


THIS INSTRUMENT PREPARED BY:
Elizabeth J. Jennings
Tacala, LLC
3750 Corporate Woods Drive
Birmingham, Alabama 35242

STATE OF ALABAMA)
)
SHELBY COUNTY)


20170417000130130 1/5 \$276.00
Shelby Cnty Judge of Probate: AL
04/17/2017 03:30:52 PM FILED/CERT

STATUTORY WARRANTY DEED

THIS IS A STATUTORY WARRANTY DEED executed and delivered this ____ day of April, 2017, by **Elias & Sons**, an Alabama limited liability company ("Grantor"), to Tacala, LLC, a Delaware limited liability company (hereinafter referred to as the "Grantee").

KNOW ALL PERSONS BY THESE PRESENTS, That in consideration of the sum of Ten and 00/100 Dollars and (\$10.00) 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, as more particularly described on Exhibit A attached hereto and incorporated herein (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.

This conveyance is subject to those matters set forth on Exhibit B attached hereto.

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

Grantor hereby covenants that Grantor shall not, except with the written consent of Grantee, directly or indirectly, engage in or lease or permit any premises owned or leased by Grantor within a radius of four (4) miles from the property to be occupied as a restaurant operating without table service which prepares or sells Mexican style food products and whose sale of Mexican style food exceeds 35% of their total sales, including without limitation any restaurant where there is no table service and orders are placed at the counter and paid for first. (Quick casual) and "fast food" restaurants: Chipotle Grill, Baja Fresh, Moe's Southwest Grill, Taco Bueno, Del Taco, Taco John, or Qdoba Mexican Grill. If seller is a corporation, this covenant shall apply to its officers, directors, subsidiaries, and affiliates.

Grantor does for itself, its successors and assigns, covenant with Grantee, its successors and assigns, that Grantor, and its successors and assigns, shall warrant and defend the same to Grantee, its successors and assigns, forever, against the lawful claims (unless otherwise noted above) of all persons claiming by, through, or under Grantor, but not further or otherwise.

Shelby County: AL 04/17/2017
State of Alabama
Deed Tax: \$249.00

IN WITNESS WHEREOF, the undersigned Grantor has caused this instrument to be duly executed on this 12th day of April, 2017.



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GRANTOR:

Elias & Sons, an Alabama limited liability company

X Mazin Shunnarah Bobby Shunnarah
By: Mazin Shunnarah / Bobby Shunnarah
Its: members

STATE OF Alabama)

Jefferson COUNTY)

Bobby and I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Mazin Shunnarah as Members of Elias & Sons is signed to the foregoing instrument, and Shunnarah who is known to me, acknowledged before me on this day that, being informed of the contents of such instrument, and that he, as such Mazin and Bobby Shunnarah being authorized to do so, executed the foregoing on behalf of said corporation.

Given under my hand and official seal this 12th day of April, 2017.

[NOTARIAL SEAL]



Tara Leigh Clonts
Notary Public

My Commission Expires: July 19, 2020

My Commission Expires: _____

Exhibit A- Legal Description
Exhibit B- Permitted Exceptions

EXHIBIT A

A certain lot in the Town of Montevallo, Shelby County, Alabama, heretofore know as and called a part of E.F. Vest homeplace, and which is further described as part of lots 3 and 4, according to an allotment made by Edmond King, beginning at a point about 150 feet from the Northeast corner of Main and North Boundary Street and on Main Street and running 94 feet parallel with Main Street; thence at right angles or parallel with North Boundary Street 150 feet; thence in a Southwesterly direction parallel with Main Street 94 feet; thence in a Southeastern direction parallel with North Boundary Street 150 feet to the place of beginning; being in the Southeast 1/4 of the Southwest 1/4 of Section 21, Township 22 South, Range 3 West, Shelby County, Alabama.




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EXHIBIT B

PERMITTED EXCEPTIONS

1. All taxes for the year 2017 and subsequent years, not yet due and payable.
2. Any prior reservation or conveyance, together with release of damages, of minerals of every kind and character, including, but not limited to, oil, gas, sand and gravel in , on and under subject premises.


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

Grantor's Name and Mailing Address:

Elias & Sons
3029 Panorama Brook Circle
Vestavia, Alabama 35216

Grantee's Name and Mailing Address:

Tacala, LLC
3750 Corporate Woods Drive
Birmingham, Alabama 35242

Property Address: Tax parcel ID: 275213305009.000

Purchase Price: \$ 249,000.00

The Purchase Price of the Property can be verified by the closing statement.



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