

This Instrument Prepared By:
James F. Burford, III
Attorney at Law
1318 Alford Avenue Suite 101

Send Tax Notice To:
HCI Dunkin Alabaster, LLC
3075 Healthy Way
Vestavia, AL 35243

Birmingham, Alabama 35226

20200102000000520
01/02/2020 09:09:22 AM
DEEDS 1/3

STATUTORY WARRANTY DEED

STATE OF ALABAMA)
SHELBY COUNTY)

KNOW ALL MEN BY THESE PRESENTS: That in consideration of **Four Hundred Forty-One Thousand and no 00/100 Dollars (\$441,000.00)**, the amount of which can be verified in the Sales Contract between the parties hereto, to the undersigned Grantor (whether one or more), in hand paid by the Grantee herein, the receipt whereof is acknowledged, **Counce Enterprises, LLC**, whose mailing address is **1000 Southlake Park, Suite 200, Hoover, AL 35244** (herein referred to as Grantor, whether one or more), grants, bargains, sells and conveys unto **HCI Dunkin Alabaster, LLC**, (herein referred to as Grantee, whether one or more) whose mailing address is **3075 Healthy Way, Vestavia, AL 35243**, in the following described real estate, situated in Shelby County, Alabama, the address of which is **1114 1st Street North, Alabaster, AL 35007**, to-wit:

Described on Exhibit A attached hereto incorporated by reference herein.

SUBJECT TO: (1) Taxes due in the year 2020 and thereafter; (2) Mineral and mining rights not owned by the Grantor; (3) The matters set forth on Exhibit B attached hereto and incorporated by reference herein.

The entire consideration recited herein was derived from a mortgage loan closed simultaneously with the delivery of this deed.

This conveyance was executed by Diane Ryder Counce who is Sole Member of Grantor and has full power and authority to execute this conveyance.

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

Grantor makes no warranty or covenant respecting the nature of the quality of the title to the property hereby conveyed other than that Grantor has neither permitted nor suffered any lien, encumbrances or adverse claim to the property described herein since the date of the acquisition thereof by Grantor.

28 IN WITNESS WHEREOF, the undersigned has hereunto set its hand and seal, this the day of DECEMBER, 2019.

Counce Enterprises, LLC

By: Diane Ryder Counce
Its: Sole Member

STATE OF ALABAMA)
SHELBY COUNTY)

LLC ACKNOWLEDGMENT

I, the undersigned, a Notary Public, in and for said County in said State, hereby certify that Diane Ryder Counce as Sole Member of Counce Enterprises, LLC, whose name 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 this instrument, she, in her capacity as such member, 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 DEC, 2019.

Notary Public
My Commission Expires: 3.1.22

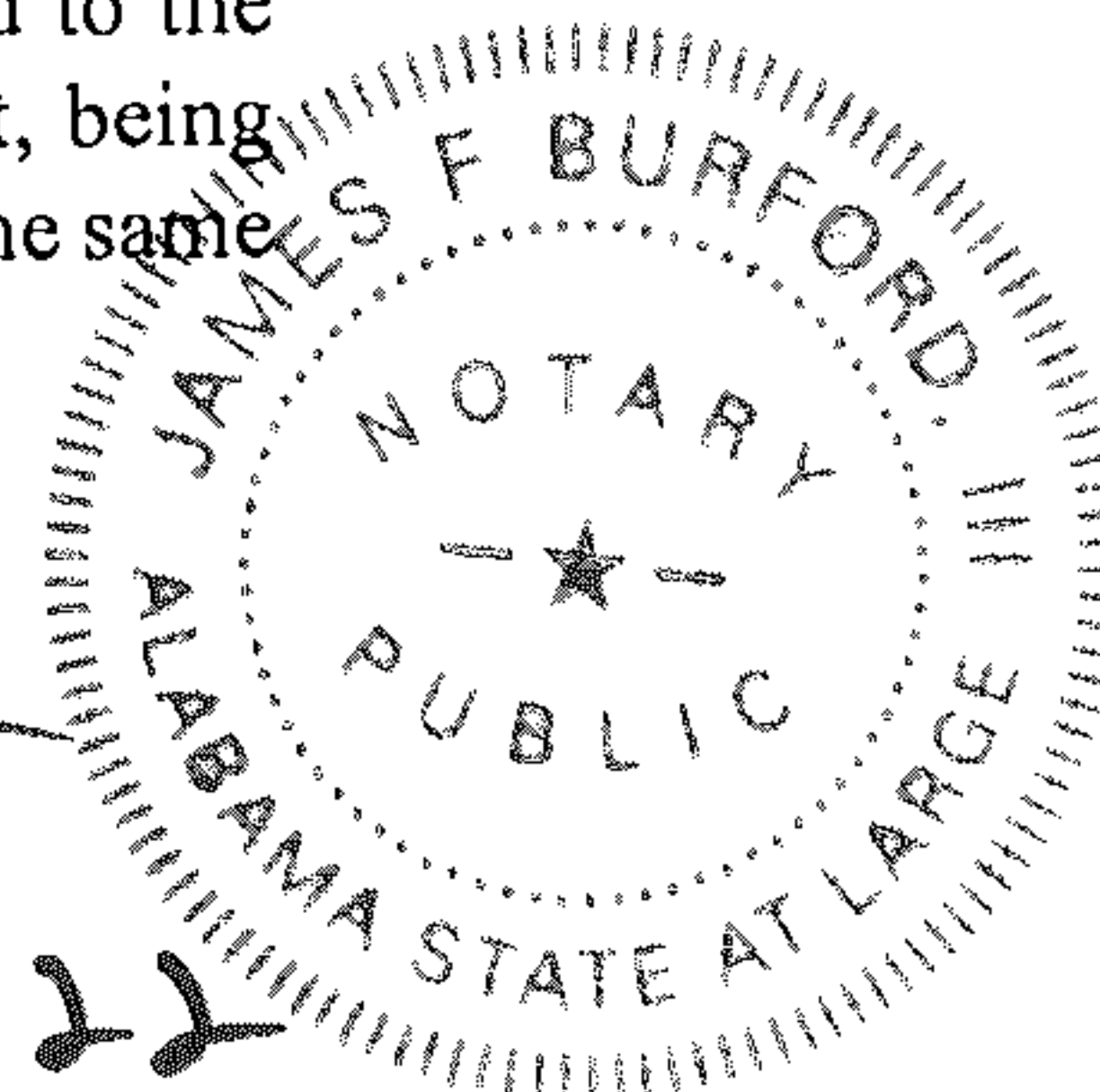


EXHIBIT A

LEGAL DESCRIPTION

PARCEL I:

Lot Number 8 and the South 1/2 of Lot Number 7, Block Number 1, according to the Survey of Cedar Grove Estates, as recorded in Map Book 3, Page 53, in the Probate Office of Shelby County, Alabama, excepting the highway right of way consisting of a strip of land 77 feet wide across the West end thereof.

PARCEL II:

Rights obtained that constitute an interest in real estate under that certain Private Access Easement Agreement by Baptist Health System, Inc., an Alabama nonprofit corporation, d/b/a Shelby Baptist Medical Center and Counce Enterprises, LLC, an Alabama limited liability company, dated December 14, 2007, filed December 18, 2007, and recorded in Instrument #20071218000569540, in the Probate Office of Shelby County, Alabama.

EXHIBIT B

1. Right of Way granted to Alabama Power Company as set out in instrument(s) recorded in Deed Book 176, Page 377; Deed Book 138, Page 434; Deed Book 103, Page 54, and Deed Book 138, Page 434.
2. Right of Way granted to Alabama Power Company as set out in instrument(s) recorded in Deed Book 160, Page 63. (PARCEL I)
3. Right of Way granted to Alabama Power Company as set out in instrument(s) recorded in Deed Book 182, Page 50. (PARCEL II)
4. Intentionally Deleted.
5. Right of Way in favor of Alabama Power Company and Southern Bell Telephone & Telegraph Company by instrument(s) recorded in Deed Book 175, Page 394.
6. Intentionally Deleted.
7. Right of Way granted to AT&T as recorded in Deed Book 109, Pages 191 and 192.
8. Transmission Line Permit(s) to Alabama Power Company as shown by instrument(s) recorded in Deed Book 103, Page 54; Deed Book 138, Page 443; Deed Book 175, Page 394, and Deed Book 176, Page 377. (PARCEL II)
9. Right(s)-of-Ways(s) granted to Shelby County by instrument(s) recorded in Deed Book 167, Page 242; Deed Book 102, Page 454, and Deed Book 102, Page 446. (PARCEL II)
10. Intentionally Deleted.
11. Easement(s) to AT&T as shown by instrument(s) recorded in Deed Book 109, Pages 191 and 192. (PARCEL II)
12. Intentionally Deleted.
13. Intentionally Deleted.
14. Intentionally Deleted.
15. Intentionally Deleted.
16. Terms, conditions, limitations and restrictions of Private Access Easement Agreement recorded in Instrument #20071218000569540, in the Probate Office of Shelby County, Alabama.
17. Intentionally Deleted.
- ~~18. Rights of interested parties under outstanding unrecorded leases.~~
19. Pending disbursement of the full proceeds of the loan secured by the mortgage insured herein, this policy insures only to the extent of the amount actually disbursed but increases as each disbursement is made in good faith and ~~without knowledge of any liens or defects to title up to the face amount of the policy.~~
20. The following items as shown on that Survey prepared by Kenneth A. Bau, dated December 23, 2019 and designated as YHA PRO # 039-18:
 - a. Block wall along North property line.
 - b. Encroachment of sanitary sewer across the Southwest corner of subject property.



Filed and Recorded
 Official Public Records
 Judge of Probate, Shelby County Alabama, County
 Clerk
 Shelby County, AL
 01/02/2020 09:09:22 AM
 \$29.00 CHARITY
 20200102000000520

Allen S. Bayl