

STATE OF ALABAMA     )  
                                     :  
COUNTY OF SHELBY     )

SEND TAX NOTICE TO:  
Highpointe 41, LLC  
120 Bishop Circle  
Pelham, Alabama 35124

**STATUTORY WARRANTY DEED**

THIS STATUTORY WARRANTY DEED is executed and delivered on this 5<sup>th</sup> day of August, 2021, by **EBSCO INDUSTRIES, INC.**, a Delaware corporation ("Grantor"), in favor of **HIGHPOINTE 41, LLC**, an Alabama limited liability company ("Grantee").

KNOW ALL MEN BY THESE PRESENTS that, for and in consideration of the sum of Ten Dollars (\$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 the real property (the "Property") situated in Shelby County, Alabama and more particularly described in **Exhibit A** attached hereto and incorporated herein by reference.

The Property is conveyed subject to the following (collectively, the "Permitted Exceptions"):

The Property is conveyed subject to the following (collectively, the "Permitted Exceptions"):

1. Ad valorem taxes and assessments for the current tax year and for all subsequent tax years thereafter.
2. North Shelby County Library District dues and assessments for the current year and for all subsequent years thereafter.
3. Cahaba Valley Fire & Emergency Medical District dues and assessments for the current year and for all subsequent years thereafter.
4. All easements, restrictions, reservations, rights-of-way and other matters of record.
5. 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 property.
6. Covenants, Conditions, Restrictions, Easements, Setback Lines and any Amendments thereto as disclosed on the plat of subdivision recorded in Book 8, Page 129 in the Office of the Probate Judge, Shelby County, Alabama.
7. Water Utility Facilities Easement, filed as document #1994-23928 in the Office of the Probate Judge, Shelby County, Alabama.

8. Easement to BellSouth Telecommunications, Inc. d/b/a AT&T Alabama, filed as document #20080827000344170 in the Office of the Probate Judge, Shelby County, Alabama.
9. Indenture of Trust, filed in Book 268, Page 7 in the Office of the Probate Judge, Shelby County, Alabama.
10. Rights to use road Easement shown on Plat Map Book 8, Page 129 in the Office of the Probate Judge, Shelby County, Alabama.  
Rights to use road Easement granted in Deed Book 350, Page 433 in the Office of the Probate Judge, Shelby County, Alabama.  
Rights to use road Easement granted in Deed Book 354, Page 703 in the Office of the Probate Judge, Shelby County, Alabama.  
Rights to use road Easement granted in Real Property Book 29, Page 306 in the Office of the Probate Judge, Shelby County, Alabama.  
Rights to use road Easement granted in Deed Book 350, Page 166 in the Office of the Probate Judge, Shelby County, Alabama.  
Rights to use road Easement granted in Deed Book 355, Page 190 in the Office of the Probate Judge, Shelby County, Alabama.  
Rights to use road Easement granted in Deed Book 351, Page 405 in the Office of the Probate Judge, Shelby County, Alabama.
11. 40 foot Easement to South Central Bell across Sections 2, 10, 11 in Township 19, Range 1 West and across Section 35, Township 18, Range 1 West, filed in Deed Book 342, Page 822 in the Office of the Probate Judge, Shelby County, Alabama.  
Corrected in Deed Book 346, Page 349 in the Office of the Probate Judge, Shelby County, Alabama.  
Last conveyed to AT&T Communications as set out in Real Book 35, Page 324 in the Office of the Probate Judge, Shelby County, Alabama.
12. Right of Way Easement to South Central Bell, filed in Book 342, Page 825 in the Office of the Probate Judge, Shelby County, Alabama.
13. Right of Way Easement to Alabama Power Company, filed in Book 343, Page 612 in the Office of the Probate Judge, Shelby County, Alabama.
14. Protective Covenants filed in MISC Book 52, Page 323 in the Office of the Probate Judge, Shelby County, Alabama.

Protective Covenants filed in Deed Book 355, Page 111 in the Office of the Probate Judge, Shelby County, Alabama.

15. Transmission Line Permit, filed in Deed Book 234, Page 426 in the Office of the Probate Judge, Shelby County, Alabama.

Transmission Line Permit, filed in Deed Book 212, Page 147 in the Office of the Probate Judge, Shelby County, Alabama.

16. Right of Way to BellSouth Mobility, Inc., filed in Book 154, Page 258 in the Office of the Probate Judge, Shelby County, Alabama.

17. Transmission Line Permit(s), filed in Deed Book 133, Page 210 in the Office of the Probate Judge, Shelby County, Alabama.

Transmission Line Permit(s), filed in Deed Book 158, Page 104 in the Office of the Probate Judge, Shelby County, Alabama.

18. Right of Way to Shelby County, filed in Deed Book 196, Page 231 in the Office of the Probate Judge, Shelby County, Alabama.

Right of Way to Shelby County, filed in Deed Book 196, Page 234 in the Office of the Probate Judge, Shelby County, Alabama.

Right of Way to Shelby County, filed in Deed Book 212, Page 388 in the Office of the Probate Judge, Shelby County, Alabama.

19. Rights of others in and to Yellowleaf Creek.

20. Rights of others in and to the 18' asphalt paved and/or dirt road running through the north and north easterly portion of the Property.


21. Resolution, filed as document #20150304000066370 in the Office of the Probate Judge, Shelby County, Alabama.

All matters which a current and accurate survey and physical inspection of the Property would indicate or disclose.

TO HAVE AND TO HOLD unto Grantee, its successors and assigns, forever; subject, however, to the Permitted Exceptions.

IN WITNESS WHEREOF, Grantor has caused this Statutory Warranty Deed to be executed as of the day and year first above written.

**EBSCO INDUSTRIES, INC.**, a Delaware corporation

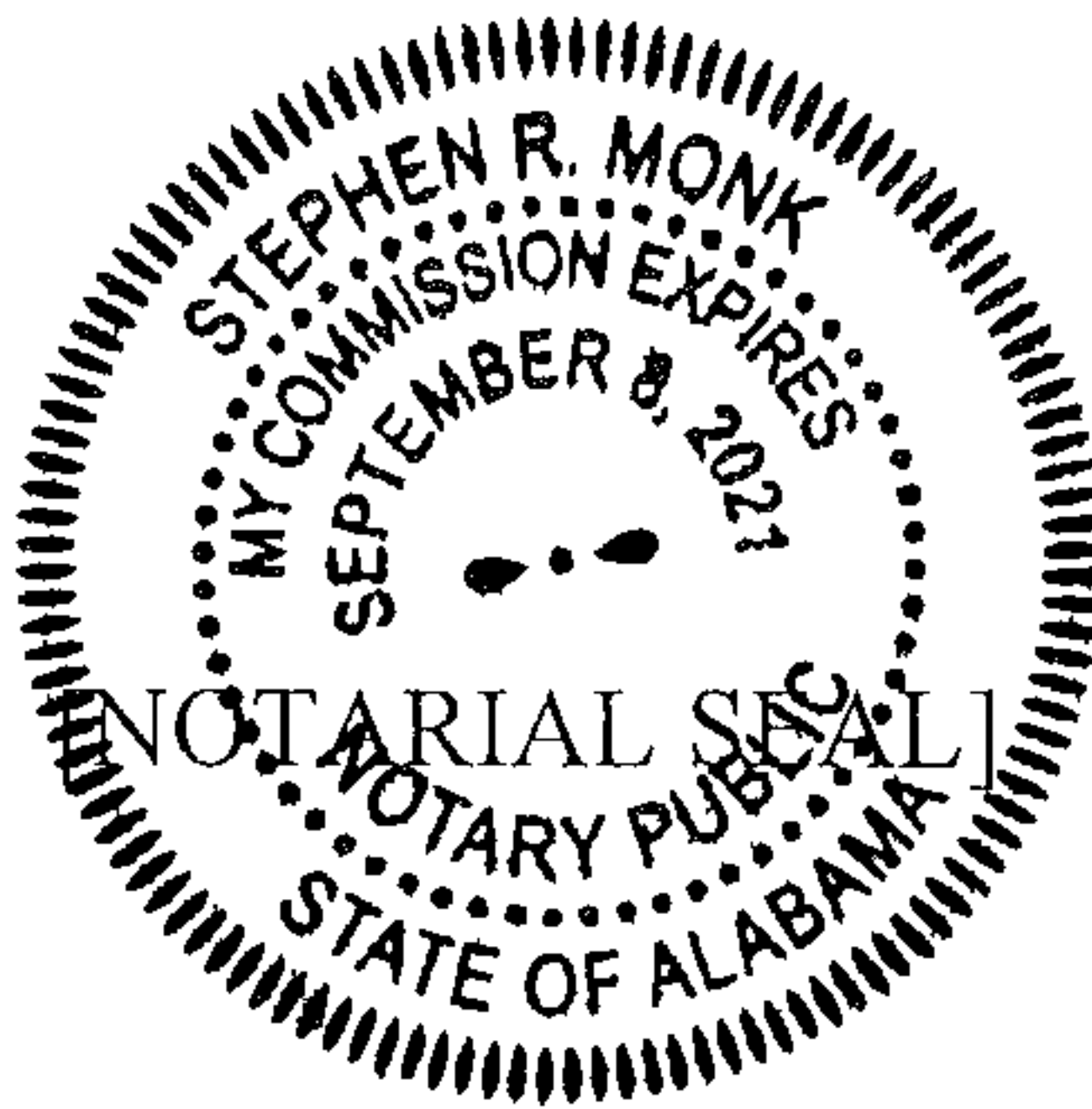
By:   
Printed Name: Brooks K. Sharp  
Title: Vice President

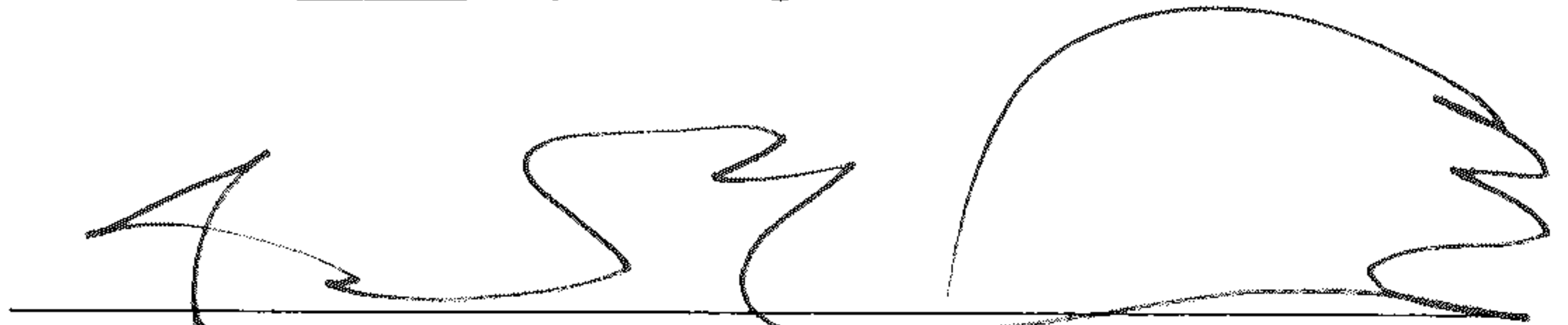


STATE OF ALABAMA                    )  
   :  
COUNTY OF JEFFERSON            )

I, the undersigned, a Notary Public in and for said county, in said state, hereby certify that Brooks Knapp, whose name as Vice President of EBSCO INDUSTRIES, INC., a Delaware corporation, 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, as such officer and with full authority, executed the same voluntarily for and as the act of such corporation.

Given under my hand and official seal, this the 5<sup>th</sup> day of August, 2021.



  
Notary Public

My commission expires: 9/8/2021

This instrument prepared by:  
Stephen R. Monk  
Bradley Arant Boult Cummings LLP  
One Federal Place  
1819 5<sup>th</sup> Avenue North  
Birmingham, Alabama 35203

**EXHIBIT A****Legal Description of Property**

## Parcel 1

A parcel of land situated in the Southeast Quarter of the Southeast Quarter of Section 9, Section 10, Section 11, the Northwest Quarter of the Northwest Quarter of Section 14, Section 15, and Section 16, all of Township 19 South, Range 1 West, Huntsville Meridian, Shelby County, Alabama, and being more particularly described as follows:

BEGIN at the Northeast corner of Section 15, Township 19 south, Range 1 West, Huntsville Meridian, Shelby County, Alabama; thence run North 86 degrees 58 minutes 39 seconds West along the locally accepted North line of Section 15 for a distance of 984.65 feet; thence leaving said locally accepted north line, run North 00 degrees 22 minutes 01 seconds West for a distance of 29.21 feet; thence run North 84 degrees 21 minutes 10 seconds West for a distance of 327.75 feet to the locally accepted west line of the Southeast Quarter of the Southeast Quarter of Section 10, Township 19 South, Range 1 West; thence run South 00 degrees 38 minutes 22 seconds West, along said locally accepted west line and along the locally accepted west line of the Northeast Quarter of the Northeast Quarter of Section 15, for a distance of 1,542.56 feet to the Southwest corner of said quarter-quarter section; thence run South 87 degrees 27 minutes 55 seconds West along the South line of the Northwest quarter of the Northeast Quarter, and along the North line of Mountain Oaks as recorded in Map Book 10, Page 74 in the Office of the Judge of Probate, Shelby County, Alabama, for a distance of 1252.84 feet (measured and plat), to the Northeast corner of the Southeast Quarter of Northwest Quarter of Section 15, Township 19 South, Range 1 West; thence run South 01 degrees 26 minutes 28 seconds East along the East line of the Southeast Quarter of the Northwest Quarter of Section 15, and along the West line of Mountain Oaks, for a distance of 1364.30 feet to the Southeast corner of said quarter-quarter section; thence continue South 01 degrees 27 minutes 52 seconds East along said West line for Mountain Oaks and along the East line of the Northeast Quarter of the Southwest Quarter of Section 15 for a distance of 908.23 feet to the Northwest right of way line for Shelby County Road No. 43 (also known as Bear Creek Road, right-of-way width varies); thence leaving said West line for Mountain Oaks run South 39 degrees 57 minutes 31 seconds West along said Northwest right of way line for a distance of 461.70 feet to the locally accepted South line of the Northeast Quarter of the Southwest Quarter of Section 15 as described by Instrument #1997-01413 as recorded in the aforementioned office of the Judge of Probate; thence leaving said right of way line run South 88 degrees 05 minutes 02 seconds West along said locally accepted South line for a distance of 1088.60 feet (measured vs. deed) to the Southwest corner of said quarter-quarter section; thence run North 00 degrees 16 minutes 53 seconds West along the west line of said quarter-quarter section for a distance of 1323.80 feet to the Northwest corner of said quarter-quarter section; thence run South 87 degrees 48 minutes 51 seconds West along the South line of the Southwest Quarter of the Northwest Quarter of Section 15 for a distance of 1308.94 feet; thence run South 88 degrees 22 minutes 56 seconds West along the South line of the Southeast Quarter of the Northeast Quarter of Section 16 for a distance of 1341.17 feet to the Southwest corner of the Southeast Quarter of said Northeast Quarter; thence run North 00 degrees 04 minutes 55 seconds East along the west lines of the Southeast Quarter of the Northeast Quarter



and the Northeast Quarter of the Northeast Quarter for a distance of 2,555.38 feet to the Southeast right of way line of Shelby County Road No. 41 (also known as Dunnivant Valley Road, right of way width varies); thence continue along said Southeast right of way line North 31 degrees 32 minutes 07 seconds East for a distance of 1,726.88 feet; thence leaving said right of way run North 86 degrees 14 minutes 56 seconds East for a distance of 112.05 feet; thence run South 47 degrees 30 minutes 57 seconds West, along the northwest line of that parcel described by Instrument #1998-12650 as recorded in the aforementioned office of the Judge of Probate for a distance of 315.80 feet, to the southwest corner of said parcel; thence run South 42 degrees 30 minutes 03 seconds East along the Southwest line of said parcel for a distance of 327.46 feet (deed-328.4 feet); thence run North 47 degrees 32 minutes 20 seconds East along the Southeast line of said parcel for a distance of 290.36 feet (deed-290.7 feet); thence run North 21 degrees 04 minutes 56 seconds West along the Northeast line of said parcel for a distance of 219.40 to the North line of the Southeast Quarter of the Southeast Quarter of Section 9; thence leaving said Northeast line run North 89 degrees 36 minutes 57 seconds East along said North line for a distance of 165.00 feet to the Northeast corner of said quarter-quarter section; thence run North 89 degrees 37 minutes 41 seconds East along the North line of the Southwest Quarter of the Southwest Quarter of Section 10 for a distance of 1322.27 feet to the Northeast corner of said quarter-quarter section; thence run North 00 degrees 22 minutes 15 seconds East along the West line of the Northeast Quarter of the Southwest Quarter of said Section 10 for a distance of 1344.83 feet to the Northwest corner of said quarter-quarter section; thence run North 89 degrees 32 minutes 34 seconds East along the North line of said quarter-quarter section for a distance of 1320.86 feet to the Northeast corner of said quarter-quarter section and the southwest corner of Lot 4 of Double Oak Estates as recorded in Map Book 8, Page 129 in the aforementioned office of the Judge of Probate; thence run North 89 degrees 32 minutes 34 seconds East along the South line of Lot 4 for a distance of 65.37 feet to the South line of the right of way for Double Oak Way; thence run South 60 degrees 07 minutes 28 seconds East along said south line for a distance of 60.00 feet; thence run North 29 degrees 53 minutes 32 seconds East along the East line of Double Oak Way for a distance of 128.28 feet to a curve to the left having a central angle 18 degrees 29 minutes 40 seconds, a radius of 371.75 feet, and a chord bearing North 20 degrees 37 minutes 42 seconds East for a distance of 119.48 feet; thence run North along said East line and along the arc of said curve for a distance of 120.00 feet; thence run North 11 degrees 22 minutes 52 seconds East along said East line for a distance of 24.57 feet to a curve to the right having a central angle of 24 degrees 51 minutes 00 seconds, a radius of 115.94 feet, and a chord bearing North 23 degrees 48 minutes 22 seconds East for a distance of 49.89 feet; thence run North along said East line and along the arc of said curve for a distance of 50.29 feet; thence run North 36 degrees 13 minutes 52 seconds East along said East line for a distance of 78.68 feet to a curve to the left having a central angle of 23 degrees 27 minutes 34 seconds, a radius of 165.40 feet, and a chord bearing North 23 degrees 28 minutes 36 seconds East for a distance of 67.25 feet (plat-68.50 feet) to the southwest corner of Lot 3 of Double Oak Estates; thence leaving said East right of way line run South 77 degrees 06 minutes 01 seconds East along the South line of Lot 3 for a distance of 143.52 feet (plat-143.24 feet); thence run North 26 degrees 29 minutes 23 seconds East along the East line of Lot 3 for a distance of 1021.76 (plat-1022.17 feet) to the northeast corner of Lot 3; thence run North 26 degrees 07 minutes 34 seconds East along the East line of Lot 2, Double Oak Estates, for a distance of 299.40 feet (plat-300.00 feet) to the northeast corner of Lot 2; thence leaving said East line run North 26 degrees 24 minutes 27 seconds East along the east line of that parcel as described in Deed Book 355, Page 109 as



recorded in the aforementioned office of the Judge of Probate, for a distance of 1,270.52 feet to the North line of Section 10, Township 19 South, Range 1 West; thence leaving said East line run North 88 degrees 11 minutes 26 seconds East along said North line for a distance of 1,026.78 feet to the Northwest Corner of Section 11; thence leaving the North line of Section 10 run North 88 degrees 27 minutes 00 seconds East along the North line of Section 11 for a distance of 3,962.62 feet to the Northeast corner of the Northwest Quarter of the Northeast Quarter of Section 11; thence leaving said North line run South 00 degrees 13 minutes 46 seconds East along the East line of said quarter-quarter section for a distance of 1337.18 feet to the Northeast corner of the Southwest Quarter of the Northeast Quarter; thence run South 01 degrees 33 minutes 45 seconds East along the East line of said quarter-quarter section for a distance of 630.88 feet to the Northwest right of way line of County Road 43 (also known as Bear Creek Road, right of way width varies) and to a curve to the left having a central angle of 09 degrees 00 minutes 04 seconds, a radius of 5769.09 feet, and a chord bearing South 51 degrees 35 minutes 32 seconds West for a distance of 905.38 feet; thence run southwesterly along said Northwest right of way line and along the arc of said curve for a distance of 906.32 feet; thence run South 47 degrees 15 minutes 47 seconds West along said Northwest right of way line for a distance of 410.51 feet; thence run North 42 degrees 22 minutes 47 seconds West along said Northwest right of way line for a distance of 10.07 feet; thence run South 47 degrees 12 minutes 52 seconds West along said Northwest right of way line for a distance of 150.00 feet; thence run South 42 degrees 22 minutes 47 seconds East along said Northwest right of way line for a distance of 10.07 feet; thence run South 47 degrees 11 minutes 41 seconds West along said Northwest right of way line for a distance of 1009.93 feet to a curve to the left having a central angle of 01 degree 18 minutes 30 seconds, a radius of 5770.31 feet, and a chord bearing South 46 degrees 34 minutes 37 seconds West for a distance of 131.76 feet; thence run Southwesterly along said Northwest right of way line and along the arc of said curve for a distance of 131.77 feet to the Northeast line of a Less and Except parcel for Brasher Chapel Church and Cemetery described in Deed Book 189, Page 419 as recorded in the aforementioned office of the Judge of Probate; thence leaving said Northwest right of way line run North 32 degrees 10 minutes 37 seconds West along said Northeast line for a distance of 355.69 feet; thence run South 37 degrees 15 minutes 53 seconds West along the Northwest line of said Less and Except for a distance of 422.11 feet; thence run South 32 degrees 12 minutes 48 seconds East for a distance of 305.77 feet to the aforementioned Northwest right of way line and to a curve to the left having a central angle of 03 degrees 28 minutes 34 seconds, a radius of 5,770.31 feet, and a chord bearing South 40 degrees 08 minutes 33 seconds West for a distance of 350.04 feet; thence leaving said Southwest line run Southwesterly along Northwest said right of way line and along the arc of said curve for a distance of 350.09 feet; thence run South 38 degrees 16 minutes 51 seconds West along said Northwest right of way line for a distance of 2484.20 feet to the East line of Section 15; thence leaving said Northwest right of way line run North 01 degrees 07 minutes 14 seconds East along said East line for a distance of 174.03 feet; thence run North 00 degrees 17 minutes 15 seconds West along said East line for a distance of 386.62 feet; thence run North 00 degrees 19 minutes 05 seconds East along said East line for a distance of 385.46 to the POINT OF BEGINNING.

#### Parcel 2

A parcel of land situated in the Northeast Quarter of the Southwest Quarter of Section 15, Township 19 South, Range 1 West, Huntsville Meridian, Shelby County, Alabama, and being

more particularly described as follows:

BEGIN at the Southeast corner of the Northeast Quarter of the Southwest Quarter of Section 15, Township 19 South, Range 1 West, Huntsville Meridian, Shelby County, Alabama; thence run North 88 degrees 21 minutes 15 seconds West along the South line of said quarter-quarter section for a distance of 279.10 feet to the Southeast right of way line of County Road 43 (also known as Bear Creek Road, right of way width varies); thence leaving said South line run North 39 degrees 08 minutes 39 seconds East along said Southeast right of way line for a distance of 430.05 feet to the East line of said quarter-quarter section; thence leaving said Southeast right of way line run South 01 degrees 15 minutes 31 seconds East along said East line for a distance of 341.63 feet to the POINT OF BEGINNING.

LESS AND EXCEPT THE FOLLOWING:

Legal Description for Parcel D

A parcel of land situated in the Southwest Quarter of Section 11, and the Northwest Quarter of the Northwest Quarter of Section 14, all in Township 19 South, Range 1 West, Huntsville Meridian, Shelby County, Alabama, and being more particularly described as follows:

Begin at the Southwest Corner of Section 11, Township 19 South, Range 1 West; thence run north along the west line of said Section a distance of 811.2 feet, to a point; thence leaving said west line, run North 56 degrees 41 minutes 20 seconds East a distance of 795.50 feet to a point; thence run South 89 degrees 08 minutes 13 seconds East a distance of 370.20 feet to a point; thence run North 44 degrees 44 minutes 29 seconds East a distance of 526.60 feet to a point; thence run South 65 degrees 57 minutes 18 seconds East to a point; thence run South 32 degrees 12 minutes 48 seconds East to a point on the northwesterly right of way line of County Road 43 (Bear Creek Road); thence run southwesterly along said right of way line and along a curve having a central angle of 03 degrees 28 minutes 34 seconds, a radius of 5,770.31 feet, and a chord bearing of South 40 degrees 08 minutes 33 seconds West for a distance of 350.04 feet; thence run southwesterly along the arc of said curve for a distance of 350.09 feet to a point; thence run southwesterly, along said County Road right of way, a distance of 2,484.20 feet to an intersection with the west section line of Section 14, Township 19 South, Range 1 West; thence leaving said County Road right of way, run North 01 degrees 07 minutes 14 seconds East along said section line a distance of 174.03 feet to a point; thence continue along said section line North 00 degrees 17 minutes 15 seconds West a distance of 386.62 feet to a point; thence continue along said section line North 00 degrees 19 minutes 05 seconds West a distance of 385.46 feet to the Southwest Corner of Section 11, Township 19 South, Range 1 West (also the Northwest Corner of Section 14), the Point of Beginning.



## Real Estate Sales Validation Form

*This Document must be filed in accordance with Code of Alabama 1975, Section 40-22-1*

Grantor's Name:

EBSCO INDUSTRIES, INC.

Mailing Address:

1 Mt Laurel Avenue, Suite 200  
Birmingham, AL 35242

Property Address: N/A

Real Property located adjacent to Highway 41 and  
Highway 43, Shelby County, Alabama

Grantee's Name:

Highpointe 41, LLC

Mailing Address:

120 Bishop Circle  
Pelham, Alabama 35124

Date of Sale:

August 6, 2021

Total Purchase Price

\$ 8,163,493.60

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).

Date: August 5, 2021X Unattested

(verified by) \_\_\_\_\_

EBSCO INDUSTRIES, INC.

By: \_\_\_\_\_

Its: \_\_\_\_\_

(Grantor/Grantee/Owner/Agent) circle one



Filed and Recorded  
 Official Public Records  
 Judge of Probate, Shelby County Alabama, County  
 Clerk  
 Shelby County, AL  
 08/10/2021 08:28:19 AM  
 \$8209.50 CHERRY  
 20210810000386810

Form RT-1

Alli S. Bayl