

STATE OF ALABAMA)
COUNTY OF SHELBY)

20170407000119210
04/07/2017 03:36:08 PM
DEEDS 1/5

Send tax notices to:
Dasmen Residential, LLC
400 Rella Boulevard, Suite 212
Suffern, NY 10901

STATUTORY WARRANTY DEED

THIS STATUTORY WARRANTY DEED executed and delivered this 7th day of April, 2017, by TEG MADISON AT SHOAL RUN LLC, an Alabama limited liability company ("Grantor") to MADISON BAL LLC, a Delaware limited liability company ("Grantee").

KNOW ALL MEN BY THESE PRESENTS, that for and in consideration of Twenty Three Million and No/100 Dollars (\$23,000,000.00) in hand paid by Grantee to Grantor and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by Grantor, Grantor does by these presents GRANT, BARGAIN, SELL AND CONVEY unto Grantee that certain real property situated in Shelby County, Alabama, the following described property which is described in Exhibit A attached hereto and made a part hereof (the "Property").

TOGETHER WITH all appurtenances thereto belonging or in anywise appertaining and all right, title and interest of Grantor in and to all roads, alleys and ways bounding the Property.

It is expressly understood and agreed that this Statutory Warranty Deed is made subject to those matters set forth on Exhibit B attached hereto (the "Exceptions").

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

The Grantor hereby covenants and agrees with the Grantee, and its successors and assigns, that the Grantor, and its successors and assigns, will warrant and defend the Property against the lawful claims of all persons (other than persons claiming under the Exceptions) claiming by, through, or under the Grantor, but not further or otherwise.

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

Grantor's Name and Mailing Address:
TEG MADISON AT SHOAL RUN LLC
382A Route 59, Suite 101
Airmont, New York, 10952

Grantee's Name and Mailing Address:
MADISON BAL LLC
c/o Dasmen Residential, LLC
400 Rella Boulevard, Suite 212, Suffern, NY 10901

Property Address: 850 Shoal Run Trail, Birmingham, Alabama 35242

Purchase Price: \$23,000,000.00

Mortgage Amount: \$18,280,000.00

The Purchase Price can be verified by the Closing Statement.

[Signature Page Follows]

IN WITNESS WHEREOF, the Grantor has have caused this Statutory Warranty Deed to be executed as of the date first written above.

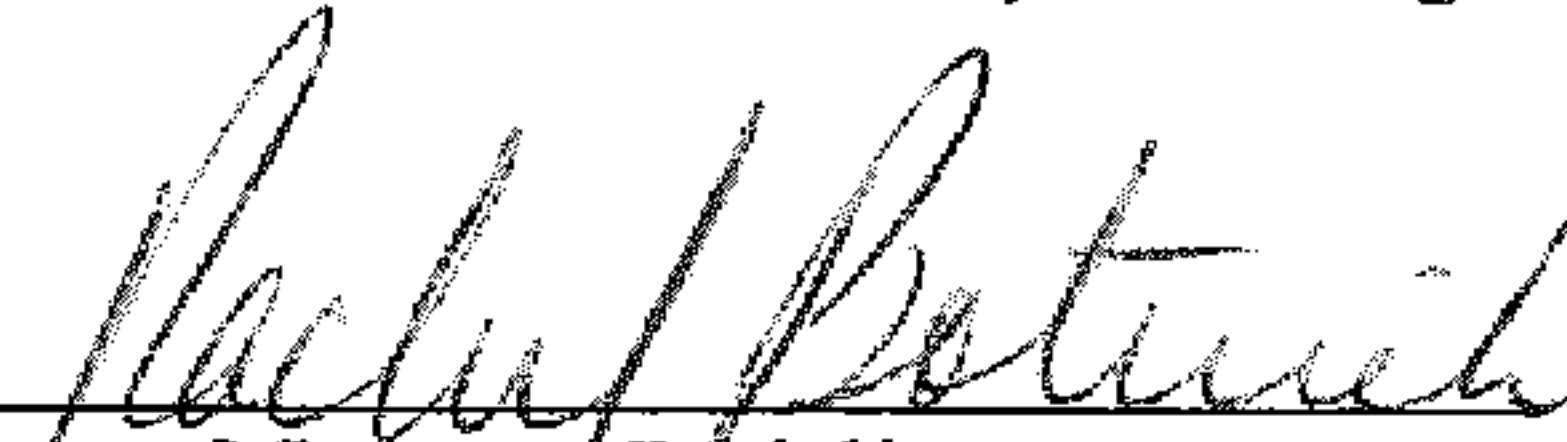
TEG MADISON AT SHOAL RUN LLC
An Alabama limited liability company

By: 
Yshia David Willner, Managing Member

STATE OF NEW YORK)
COUNTY OF ROCKLAND)

I, the undersigned authority, a Notary Public in and for said county in said State, hereby certify that YSHIA DAVID WILLNER, whose name as Managing Member of TEG MADISON AT SHOAL RUN LLC, an Alabama limited liability company, is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of said instrument, he, as such representative and with full authority, executed the same voluntarily for and as the act of said limited liability company.

Given under my hand and official seal, this 28 day of March, 2017.


Notary Public

AFFIX SEAL

My commission expires: November 16, 2018

Rachel Botnick
Notary Public, State of New York
No. 5004219
Qualified in Rockland County
Commission Expires November 16, 2018

This Instrument Prepared By:

Silberberg & Klein LLP
4553 Route 9 North
Howell, New Jersey 07731

EXHIBIT A

LEGAL DESCRIPTION

Lot 2, according to the Survey of Shoal Run, as recorded in Map Book 9, page 130, in the Probate Office of Shelby County, Alabama; together with rights in and to that certain ingress and egress easement dedicated by said map, being further described as:

The following is a legal description by metes and bounds of Lot 2 Shoal Run as recorded in Map Book 9, page 130, in the Office of the Judge of Probate in Shelby County, Alabama; thence begin at the Southeast corner of said Lot 2 and run in a Westerly direction along the South line of said Lot for a distance of 1333.86 feet; thence turn an angle to the right of 90°48'30" and run in a Northerly direction along the West line of said Lot 2 for a distance of 826.10 feet to a point on the Southeasterly right of way line of Alabama Highway No. 119; thence turn an angle to the right of 22°30'50" and run in a Northeasterly direction along said highway right of way line for a distance of 289.49 feet; thence turn an angle to the right of 90°00'00" and run in a Southeasterly direction for a distance of 34.13 feet to the point of beginning of a curve to the right, said curve having a central angle of 21°56'00" and a radius of 430.00 feet; thence run in a Southeasterly direction along the arc of said curve for a distance of 164.61 feet to the point of tangent; thence run in a Southeasterly direction along said tangent for a distance of 69.46 feet to the point of beginning of a curve to the left, said curve having a central angle of 16°20'00" and a radius of 557.46 feet; thence run in a Southeasterly direction along arc of said curve for a distance of 158.92 feet to the point of beginning of a curve to the left, having a central angle of 32°50'00" and a radius of 319.72 feet; thence run in a Southeasterly direction along arc of said curve for a distance of 182.19 feet to the point of tangent; thence run in a Southeasterly direction along said tangent for a distance of 137.26 feet to the point of beginning of a curve to the right, said curve having a central angle of 39°51'00" and a radius of 375.00 feet; thence run in a Southeasterly direction along the arc of said curve for a distance of 260.82 feet to the point of tangent; thence run in a Southeasterly direction along said tangent for a distance of 74.69 feet to the point of beginning of a curve to the right, said curve having a central angle of 02°39'20" and a radius of 2157.20 feet; thence run in a Southeasterly direction along arc of said curve for a distance of 99.98 feet to the point of tangent; thence run in a Southeasterly direction along said tangent for a distance of 224.22 feet; thence turn an angle to the right of 52°15'30" and run in a Southerly direction for a distance of 496.96 feet to the point of beginning.

EXHIBIT B
EXCEPTIONS

1. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in public records or attaching subsequent to the effective date hereof but prior to the date the proposed insured acquires for value of record the estate or interest or mortgage thereon covered by this Commitment.
2. Rights of parties in possession.
3. Encroachments, overlaps, boundary line disputes, or other matters which would be disclosed by an accurate survey and inspection of the premises.
4. Taxes or special assessments which are not shown as existing liens by the public records.
5. Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto.
6. All taxes due in the year 2017 and subsequent years, not yet due and payable. The 2016 ad valorem taxes have been paid and are assessed under the name TEG Madison at Shoal Run, LLC; Parcel # 09-3-05-0-001-008.000; \$194,200.00.
7. The lien of supplemental taxes and/or adjusted taxes, if any, pursuant to the Alabama Revenue and Taxation Code assessed as a result of a change in ownership or the completion of new construction occurring on or after the date of the policy, none yet due and payable as of the date of the policy.
8.
 - a.) 50' ingress and egress easement and the rights of others in and to the same as set out on recorded plat of said subdivision recorded on January 13, 1986 in Map Book 9, page 130, in the Probate Office of Shelby County, Alabama and as depicted on survey dated 02/05/2017 last revised 04/05/2017, labeled as Job No. 201700083-001, by Blew & Associates, Inc. by Buckley Blew PLS 36108.
 - b.) 25' building setback lines along North and South lines as set out on survey dated 02/05/2017 last revised 04/05/2017, labeled as Job No. 201700083-001, by Blew & Associates, Inc. by Buckley Blew PLS 36108.
 - c.) 9' building setback lines along East and West lines as set out on survey dated 02/05/2017 last revised 04/05/2017, labeled as Job No. 201700083-001, by Blew & Associates, Inc. by Buckley Blew PLS 36108.
9. Right of Way from DJ-II Investments, LTD. to Alabama Power Company by instrument dated 04/17/1986 and filed for record 06/10/1986 in Real 75, page 662, in the Probate Office of Shelby County, Alabama.
10. Utility Easement from Cahaba Water Renovation Systems, Inc. dated 09/20/1985 and filed for record 09/23/1985 in Real 42, page 227, in the Probate Office of Shelby County, Alabama and as depicted on survey dated 02/05/2017 last revised 04/05/2017, labeled as Job No. 201700083-001, by Blew & Associates, Inc. by Buckley Blew PLS 36108.
11. Mineral and mining rights and rights incident thereto recorded in Volume 4, page 505, in the Probate Office of Shelby County, Alabama.
12. Easement from Madison at Shoal Run, LLC to Marcus Cable Associates, L.L.C., dated 02/14/2011 and filed for record 05/16/2011 as Instrument 20110516000145090, in the Probate Office of Shelby County, Alabama.

13. The lake shown on the plat of survey of the insured premises is not a natural lake, and the water level therein may vary considerably from time to time. The Company does not warrant or guarantee the insured, their heirs or assigns, that the lake, will at all times, maintain its present level.
14. Encroachment of Building onto utility easement along the western boundary line, as shown on survey dated 02/05/2017 last revised 04/05/2017, labeled as Job No. 201700083-001, by Blew & Associates, Inc. by Buckley Blew PLS 36108.
15. Encroachment of Building into 25' building setback area along the northeastern boundary line, as shown on survey dated 02/05/2017 last revised 04/05/2017, labeled as Job No. 201700083-001, by Blew & Associates, Inc. by Buckley Blew PLS 36108.
16. Encroachment of Building sign onto adjacent property along the northwestern boundary line, as shown on survey dated 02/05/2017 last revised 04/05/2017, labeled as Job No. 201700083-001, by Blew & Associates, Inc. by Buckley Blew PLS 36108.
17. Any discrepancies, conflicts or shortages in area or boundary lines as shown on survey dated 02/05/2017 last revised 04/05/2017, labeled as Job No. 201700083-001, by Blew & Associates, Inc. by Buckley Blew PLS 36108.



Filed and Recorded
Official Public Records
Judge James W. Fuhrmeister, Probate Judge,
County Clerk
Shelby County, AL
04/07/2017 03:36:08 PM
\$4747.00 DEBBIE
20170407000119210

A handwritten signature in black ink, appearing to read "James W. Fuhrmeister", is written over the official text.