

This Instrument prepared by:

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20190627000228120 1/6 \$4080.00
Shelby Cnty Judge of Probate, AL
06/27/2019 10:56:10 AM FILED/CERT

RECORDING USE ONLY

The following information is offered in lieu of submitting an RT-1 Real Estate Sales Validation Form pursuant to Section 40-22-1 of the Code of Alabama (1975):

Grantor's Name/Mailing Address:

Libertae Vitae, LLC
11816 Inwood Road, Ste. 151
Dallas, TX 75244

Grantee's Name/Mailing Address:

Valencia CFA Birmingham, LLC
2001 Browning Avenue
Salt Lake City, Utah 84018

Property address: 5375 US Hwy. 280, Birmingham, AL 35242

Date of sale: 06/24/2019

Purchase price: \$4,050,000.00

The purchase price or actual value claimed in this instrument can be verified in the following documentary evidence:

Bill of Sale Sales Contract Closing Statement Appraisal Other

GENERAL WARRANTY DEED

STATE OF ALABAMA)
 :
SHELBY COUNTY)

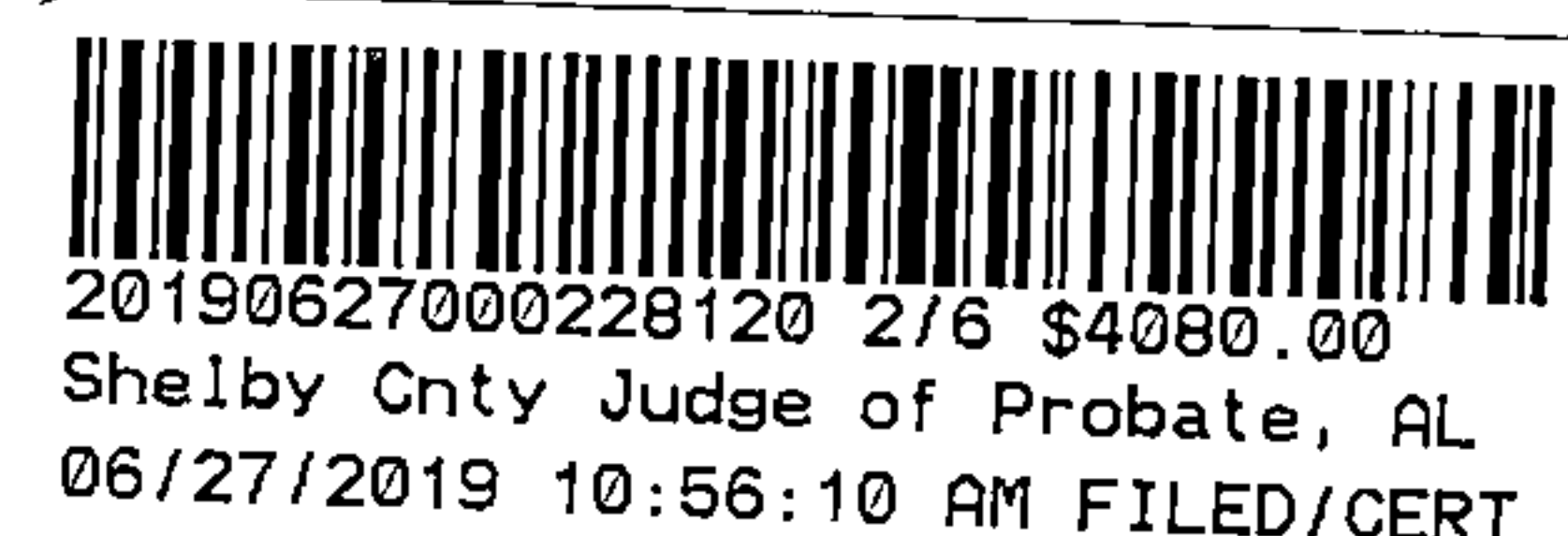
KNOW ALL PERSONS BY THESE PRESENTS, that **LIBERTAE VITAE, LLC**, an **Alabama limited liability company** (the "Grantor"), for and in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt and legal sufficiency of which are hereby acknowledged, does hereby grant, bargain, sell, and convey unto **VALENCIA CFA BIRMINGHAM, LLC**, a **Florida limited liability company** (the "Grantee"), subject to the matters hereinafter set forth, the real property situated in Shelby County, Alabama, described as follows (the "Property"):

See Exhibit "A" attached hereto and incorporated herein.

This conveyance is subject to, and there is excepted from the warranty of this conveyance, the following exceptions (collectively, the "Exceptions"):

- (a) Taxes and assessments for the year 2019 and subsequent years not yet due;
- (b) Reservation of all coal, iron ore, oil and gas and all other mining rights as described in that certain Deed, dated January 11, 1988, recorded January 11, 1988, in Book 167, Page 463;
- (c) Use and Operating Restrictions as described on Exhibit "B" in that certain Limited Warranty Deed dated December 26, 2000, recorded January 26, 2001, as Instrument No. 2001-02849;
- (d) Terms, provisions, and conditions of Exhibit C as described in that certain Statutory Warranty Deed dated June 12, 2006, recorded June 22, 2006, as Instrument No. 20060622000298960;
- (e) Use restrictions set forth in Article VIII of that certain Declaration of Easements, Covenants, and Restrictions between MAC I, LLC, GAS BOYS 280, LLC, and ORANGE-HOOVER, LLC, dated November 6, 2012, recorded November 6, 2012, as Instrument No. 20121106000427620;
- (f) Easement in favor of Alabama Power Company dated July 30, 2013, recorded April 28, 2014, as Instrument No. 20140428000125250;
- (g) Rights of others in and to the easement area as described in, and terms and conditions of, that certain Access Easement Agreement, dated October 10, 2014, recorded October 17, 2014, as Instrument No. 20141017000328390;
- (h) Terms and conditions as described in that certain Short Form Lease between OSGILIATH, LLC and CHICK-Fil-A, Inc., dated July 8, 2013, recorded October 17, 2014, as Instrument No. 20141017000328380; and
- (i) Easement in favor of Alabama Power Company dated December 5, 2014, recorded December 12, 2014, as Instrument No. 20141212000391390.

TO HAVE AND TO HOLD the Property, together with all the rights, tenements, hereditaments and appurtenances thereto belonging or in any way appertaining, unto Grantee, its successors and assigns forever; subject, however, to the Exceptions.



Grantor does for itself, its successors and assigns, covenant with Grantee, its successors and assigns, that Grantor is lawfully seized in fee simple of the Property; that the Property is free from all encumbrances except the Exceptions; that Grantor has a good right to sell and convey the Property as aforesaid; and that Grantor will, and its successors and assigns shall, warrant and defend the same to Grantee, its successors and assigns forever against the lawful claims of all persons.

Grantor attests, to the best of its knowledge and belief, that the information submitted in the legend at the beginning of this Deed in lieu of the RT-1 Real Estate Sales Validation Form is true and accurate, and Grantor understands that any false statements contained in such information may result in the imposition of the penalty indicated in Code of Alabama 1975 § 40-22-1(h).



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SIGNATURE PAGE TO FOLLOW

IN WITNESS WHEREOF, Grantor have caused this instrument to be executed under seal on or as of the 24th day of June, 2019

LIBERATE VITAE, LLC
an Alabama limited liability company

By: _____
Name: J.F. McPherson
Title: Sole Member / Manager

STATE OF Texas
Dallas COUNTY

)
:
)

I, the undersigned, a notary public in and for said county in said state, hereby certify that J.F. McPherson, whose name as sole member/manager of Libertae Vitae, 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 or she, as such sole member/manager 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 19 day of June, 2019.

Noemi Quirion Manchester
Notary Public

[NOTARIAL SEAL]

My commission expires: 06/18/22

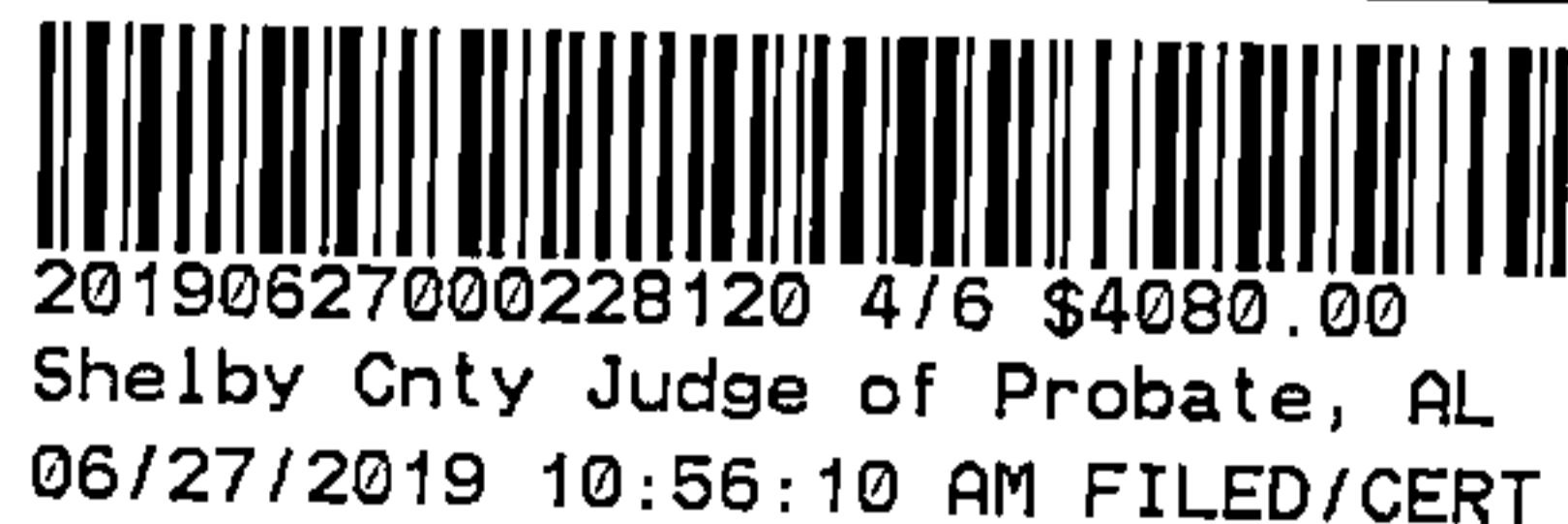
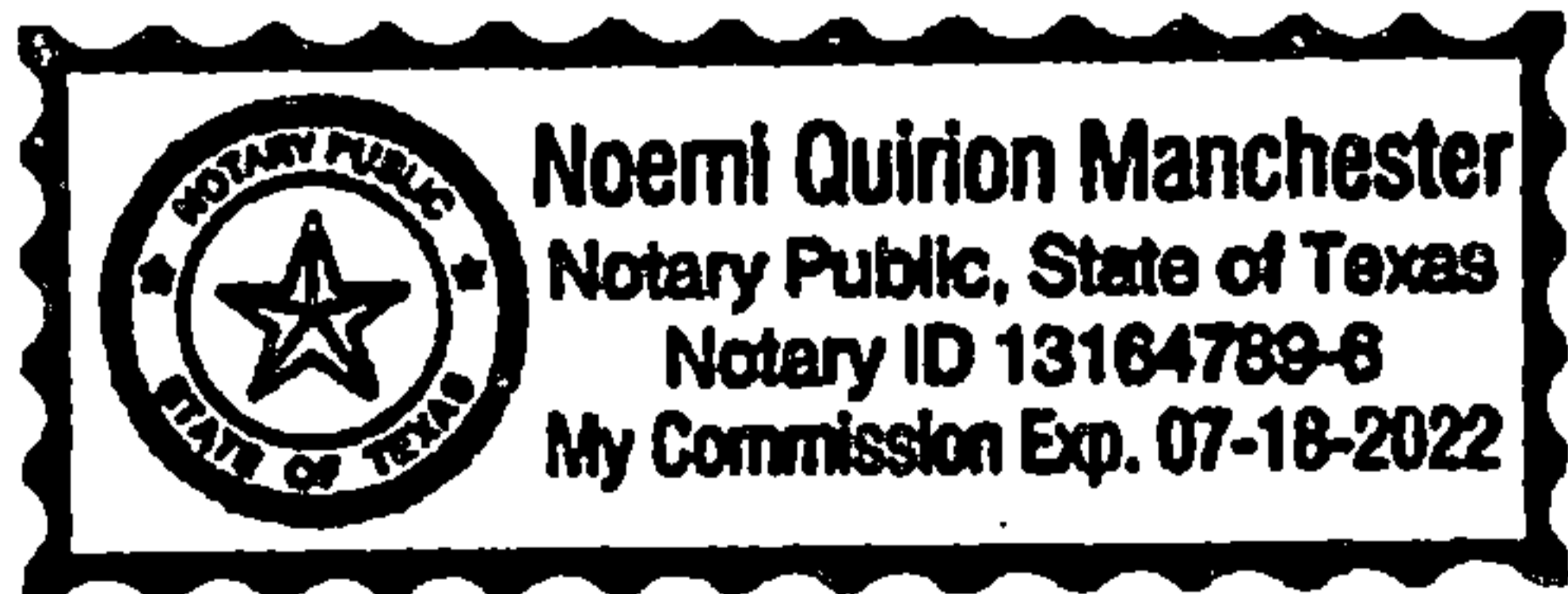


EXHIBIT "A"

All that tract or parcel of land lying and being in Section 32, Township 18 South, Range 1 West, Shelby County, Alabama and being more particularly described as follows:

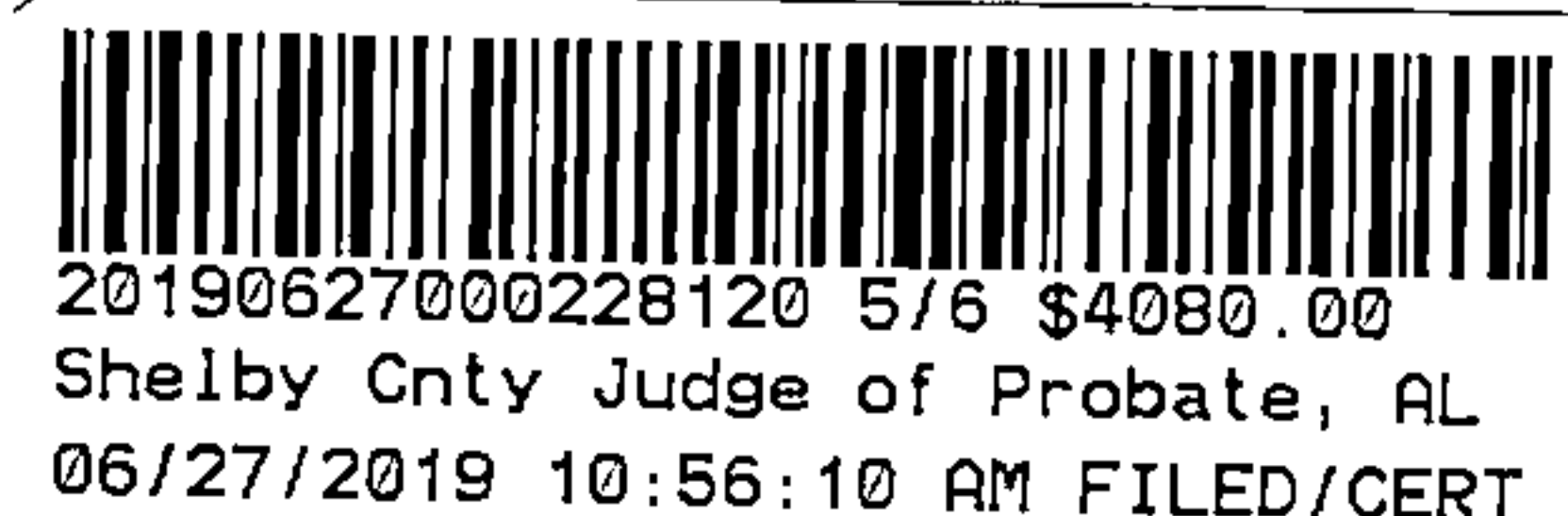
Beginning at the intersection of the Northern, right-of-way of US Hwy 280 and the western right-of-way of Cahaba Valley Rd. (Variable R/W); thence with said right-of-way of Cahaba Valley Rd.; thence N 22°00'33" E a distance of 98.95' to a point; thence leaving said right-of-way N 64°36'32" W a distance of 274.22' to a 1/2" rebar w/ cap found; thence S 21°17'19" W a distance of 216.44' to a 1/2" rebar w/ cap found along Northern right-of-way of US Hwy 280; thence with said right-of-way S 59°43'46" E a distance of 80.52' to a point; thence S 80°33'59" E a distance of 125.81' to a 1/2" rebar w/ cap found; thence 60°44'12" E a distance of 109.56' to the Point of Beginning.

Previously described as follows:

Commence at the Southwest corner of Section 32, Township 18 South, Range 1 West, Shelby County, Alabama; thence run North along the West line of said section for a distance of 1295.37 feet; thence run North 78°39'13" East for a distance of 590.19 feet to a concrete monument on the Northeasterly right of way of U.S. Highway No. 280 at station 181+00, said point being the point of beginning; from the point of beginning thus obtained run North 60°38'07" East along the Northwesterly right of way line of U.S. Highway No. 280 for a distance of 150.23 feet to a concrete monument on the Northwesterly right of way line of Alabama Highway No. 119 at station 13+24:60; thence run North 21°09'07" East along the Northwesterly right of way line of Alabama Highway No. 119 for a distance of 65.85 feet; thence run North 64°43'19" West for a distance of 298.82 feet; thence run South 21°09'07" West for a distance of 216.54 feet; thence run South 59°47'53" East along the Northeasterly right of way line of U.S. Highway No. 280 for a distance of 80.32 feet to a concrete monument at station 180+00; thence run South 80°42'35" East long the Northeasterly right of way line of U.S. Highway No. 280 for a distance of 125.89 feet to the point of beginning.

LESS AND EXCEPT that portion of the above property that was conveyed to the State of Alabama Department of Transportation in Instrument 20130801000313630 being more particularly described as follows:


A part of the NW 1/4 of SW 1/4, Section 32, Township 18-S, Range 1W, identified as Tract No. 13 on Project No NHF-0038() In Shelby County, Alabama and being more fully described as follows:



Commencing at a found capped rebar located on the southeast corner of the property referenced in Map Book 29, Page 1 in the Probate Office of Shelby County, thence S 64°34'46" E and along the grantor's north property line a distance of 274.21 feet to a point on the grantors said property line (said point on the acquired R/W line (said line offset 80' LT and parallel with centerline of project)), which is the point of BEGINNING; thence S 64°34'46" E and along the grantors said property line a distance of 24.08 feet to a point on the west present R/W line of SR-119; thence S 20°52'57" W and along the said present R-W line of SR-119 a distance of 65.85 feet to a point on the north present R/W flare of SR-38; thence S 60°46'11" W and along the said present R/W flare of SR-38 a distance of 40.54 feet to a point on the acquired R/W line (said point offset 80' LT and tied to the said present R/W flare of SR-38); thence N 22°2'4" E and along the acquired R/W line a distance of 98.89 feet to the point and place of BEGINNING.

Source of title: Instrument Nos. 20141017000328400 and 20190404000108550, as recorded in the Office of the Judge of Probate of Shelby County, Alabama.

Shelby County, AL 06/27/2019
State of Alabama
Deed Tax: \$4050.00



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