



20170825000310010 1/5 \$28.00  
Shelby Cnty Judge of Probate, AL  
08/25/2017 08:15:41 AM FILED/CERT

This instrument was prepared by:  
Clayton T. Sweeney, Esquire  
2700 Highway 280 East, Suite 160  
Birmingham, Alabama 35223

Send Tax Notice to:  
Stone Martin Builders, LLC  
404 South 8<sup>th</sup> Street  
Opelika, AL 36801-4946

STATE OF ALABAMA       )  
COUNTY OF SHELBY     )

### STATUTORY WARRANTY DEED

**KNOW ALL MEN BY THESE PRESENTS**, that in consideration of **Ten and No/100 Dollars (\$10.00)** to the undersigned grantor, **SMB Land, LLC, an Alabama limited liability company**, (herein referred to as "Grantor"), in hand paid by Grantee named herein, the receipt of which is hereby acknowledged, the said **SMB Land, LLC, an Alabama limited liability company**, does by these presents, grant, bargain, sell and convey unto **Stone Martin Builders, LLC an Alabama limited liability company**, (hereinafter referred to as "Grantees"), the following described real estate (the "property"), situated in Shelby County, Alabama, to-wit:

Lot 4-15, according to the Survey of Chelsea Park, 4th Sector, as recorded in Map Book 34, Page 147A and 147B, in the Office of the Judge of Probate of Shelby County, Alabama.

Together with the nonexclusive easement to use the Common Areas as more particularly described in Declaration of Easements and Master Protective Covenants of Chelsea Park, a Residential Subdivision, executed by the Grantor and filed for record as Instrument No. 20041014000566950 in the Probate Office of Shelby County, Alabama and Declaration of Covenants, Conditions, and Restrictions for Chelsea Park 4th Sector executed by Grantor and Chelsea Park Residential Association, Inc. and recorded as Instrument No. 20050425000195430, and Supplementary Declaration as recorded in Instrument No. 20151230000442840 in the Probate Office of Shelby County, Alabama (which, together with all amendments thereto, are hereinafter collectively referred to as the "Declaration").

This instrument is executed as required by the Articles of Organization and Operational Agreement of said limited liability company and same have not been modified or amended.

The above property is conveyed subject to:

- (1) Ad Valorem taxes due and payable October 1, 2017 and all subsequent years thereafter.
- (2) Easement(s), building line(s) and restrictions of record or as shown on recorded map.
- (3) Easement to Colonial Pipeline Company as recorded in Deed Book 283, Page 716, Deed Book 223, Page 823, Deed Book 253, Page 324, and Deed Book 227, Page 637, in said Probate Office.
- (4) Easements, covenants, conditions, restrictions and reservations and agreements between Chelsea Park Investments, Ltd., Chelsea Park, Inc., and Chelsea Park Properties, Ltd., as recorded in Instrument No. 20040816000457750 in said Probate Office.
- (5) Notice of Final Assessment of Real Property by the Chelsea Park Improvement District One, as recorded in Instrument No. 20050209000065520 and Chelsea Park Improvement District Two, as recorded in Instrument No. 20050209000065530 in said Probate Office.
- (6) Covenants, conditions, restrictions, liens and assessments set forth in the Chelsea Park Improvement District One Articles of Incorporation as recorded in Instrument No. 20041223000699620 and Chelsea Park Improvement District Two Articles of Incorporation as recorded in Instrument No. 20041223000699630 in

All of the consideration was paid from the proceeds of a mortgage loan closed simultaneously herewith.

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said Probate Office.

- (7) Declaration of Easements and Master Protective Covenants for Chelsea Park, a Residential Subdivision, as set out in Instrument recorded in Instrument No. 20041014000566950 in the Probate Office of Shelby County, Alabama, along with Articles of Incorporation of Chelsea Park Residential Association, Inc., as recorded in Instrument No. 200413 at page 8336, in the Probate Office of Jefferson County, Alabama and By-Laws thereof, along with Declaration of Covenants, Conditions and Restrictions for Chelsea Park First Sector, Phase I and II, as recorded in Instrument No. 20041026000590790, Supplemental Declaration and Amendment to Declaration of Covenants for Chelsea Park First Sector Phase 3 and 4, as recorded in Instrument No. 20060605000263850, and Covenants recorded in Instrument No. 2005-56408, Instrument No. 2004-56695 (Lots 1-28 thru 1-44, 1-46 1-47 and 1-51), Instrument No. 2005-56411 and Instrument No. 2004-56695 (Lots 1-105, 1-106, 1-108 1-133 thru 1-140), Instrument No. 2004-56695 and instrument No 2005-56411 (Lots 1-109A thru 1-113A) and all covenants, conditions, restrictions and liens for assessments contained therein, all being recorded in the Probate Office of Shelby County, Alabama.
- (8) Declaration of Restrictive Covenants as recorded in Instrument No. 20030815000539670 and No. 20051222000659740 in said Probate Office.
- (9) Supplemental Declaration and Amendment to Declaration of Protective Covenants for Chelsea Park First Sector Phase 3 and 4, as recorded in Instrument No. 20060605000263850.
- (10) Right of way granted to Alabama Power Company recorded Instrument No. 20051031000564090, Instrument No. 20050203000056210; Instrument No. 20060828000422650, Instrument No. 2005082000390130, Instrument No. 20051031000564110, Instrument No. 20050203000056190 and Instrument No. 20051031000564050, in said Probate Office.
- (11) Mineral and mining rights and rights incident thereto recorded in Instrument No. 1997-9552; Instrument No. 2000-4450 and Instrument No. 2001-27341, in said Probate Office.
- (12) Covenants releasing predecessor in title from any liability arising from sinkholes, limestone formations, soil conditions or any other known or unknown surface or subsurface conditions that January now or hereafter exist or occur or cause damage to subject property, as shown by instruments recorded in Instrument No. 20061229000634390, in said Probate Office.
- (13) Easement to Town of Chelsea as recorded in Instrument No. 20040107000012460.
- (14) Certificate of Incorporation of The Chelsea Park Cooperative District as recorded in Instrument No, 20050714000353260.
- (15) Conservation Easement and Declaration of Restrictions and Covenants as recorded in Instrument No. 20041228000703990; Instrument No. 2003122200082280; Instrument No. 20041228000703980; and Instrument No. 20041228000703970.
- (16) Easement to U.S. Alliance for road, as set out in instrument No. 2000-4454, in said Probate Office.
- (17) Easement to Level 3 Communications, LLC as recorded in Instrument No. 2000-0007 and Instrument No. 2000-0671, in said Probate Office.
- (18) Permanent easement for water mains and/or Sanitary Sewer main to the city of Chelsea, as recorded in Instrument No. 20040120000033550, in said Probate Office.



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- (19) Mineral and mining rights and rights incident thereto and Release of damages recorded in Instrument No. 2006042000189000, in said Probate Office.
- (20) Easement to Bellsouth Mobility as in Instrument 20060630000315710 and Instrument 20050923000496730, in said Probate Office.
- (21) Transmission line permit to Alabama Power Company as recorded in Deed Volume 112, Page 111, in said Probate Office.
- (22) Memorandum of Sewer Service Agreements regarding Chelsea Park with Double Oak Reclamation, LLC as recorded in Instrument 20121107000427750, in said Probate Office.
- (23) Articles of Incorporation of Chelsea Park Residential Association, Inc. as recorded in Real 194, Page 291 and By-Laws of Chelsea Park Residential Association, Inc. as recorded in Real 194, Page 287, in the Probate Office of Shelby County, Alabama

Grantee agrees to observe and perform all obligations imposed upon said Grantees pursuant to the Declarations, including but not limited to the obligation to pay assessments levied on the property herein conveyed in accordance with the Declarations.

**TO HAVE AND TO HOLD**, the property above described together with all and singular the rights, privileges, tenements, appurtenances, and improvement unto the said Grantee, its successors and assigns, in fee simple, forever.

IN WITNESS WHEREOF, the said Grantor has hereunto set its hand by its duly authorized officer this 3rd day of August, 2017.

  
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GRANTOR:  
SMB LAND, LLC  
an Alabama limited liability company  
by its sole member Sky Holdings, Inc.

By :   
Greg Pettey, Chief Financial Officer

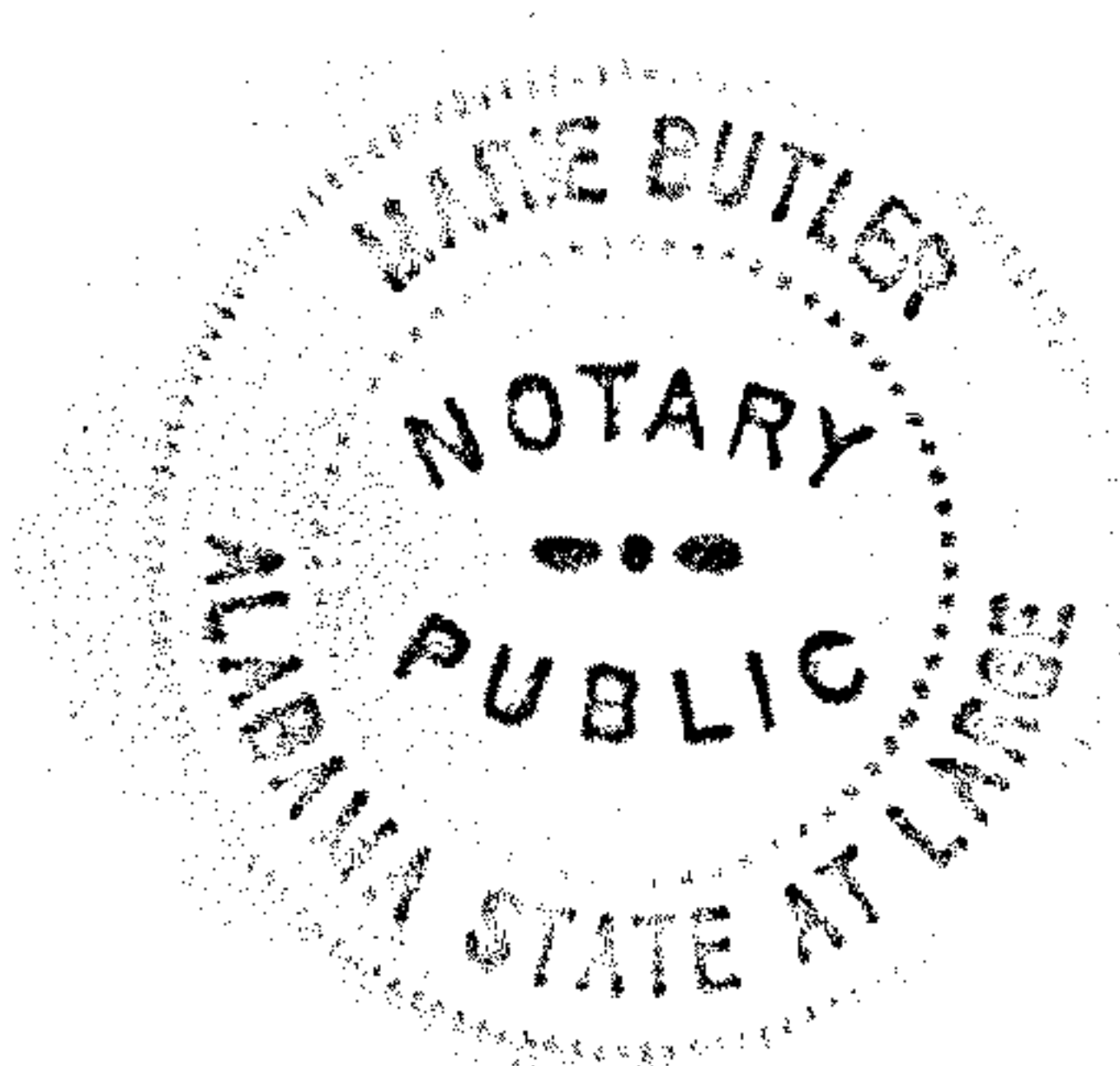
Stone Mountain Builders, LLC  
Lot 4-15 Chelsea Park

STATE OF ALABAMA )  
COUNTY OF )

I, the undersigned, a Notary Public in and for said County in said State hereby certify that Greg Pettey, whose name as Chief Financial Officer of Sky Holdings, Inc., an Alabama corporation, the sole member of SMB LAND, LLC, an Alabama liability company, is signed to the foregoing Deed, and who is known to me, acknowledged before me on this day that, being informed of the contents of the above and foregoing Deed, he, as such officer, and with full authority, executed the same voluntarily for and as the act of said corporation acting in its capacity as sole member of said limited liability company.


Given under my hand and official seal of office this the 3rd day of August, 2017.

  
NOTARY PUBLIC  
My Commission Expires: 8/19/2017



The Grantee executes this deed only to acknowledge and accept all covenants and restrictions contained herein above and Grantee, its successors and assigns, agree and understand that the property conveyed herein is subject to the foregoing covenants and restrictions.

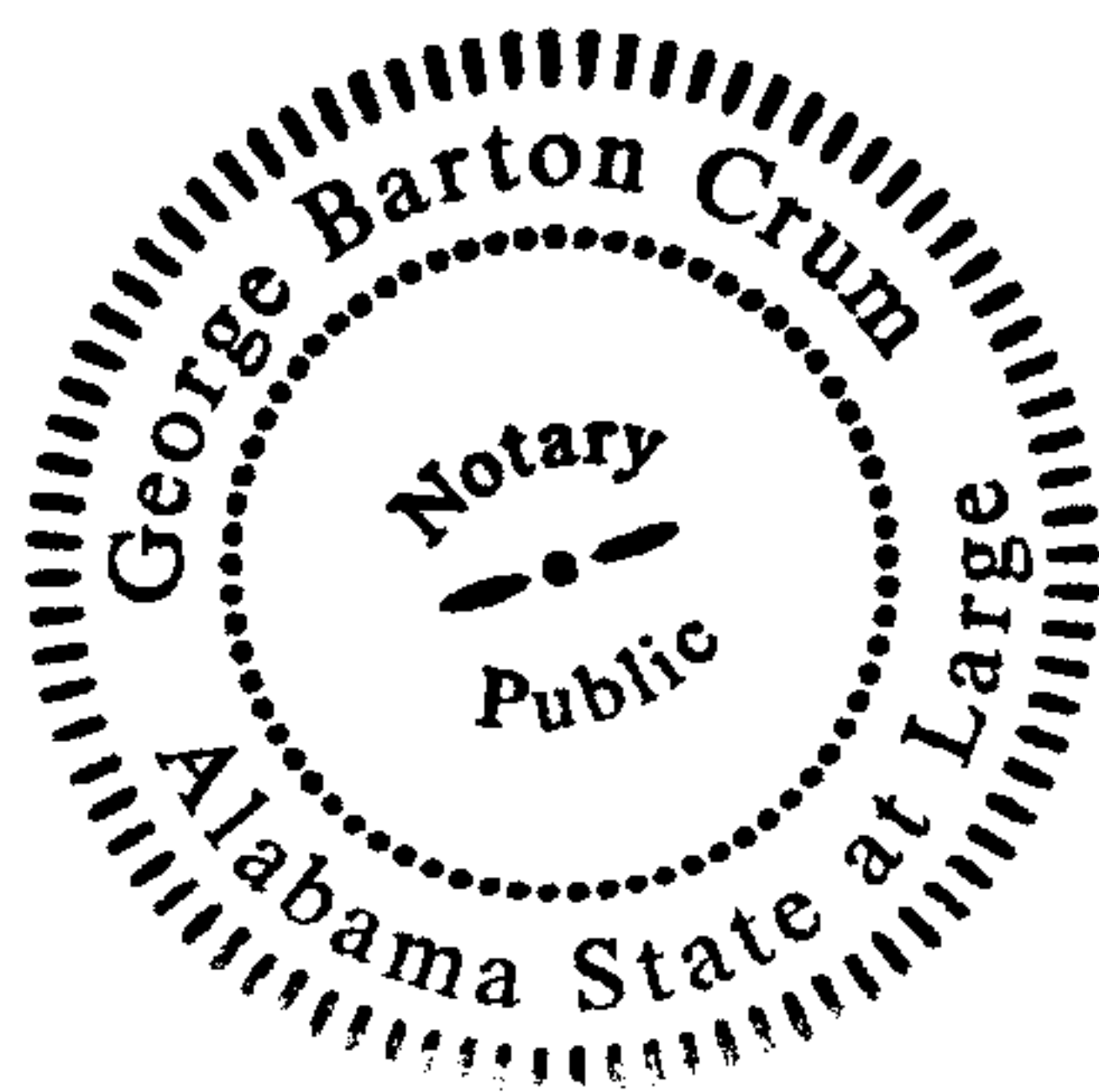
Stone Martin Builders, LLC  
an Alabama Limited Liability Company


By:   
Jan Oates, Agent to Request Advances


STATE OF ALABAMA       )  
COUNTY OF               )

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Jan Oates, whose name as Agent to Request Advances of Stone Martin Builders, LLC, an Alabama limited liability company, is signed to the foregoing Deed, and who is known to me, acknowledged before me on this day that, being informed of the contents of the above and foregoing Deed, she, as such representative, and with full authority, signed the same voluntarily for and as the act of said limited liability company.

Given under my hand and official seal this 30 day of August, 2017.



  
NOTARY PUBLIC  
My Commission Expires: 12-7-2020

  
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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 SMB Land, LLC  
404 South 8<sup>th</sup> Street  
Mailing Address Opelika, AL 36801-4946

Grantee's Name Stone Martin Builders, LLC  
404 South 8<sup>th</sup> Street  
Mailing Address Opelika, AL 36801-4946

Property Address 2136 Chelsea Park Bend  
Chelsea, AL 35043

Date of Sale August 3, 2017

Total Purchase Price \$ 50,000.00

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  
☐ Sales Contract  
☒ Closing Statement

- ☐ Appraisal  
☐ Other

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 or 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).

SMB Land, LLC by its sole member  
Sky Holdings, Inc.

Date \_\_\_\_\_

Print by: Greg Petkey, Chief Financial Officer

Unattested

(verified by)

Sign

(Grantor/Grantee/Owner/Agent) circle one



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