

THIS INSTRUMENT PREPARED BY:

Scott S. Frederick
Baker, Donelson, Bearman, Caldwell & Berkowitz, PC
420 20th Street North, Suite 1400
Birmingham, Alabama 35203

STATE OF ALABAMA)
)
SHELBY COUNTY)

STATUTORY WARRANTY DEED

1st **THIS STATUTORY WARRANTY DEED** is executed and delivered to be effective this day of September, 2021, by **GREEN REALTY, LTD.**, an Alabama limited partnership (“Grantor”), to **HIGHWAY 280 CORNER, LLC**, a Delaware limited liability company (hereinafter referred to as the “Grantee”).

KNOW ALL PERSONS BY THESE PRESENTS, That in consideration of the sum of Ten and 00/100 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 that certain real property situated in Shelby County, Alabama, as more particularly described on Exhibit A attached hereto and incorporated herein (the “Property”);

TOGETHER WITH all appurtenances thereto belonging or in anywise appertaining and all right, title and interest of Grantor in and to all roads, alleys and ways bounding the Property.

This conveyance is subject to those matters set forth on Exhibit B attached hereto.

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

Grantor does for itself, its successors and assigns, covenant with Grantee, its successors and assigns, that Grantor, and its successors and assigns, shall warrant and defend the same to Grantee, its successors and assigns, forever, against the lawful claims (unless otherwise noted above) of all persons claiming by, through, or under Grantor, but not further or otherwise.

[Signature appears on following page.]

IN WITNESS WHEREOF, the undersigned Grantor has executed this instrument to be effective as of the date first set forth above.

GRANTOR:

GREEN REALTY, LTD.,
an Alabama limited partnership

By: Green Capital, Inc., an Alabama corporation
Its: General Partner

By: Maurice O. V. Green
Maurice O.V. Green
Its: President

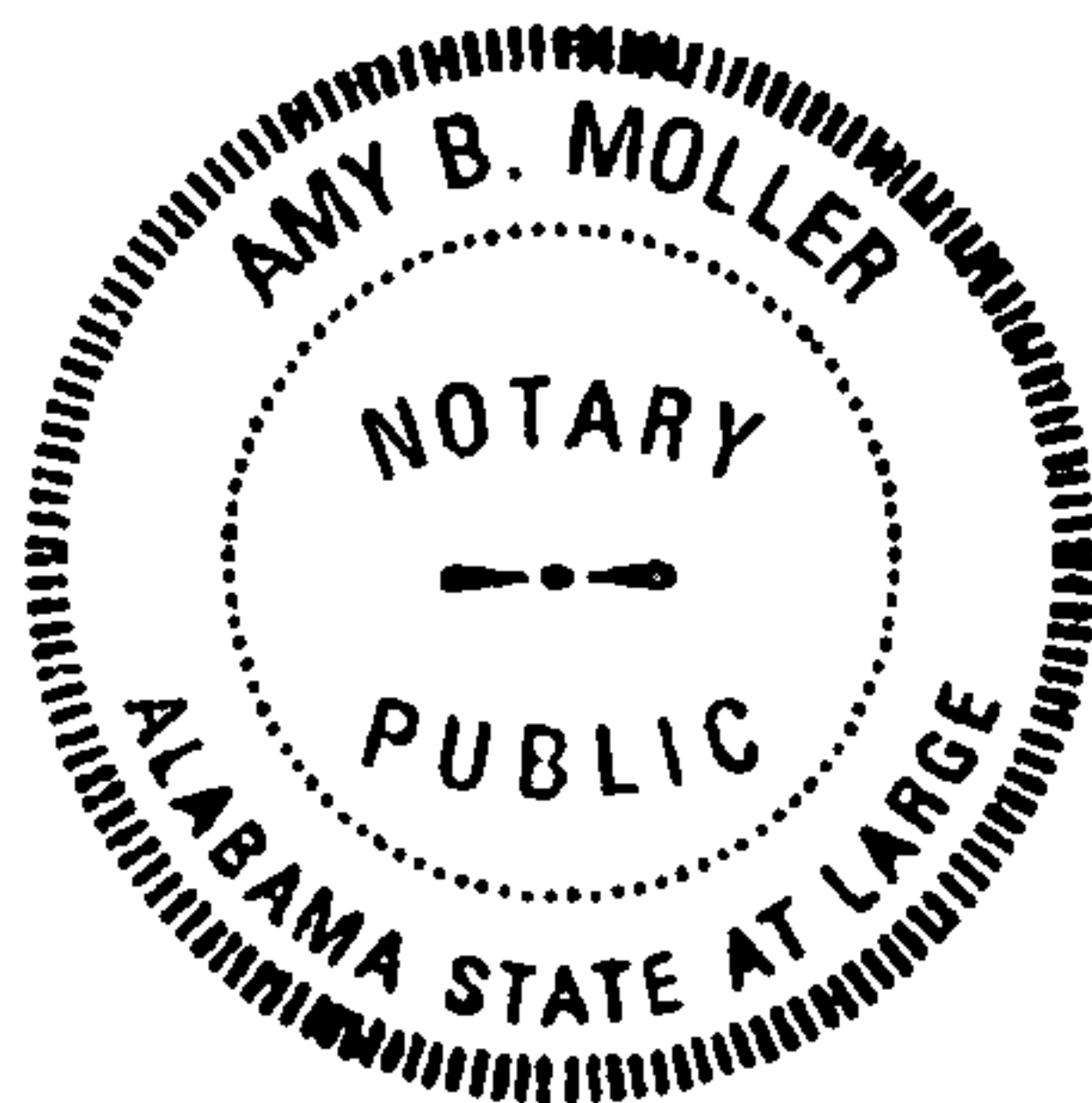
STATE OF ALABAMA)

JEFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Maurice O.V. Green, whose name as President of Green Capital, Inc., an Alabama corporation, the General Partner of **Green Realty, Ltd.**, an Alabama limited partnership, 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 such instrument, he, as such President of the General Partner and with full authority, executed the same voluntarily for and as the act of said limited partnership.

Given under my hand and official seal this 30 day of August, 2021.

[NOTARIAL SEAL]



[Signature]
Notary Public

My Commission Expires: 12/12/23

Exhibit A
Legal Description

The Land referred to herein below is situated in the County of Shelby, State of Alabama, and is described as follows:

PARCEL I: A PART OF THE SW1/4 OF THE NE1/4, NW1/4 OF THE SE1/4 OF SECTION 36, TOWNSHIP 18S, RANGE 2 WEST, SHELBY COUNTY, ALABAMA, MORE PARTICULARLY DESCRIBED AS FOLLOWS. FROM THE SOUTHEAST CORNER OF SAID SW1/4 OF THE NE1/4; THENCE WEST ALONG THE SOUTH QUARTER SECTION LINE OF SAID SW1/4 OF THE NE1/4 959.23 FEET, TO POINT OF BEGINNING; THENCE RIGHT 90° NORTHERLY 95.0 FEET; THENCE LEFT 45° NORTHWESTERLY 127.0 FEET; THENCE RIGHT 43°30' NORTHERLY 75.00' TO THE SOUTHEAST RIGHT OF WAY OF A PROPOSED ROAD; THENCE LEFT 126°38'19" ALONG SAID RIGHT OF WAY SOUTHWESTERLY 130.32', TO POINT OF A CURVE; THENCE CONTINUE ALONG CURVE OF SAID RIGHT OF WAY HAVING A CURVE RADIUS OF 377.81 FEET AN ARC LENGTH 150.36 FEET, A DELTA ANGLE OF 22°48'11" A TANGENT OF 76.19 FEET, TO THE NORTHEAST RIGHT OF WAY OF U.S. HIGHWAY NO. 280; THENCE LEFT 90° TO TANGENT OF SAID CURVE SOUTHEASTERLY ALONG A CHORD OF THE NORTHEAST RIGHT OF WAY OF SAID U.S. HIGHWAY 280, 235.0 FEET; THENCE LEFT 91°54'15" FROM SAID CHORD NORTHEASTERLY 54.50 FEET TO THE SOUTH QUARTER SECTION LINE OF SAID SW1/4 OF THE NE1/4; THENCE RIGHT 62°50'45" EASTERLY 60.90 FEET ALONG SAID QUARTER SECTION TO POINT OF BEGINNING. SAID PROPERTY CONTAINING 1.08 ACRES, MORE OR LESS.

PARCEL II: BEING A PART OF THE S.W. 1/4 OF THE NE 1/4 OF SECTION 36, TOWNSHIP 18 SOUTH, RANGE 2 WEST, SHELBY COUNTY, ALABAMA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 36, TOWNSHIP 18 SOUTH, RANGE 2 WEST, SHELBY COUNTY, ALABAMA, AND RUN WEST ALONG THE SOUTH LINE OF SAID 1/4-1/4 SECTION A DISTANCE OF 1,020.17 FEET; THENCE TURN AN ANGLE TO THE LEFT OF 62°-50'-45" AND RUN SOUTHWESTERLY FOR 54.50 FEET TO A POINT ON THE NORTHEASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY 280, SAID POINT BEING ON A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 5,639.58 FEET AND SUBTENDING A CENTRAL ANGLE OF 03°-18'-10"; THENCE TURN AN ANGLE TO THE RIGHT OF 91°16'-35" TO BECOME TANGENT WITH SAID CURVE; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE AND SAID NORTHEASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY 280 FOR 325.08 FEET TO THE POINT OF BEGINNING, SAID POINT ALSO BEING THE INTERSECTION OF THE NORTHEASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY 280 AND THE NORTHERLY RIGHT OF WAY LINE OF GREENHILL PARKWAY, AS RECORDED IN REAL BOOK 066, PAGE 146, SHELBY COUNTY, ALABAMA; SAID POINT IS ALSO THE BEGINNING OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 5,639.58 FEET AND SUBTENDING A CENTRAL ANGLE OF 00°-45'-06"; THENCE RUN ALONG THE ARC OF SAID CURVE AND ALONG THE

NORTHEASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY 280 FOR 73.99 FEET TO A POINT. SAID POINT BEING THE SOUTHEAST CORNER OF PROPERTY RECORDED IN REAL BOOK 051, PAGE 40, SHELBY COUNTY, ALABAMA; THENCE TURN AN ANGLE TO THE RIGHT OF $106^{\circ}-02'-17''$ FROM THE TANGENT OF SAID CURVE AND RUN NORTHEASTERLY FOR 456.71 FEET TO A POINT, SAID POINT BEING THE SOUTHEASTERLY CORNER OF LOT 3, COLONIAL PROPERTIES SUBDIVISION, AS RECORDED IN MAP BOOK 8, PAGE 138, IN THE OFFICE OF THE JUDGE OF PROBATE OF SHELBY COUNTY, ALABAMA; THENCE TURN AN ANGLE TO THE RIGHT OF $90^{\circ}-08'-24''$ AND RUN SOUTHEASTERLY FOR 104.88 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF SAID GREENHILL PARKWAY, SAID POINT BEING ON A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 670.14 FEET AND SUBTENDING A CENTRAL ANGLE OF $11^{\circ}-13'-50''$; THENCE TURN AN ANGLE TO THE RIGHT OF $104^{\circ}-25'-36''$ TO BECOME TANGENT TO SAID CURVE; THENCE RUN ALONG THE ARC OF SAID CURVE AND ALONG SAID GREENHILL PARKWAY RIGHT OF WAY FOR 131.36 FEET TO THE END OF SAID CURVE; THENCE TURN AN ANGLE TO THE RIGHT OF $90^{\circ}-00'-00''$ FROM TANGENT OF SAID CURVE AND RUN NORTHWESTERLY FOR 15.00 FEET ALONG SAID GREENHILL PARKWAY RIGHT OF WAY TO A POINT; THENCE TURN AN ANGLE TO THE LEFT OF $90^{\circ}-00'-00''$ AND RUN SOUTHWESTERLY ALONG THE NORTHERLY RIGHT OF WAY LINE OF SAID GREENHILL PARKWAY FOR 179.92 FEET TO THE BEGINNING OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 422.57 FEET AND SUBTENDING A CENTRAL ANGLE OF $17^{\circ}-23'-48''$; THENCE RUN ALONG THE ARC OF SAID CURVE AND THE NORTHERLY RIGHT OF WAY LINE OF SAID GREENHILL PARKWAY FOR 128.30 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 32,078.16 SQUARE FEET, MORE OR LESS, OR 0.74 ACRES, MORE OR LESS.

Exhibit B
Permitted Exceptions

1. Taxes and assessments for the year 2021 and subsequent years, which are not yet due and payable.
2. With respect to Parcel I, rights of Superior Bar & Grill Inc., as tenant, pursuant to unrecorded Lease Agreement dated January 18, 1985, as such lease may have previously been amended or assigned, and as evidenced of record in Lease Assignment and Assumption Agreement, recorded in Instrument 2000-27229; Lease Assignment and Assumption Agreement, recorded in Instrument 2000-27230; and Assignment of Lease, recorded in Instrument 2002-04545, in the Probate Office of Shelby County, Alabama. With respect to Parcel II, rights of Superior Bar & Grill, Inc., as tenant, pursuant to unrecorded Lease Agreement dated August 17, 1995, as such lease may have previously been amended or assigned.
3. Less and except any part of subject property shown as Greenhill Parkway, as shown on Map Book 25, Page 144, in the Probate Office of Shelby County, Alabama.
4. Easement to Alabama Power Company as recorded in Real 105, Page 855; Real 38, Page 735; and Real 38, Page 726 in the Probate Office of Shelby County, Alabama, as affected by the Alabama Power Company Easement Containment Letter recorded as Instrument No. 20210519000246210 in the Probate Office of Shelby County, Alabama.
5. Easement to Southern Inn, as recorded in Real 184, Page 242 and Real 66, Page 144, in the Probate Office of Shelby County, Alabama (as to Parcel II).
6. Transmission line permit to Alabama Power Company as recorded in Deed Book 182, Page 51 and Deed Book 285, Page 93 in the Probate Office of Shelby County, Alabama, as may be affected by the Alabama Power Company Easement Containment Letter recorded as Instrument No. 20210519000246210 in the Probate Office of Shelby County, Alabama.
7. Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto as recorded in Volume 286, Page 774 and Volume 293, Page 483 in the Probate Office of Shelby County, Alabama.
8. Roadway Slope and Signage Easement recorded in Instrument 1996-974 and First Amendment recorded in Instrument 20130924000383640, in the Probate Office of Shelby County, Alabama (as to Parcel II).

Real Estate Sales Validation Form***This Document must be filed in accordance with Code of Alabama 1975, Section 40-22-1***

Grantor's Name	<u>Green Realty Ltd</u>	Grantee's Name	<u>Highway 280 Corner, LLC</u>
Mailing Address	<u>2416 Country Club Lane</u>	Mailing Address	<u>361 Summit Blvd, Suite 110</u>
	<u>Birmingham, AL 35223</u>		<u>Birmingham, AL 35242</u>
Property Address	<u>4701 Hwy 280</u>	Date of Sale	<u>September 1, 2021</u>
	<u>Birmingham, AL 35242</u>	Total Purchase Price	<u>\$ 3,800,000.00</u>
		or	
		Actual Value of Easement	<u>\$</u>
		or	
		Assessor's Market Value	<u>\$ 2,302,760</u>

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 Tax Assessor Value
☒ 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 Sept. 1, 2021

Print: Chad J. Post, Authorized Agent

Unattested

Sign: Chad J. Post

(verified by)

Grantor/Grantee/Owner/Agent (circle one)



Filed and Recorded
 Official Public Records
 Judge of Probate, Shelby County Alabama, County
 Clerk
 Shelby County, AL
 09/14/2021 09:00:44 AM
 \$319.50 JOANN
 20210914000446570

Allen S. Bayl

Form RT-1