaving said 1/4-1/4 line a distance of 611.07 feet to a point; thence N 1°34'23" E a distance of 149.11 feet to a point; thence S 88°25'37" E a distance of 87.07 feet to a point on a curve to the right having a central angle of 88°06'49" and a radius of 55.00 feet, said curve subtended by a chord bearing N 45°37'48" E and a chord distance of 76.49 feet; thence along the arc of said curve a distance of 84.58 feet to the SW corner of Lot 15A of Resurvey Lots 12; thence N 00°37'55" W along the west line of Lot 15A a distance of 158.75 feet to a point; thence N 52°05'39" E along the western line of Lot 15A and 12A a distance of 93.06 feet to a 3/4" rebar at the SW corner of Lot 11 Eagle Point 1st Sector Phase I as recorded in Map Book 14 Page 144 in the Office of the Judge of Probate in Shelby County, Alabama; thence N 0°18'46" W along the west line of Lots 11 through 9 a distance of 326.34 feet to a 3/4" rebar at the SW corner of Lot 8; thence N 0°21'20" W along the west line of Lot 8 a distance of 118.74 feet to a point; thence N 90°00'00" W along a distance of 154.01 feet to a point; thence S 0°00'00" E a distance of 11.51 feet to a point; thence N 90°00'00" W a distance of 205.00 feet to a point; thence N 0°00'00" E a distance of 80.00 feet to a point; thence N 90°00'00" W a distance of 40.00 feet to a point; thence S 89°40'44" W a distance of 78.22 feet to a point; thence S 85°36'37" W a distance of 73.80 feet to a point; thence S 81°52'13" W a distance of 78.69 feet to a point; thence S 81°41'33" W a distance of 160.00 feet to a point; thence S 83°51'23" W a distance of 91.79 feet to a point; thence S 88°17'37" W along the south line of said 1/4-1/4 section a distance of 96.56 feet to a point; thence N 84°18'19" W a distance of 84.34 feet to a point; thence S 5°41'41" W a distance of 135.00 feet to a point; thence S 84°18'19" E a distance of 29.28 feet to a point; thence S 5°41'41" W a distance of 390.00 feet to a point; thence N 84°18'19" W a distance of 12.15 feet to a point of curve to the right having a central angle of 4°41'39" and a radius of 330.00 feet, said curve subtended by a chord bearing N 81°57'29" W and a chord distance of 27.03 feet; thence along the arc of said curve a distance of 27.04 feet to a point; thence S 10°23'20" W a distance of 136.57 feet to a point; thence S 8°07'05" W a distance of 290.04 feet to a point; thence S 17°25'27" W a distance of 383.56 feet to a point; thence S 6°44'07" W a distance of 147.64 feet to the POINT OF BEGINNING.

LESS AND EXCEPT

A parcel of land situated in Sections 7, and 8, Township 19 South, Range 1 West, Shelby County, Alabama, being more particularly described as follows:

Commence at a 3" capped pipe at the SW corner of the SW 1/4 of the NW 1/4 of said Section 8, Township 19 South, Range 1 West, Shelby County, Alabama; thence N 89°50'15" E along the south line of said 1/4-1/4 section a distance of 601.77 feet to the POINT OF BEGINNING; thence continue along the last described course a distance of 259.80 feet to a point; thence N 23°18'25" E leaving said 1/4-1/4 line a distance of 611.07 feet to a point; thence N 1°34'23" E a distance of 149.11 feet to a point; thence continue along the last described course a distance of 114.74 feet to a point; thence N 36°37'27" W a distance of 331.28 feet to a point; thence N 82°10'03" W a distance of 123.58 feet to a point; thence N 83°26'36" W a distance of 113.72 feet to a point; thence N 89°29'56" W a distance of 6.55 feet to a point; thence S 6°33'24" W a distance of 209.31 feet to a point; thence S 83°26'36" E a distance of 40.09 feet to a point; thence S 6°33'24" W a distance of 165.02 feet to a point; thence S 81°42'43" E a distance of 60.51 feet to a point; thence S 17°51'23" E a distance of 56.19 feet to a point; thence S 26°04'05" W a distance of 384.28 feet to a point; thence S 23°18'25" W a distance of 300.00 feet to a point; thence S 66°41'35" E a distance of 156.93 feet to the POINT OF BEGINNING.

PARCEL E

A parcel of land situated in Sections 7 and 8, Township 19 South, Range 1 West, Shelby County, Alabama, being more particularly described as follows:

BEGIN at a 3/4" rebar at the SW corner of the SE 1/4 of the NE 1/4 of Section 7, Township 19 South, Range 1 West, Shelby County, Alabama; thence N 88°17'38" E along the south line of said 1/4-1/4 section a distance of 882.56 feet to a point; thence N 19°21'19" E leaving said 1/4-1/4 line a distance of 381.06 feet to a point; thence N 26°13'25" E a distance of 100.00 feet to a point; thence N 22°38'49" E a distance of 92.74 feet to a point; thence N 17°25'27" E a distance of 100.00 feet to a point; thence N 11°34'09" E a distance of 94.17 feet to a point; thence N 10°42'53" E a distance of 110.70 feet to a point; thence S 75°07'34" E a distance of 151.14 feet to a point of curve to the right having a central angle of 6°56'24" and a radius of 280.00 feet, said curve subtended by a chord bearing N 18°20'38" E and a chord distance of 33.89 feet; thence along the arc of said curve a distance of 33.92 feet to a point; thence N 21°48'50" E a distance of 267.50 feet to a point of curve to the left having a central angle of 17°15'23" and a radius of 270.00 feet, said curve subtended by a chord bearing N 13°13'25" E and a chord distance of 81.01 feet; thence along the arc of said curve a distance of 81.32 feet to a point; thence N 84°18'19" W a distance of 95.00 feet to a point; thence N 85°21'14" W a distance of 99.54 feet to a point; thence N 65°39'54" W a distance of 109.96 feet to a point; thence N 62°51'24" W a distance of 179.31 feet to a point; thence S 7°42'45" E a distance of 373.34 feet to a point; thence S 87°49'27" W a distance of 137.18 feet to a point of curve to the left having a central angle of 0°42'26" and a radius of 330.00 feet, said curve subtended by a chord bearing S 1°49'20" E and a chord distance of 4.07 feet; thence along the arc of said curve a distance of 4.07 feet to a point; thence S 88°31'53" W a distance of 60.00 feet; thence S 88°31'53" W a distance of 134.19 feet to a point; thence N 7°42'45" W a distance of 406.61 feet to the north line of the NW 1/4 of the SE 1/4 of the NE 1/4 of Section 7, Township 19 South, Range 1 West; thence S 88°32'13" W along the north line of said 1/4-1/4-1/4 section a distance of 51.01 feet to a 3/4" rebar; thence S 27°52'02" W along a projection of the southeast line of lots 535 and 536 of Eagle Point 5th Sector as recorded in Map Book 18 Page 138 in the Office of the Judge of Probate in Shelby County, Alabama a distance of 544.03 feet to a rebar capped Arrington at the NE corner of lot 537; thence S 27°58'58" W along the southeast line of lots 537 through 540 a distance of 498.89 feet to a rebar capped Arrington at the NE corner of lot 541; thence S 27°44'54" W along the southeast line of lots 541 through 545 a distance of 476.22 feet to a 3/4" rebar at the SE corner of Lot 545 of lot 545; thence N 88°37'20" E a distance of 117.73 feet to the POINT OF BEGINNING.

Real Estate Sales Validation Form

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

Grantor's Name	GPEP, LLC	Grantee's Name	HD Land Holdings, LLC
Mailing Address	3112 Blue Lake Drive, Suite 100	Mailing Address	3112 Blue Lake Drive, Suite 100
	Birmingham, AL 35243		Birmingham, AL 35243
Property Address	Acreage in Shelby County	Date of Sale	January 03, 2017
	Birmingham, AL 35242	Total Purchase Price	2,940,000.00
		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 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 January 03, 2017

Unattested

(verified by)

Print GPEP, LLC

Sign By: J. Brooks Harris

(Grantor/Grantee/Owner/Agent) circle one
J. Brooks Harris, Member



Filed and Recorded
Official Public Records
Judge James W. Fuhrmeister, Probate Judge,
County Clerk
Shelby County, AL
03/07/2017 02:19:25 PM
\$2964.00 DEBBIE
20170307000078950