

PREPARED BY

Kevin Chumlea
Continental 120 Fund LLC
W134 N8675 Executive Parkway
Menomonee Falls, WI 53051

AFTER RECORDING RETURN TO:

Chicago Title Insurance Company
One South Street, Suite 1250
Baltimore, MD 21202
Attn.: _____

STATE OF ALABAMA)
)
COUNTY OF SHELBY)


20171023000383680 1/6 \$36280.00
Shelby Cnty Judge of Probate, AL
10/23/2017 12:58:09 PM FILED/CERT

Folio No. 03-9-29-0-001-011

LIMITED WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS:

THIS INDENTURE is made as of the 19 day of October, 2017 by and between **CONTINENTAL 120 FUND LLC**, a Wisconsin limited liability company (“Grantor”), and **BR GREYSTONE, LLC**, a Delaware limited liability company (“Grantee”), whose mailing address is c/o Bluerock Real Estate, 712 Fifth Avenue, 9th Floor, New York, NY 10019.

W I T N E S S E T H:

GRANTOR, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of such consideration being hereby acknowledged, has GRANTED, BARGAINED, SOLD, RELEASED AND CONVEYED, and by these presents does GRANT, BARGAIN, SELL, RELEASE AND CONVEY unto Grantee, and its successors and assigns, forever, that certain real property in fee simple, and being more particularly described in Exhibit A attached hereto and made a part hereof for all purposes, together with all improvements, structures and fixtures situated thereon (collectively, the “Property”); however, **SUBJECT TO** general taxes and assessments for the year 2018 and all subsequent years that are not yet due and payable, and to all covenants, conditions and restrictions, easements, reservations, agreements and rights-of-way affecting the Property or any part thereof that may appear of record, including, but not limited to, the matters described on **Exhibit B** attached hereto (the “Permitted Exceptions”) and made a part hereof. Reference to these exceptions does not revive nor reinstate any exception which has expired, lapsed, terminated or is otherwise out of use and/or

Shelby County, AL 10/23/2017
State of Alabama
Deed Tax: \$36250.00

extinguished, and does not grant any rights to third parties or others who may claim under any of the foregoing, same being included as exceptions to the warranty of title being given by Grantor hereunder and not to create, acknowledge, extend, revive or otherwise allow rights of or to any third party against Grantee or its successors or assigns.

TO HAVE AND TO HOLD the Property, together with all and singular the rights, members, hereditaments, tenements and appurtenances thereto belonging and in anywise incident or appertaining, including, without limitation, all mineral, oil and gas and other subsurface rights, development rights, air rights and water rights, unto Grantee, and its successors and assigns forever, subject to the Permitted Exceptions; and Grantor does hereby bind itself and its successors and assigns to WARRANT AND FOREVER DEFEND all and singular the Property, subject to the Permitted Exceptions, unto Grantee, and its successors and assigns, against every person whomsoever lawfully claiming, or claim the same, or any part thereof, by, through, or under Grantor or its successors or assigns, but not otherwise.

[signature on following page]


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IN WITNESS WHEREOF, this instrument has been executed as of as of the date first written above.

GRANTOR:

CONTINENTAL 120 FUND LLC

By: Continental Properties Company, Inc.,
its manager

By: 
Daniel J. Minahan
President

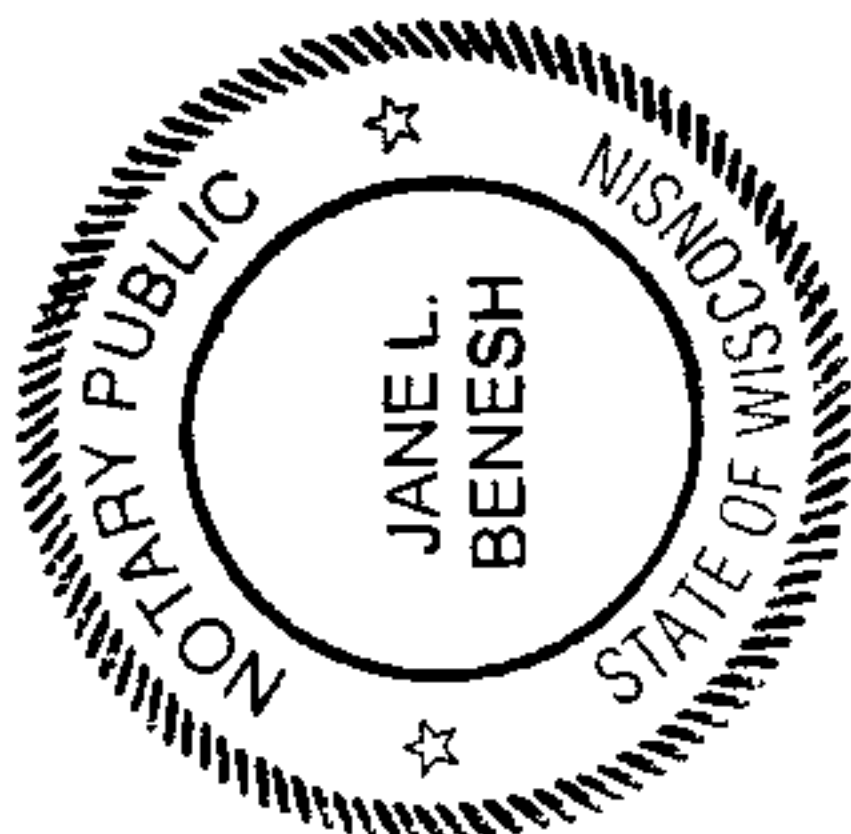
cc


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STATE OF WISCONSIN
WAUKESHA COUNTY

I, the undersigned Notary Public in and for said County and State, does hereby certify that, Daniel J. Minahan, President of CONTINENTAL PROPERTIES COMPANY, INC., manager of CONTINENTAL 120 FUND, LLC, 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 the conveyance, he/she, as such official and with full authority, executed the same voluntarily on the day the same bears date.

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




NOTARY PUBLIC
My Commission Expires: 9-14-2018

EXHIBIT A

Property

Lot 1, according to the Survey of Springs @ Greystone, as recorded in Map Book 35, Page 96, in the Probate Office of Shelby County, Alabama.

TOGETHER WITH:

A permanent grading easement, as set forth in Instrument No. 20051116000598410, lying in Section 29, Township 18 South, Range 1 West, Shelby County, Alabama, and being more particularly described as follows:

Commencing at the Northeast corner of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 29; thence run South $00^{\circ}14'00''$ West along the East line of said $\frac{1}{4}$ - $\frac{1}{4}$ for a distance of 104.72 feet to the Point of Beginning; thence South $65^{\circ}05'02''$ East leaving said East line a distance of 22.01 feet to a point; thence South $00^{\circ}14'00''$ West for a distance of 220.45 feet to a point; thence run North $53^{\circ}31'37''$ West a distance of 24.80 feet to a point on said East line; thence North $00^{\circ}14'00''$ East for a distance of 214.99 feet to the Point of Beginning.


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EXHIBIT B

Permitted Exceptions

1. Real Estate Taxes for the year 2018 and subsequent years, not yet due and payable.
2. Building set back lines as shown on the recorded plat of Springs @ Greystone recorded in Map Book 35, Page 96, in the Probate Office of Shelby County, Alabama.
3. Right of Way granted to Alabama Power Company by instrument recorded in Volume 109, Page 501; Volume 216, Page 622; Instrument 20060828000422360 and Instrument 2006828000422370 in the Probate Office of Shelby County, Alabama.
4. Title to all minerals within and underlying the Property, together with all mining rights and other rights, privileges and immunities relating thereto, as recorded in Volume 31, Page 342 in the Probate Office of Shelby County, Alabama.
5. Easement to BellSouth Telecommunications as recorded in Instrument 20060607000269260 in the Probate Office of Shelby County, Alabama.


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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 Continental 120 Fund LLC Grantee's Name BR Greystone LLC
Mailing Address W134 N8675 Executive Parkway Mailing Address 712 Fifth Ave. 9th Floor
Menomonee Falls, WI 53051 New York NY 10019

Property Address 7278 Cahaba Valley Road Date of Sale _____
Birmingham, AL 35242 Total Purchase Price \$ 36,250,000.00
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 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).

Date _____

Unattested _____

(verified by)

CONTINENTAL 120 FUND LLC
By: Continental Properties Company, Inc., its manager
Print Daniel J. Minahan, President

Sign _____

(Grantor/Grantee/Owner/Agent) circle one

Form RT-1



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kcc