

20211217000598430
12/17/2021 03:13:00 PM
DEEDS 1/7

PREPARED BY:

**METZ LEWIS BRODMAN MUST O'KEEFE LLC
ERIC L BRADLEY, ESQ
535 SMITHFIELD ST, STE 800
PITTSBURGH, PA 15222**

WHEN RECORDED MAIL TO:

**FIDELITY NATIONAL TITLE CO – NCS DIV
ONE EAST WASHINGTON STREET, SUITE 450
PHOENIX, AZ 85004
ATTN: KELLI VOS
(602)343-7572**

TITLE NO.: AL 21-8977-P

ESCROW NO.: Z2139144-KJV

MASTER NO.: Z2139142-KJV

**DO NOT REMOVE THIS COVER SHEET. IT IS NOW PART OF THE RECORDED
DOCUMENT.**

DOCUMENT TO BE RECORDED:

SPECIAL WARRANTY DEED

Prepared By: Metz Lewis Brodman Must O'Keefe
LLC
Eric L. Bradley, Esquire
535 Smithfield Street, Suite 800
Pittsburgh, PA 15222

Send Tax Bill to: MDC Coast 16, LLC
Attn: Tax Department
11995 El Camino Real
San Diego, CA 92130

SPECIAL WARRANTY DEED

Shelby County, AL:

THIS INDENTURE, made this 29th day of November, 2021, but effective as of December 3rd, 2021, between and **CPLP XX (MONTEVALLO) LLC, a Delaware limited liability company**, as party of the first part (hereinafter referred to as "Grantor") and **MDC COAST 16, LLC, a Delaware limited liability company**, as party of the second part (hereinafter referred to as "Grantee"), (the words "Grantor" and "Grantee" to include their respective heirs, successors, successors-in-title and assigns where the context requires permits).

WITNESSETH THAT:

Grantor, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) in hand paid, and other good and valuable consideration, at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee all that tract or parcel of land having an address of 5310 Troy Highway, lying and being in Shelby County, Alabama, more particularly described on Exhibit "A" attached hereto and made a part hereof.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members, and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee, its successors and assigns, forever in **FEE SIMPLE**.

AND THE SAID Grantor will warrant and forever defend the right and title to the above- described property unto the said Grantee, its successors and assigns, against the lawful claims of all persons claiming through Grantor but not further or otherwise, except as expressly set forth in the permitted title encumbrances described in Exhibit "B" attached hereto and made a part hereof.

IN WITNESS WHEREOF, the Grantor has signed and sealed this Deed, the day and year first above written.

Signed, sealed and delivered

CPLP XX (MONTEVALLO) LLC, a
Delaware limited liability company

in the presence of:

By: Century Properties XX Limited
Partnership, an Alabama Limited
Partnership, its sole member

Laura Muehlen
Witness

By: CE Holdings XX LLC, a West
Virginia limited liability company,
its general partner

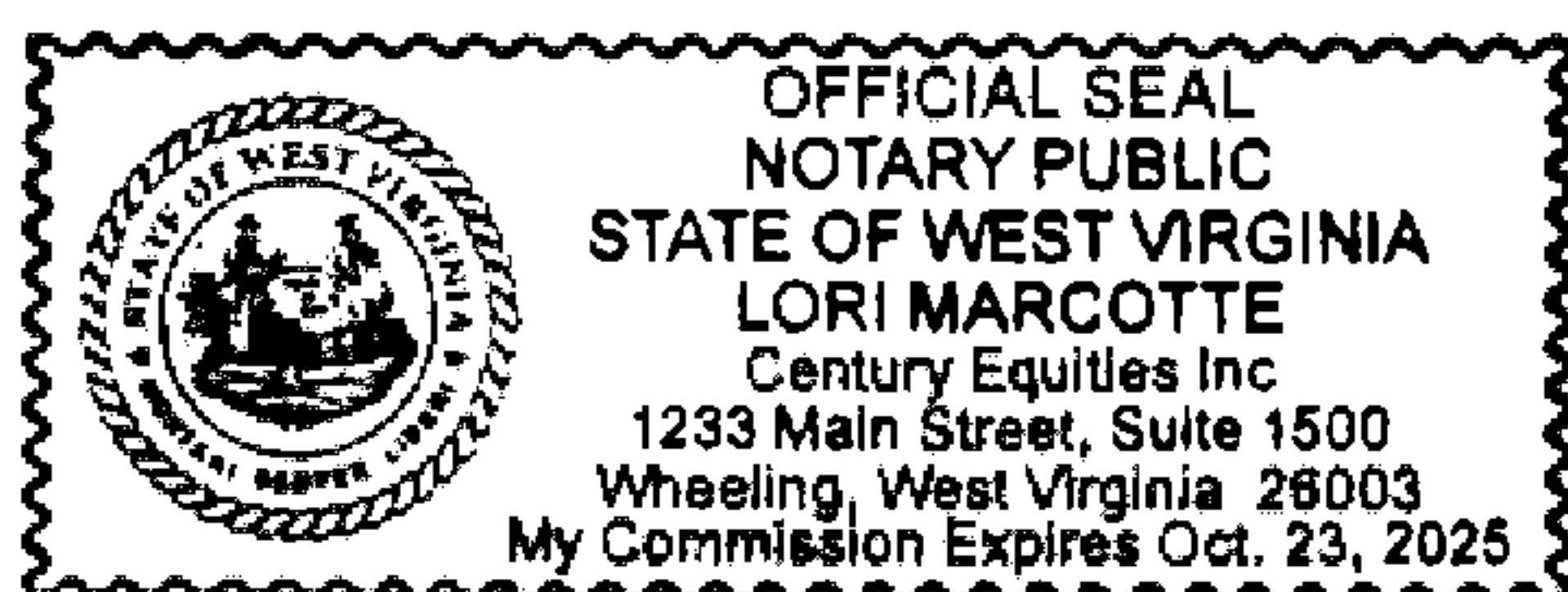
By: *[Signature]*

STATE OF West Virginia)

COUNTY OF Ohio)

I, the undersigned, Lori Marcotte, a Notary Public in and for said County, in said State, hereby certify that John D. Adlerholt whose name as Manager of CE Holdings XX LLC, a West Virginia limited liability company, 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, as such officer 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, the 29 day of November, 2021.



Lori Marcotte
Notary Public

My commission expires October 23, 2025

EXHIBIT "A"

LEGAL DESCRIPTION

Lot 1, according to the Survey of Tractor Supply Company Resurvey of Ropers Survey, a Commercial Subdivision, as recorded in Map Book 41, Page 131, in the Probate Office of Shelby County, Alabama, together with the right of ingress and egress over, across and through 30' wide ingress egress and utility easements identified in Map Book 39, page 20 and Map Book 41, Page 131.

Being and intending to be the same property conveyed to CPLP XX (Montevallo) LLC, by Special Warranty Deed of record in Instrument #20110606000164550, Probate Office, Shelby County, Alabama.

Further, Grantor does hereby remise, release and quit claim the following described land (NOTE: the warranties of title set-forth herein do not extend to the land described hereafter):

Tract 1:

Lot 1, according to the Survey of Tractor Supply Company Resurvey of Ropers Survey, a Commercial Subdivision, as recorded in Map Book 41, Page 131, in the Probate Office of Shelby County, Alabama.

Tract 2:

That right of ingress and egress over, across and through the 30 foot wide ingress, egress and utility easements identified in Map Book 39, Page 20 and Map Book 41, Page 131, in the Probate Office of Shelby County, Alabama.

ALSO DESCRIBED AS:

James M. Ray, a Registered Land Surveyor in the State of Alabama, hereby certify that all parts of this survey and plat (or drawing) have been completed in accordance with the requirements of the Standards for the Practice of Surveying in the State of Alabama, being more particularly described as follows:

Commence at a 1/2" rebar in place, said point being the Northwest corner of Lot No. 1 of the Tractor Supply Company Resurvey of the Resurvey of Ropers Survey as shown by map of said subdivision on record in the office of the Judge of Probate of Shelby County, Alabama, in Map Book 41 at page 131, said point also being the Point of Beginning; from this beginning point proceed North 65°47'58" East along the Southerly boundary of the Southern Railroad right-of-way for a distance of 295.59 feet to a 1/2" open top pipe in place; thence proceed South 02°13'11" East for a distance of 429.25 feet to a 1/2" capped rebar in place; thence proceed South 87°46'49" West for a distance of 188.67 feet to a 1/2" capped rebar in place; thence proceed South 02°12'03" East for a distance of 231.05 feet (set 1/2" rebar) to a

point on the Northerly right-of-way of Alabama Highway No. 25; thence proceed North $84^{\circ}32'37''$ West along the Northerly right-of-way of said highway for a distance of 88.90 feet (set 1/2" rebar); thence proceed North $01^{\circ}57'05''$ West for a distance of 234.69 feet to a 1/2" rebar in place; thence continue North $01^{\circ}57'05''$ West for a distance of 351.82 feet to the Point of Beginning.

The above described land is located in the Northeast one-fourth of Section 3, Township 24 North, Range 12 East, Shelby County, Alabama, said property being the same as Lot No. 1 of The Tractor Supply Company Resurvey of the Resurvey of Ropers Survey as shown by map of said subdivision on record in the office of the Judge of Probate of Shelby County, Alabama in Map Book 41 at page 131 AND IS SUBJECT TO AND GRANTED easements as shown by plats on record in the office of the Judge of Probate of Shelby County, Alabama in Map Book 39 at Page 20 and Map Book 41 at Page 131.

Exhibit B
Permitted Exceptions

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 the Land.

10' setback on South side of lot and 30' ingress and egress utility easements as shown on recorded map, as shown and plotted on that certain ALTA/NSPS Land Title Survey prepared by Christopher S. Denham, PLS, Ala. License No. 21171, Denham Land Surveyors, LLC, for The Matthews Company, Inc., dated November 11, 2021, last revised November 12, 2021, and designated Denham Project No. 21114-05007 (the "Survey").

Easement granted Alabama Power Company recorded in Inst. No. 20101216000432480 and Inst. No. 20101216000423490, in the Probate Office of Shelby County, Alabama.

Subject to the terms and provisions of that certain Memorandum of Lease made as of August 12, 2010, by and between BT Montevallo Associates, LLC, a Tennessee limited liability company, Landlord, and Tractor Supply Company, a Delaware limited liability company, Tenant, filed for record August 16, 2010, and recorded in Inst. No. 20100816000261220, in the Probate Office of Shelby County, Alabama; Lessor's interest assigned to CPLP XX (Montevallo) LLC, a Delaware limited liability company, by Assignment of Lessor's Interest in Lease Agreement dated May 11, 2011, filed for record September 1, 2011, and recorded in Inst. No. 20110901000259310, in said Probate Office.

Matters as shown and plotted on that certain ALTA/NSPS Land Title Survey prepared by Christopher S. Denham, PLS, Ala. License No. 21171, Denham Land Surveyors, LLC, for The Matthews Company, Inc., dated November 11, 2021, last revised November 12, 2021, and designated Denham Project No. 21114-05007, as follows:

- a. Fence encroaches over the property line 9.0'.



Filed and Recorded
 Official Public Records
 Judge of Probate, Shelby County Alabama, County
 Clerk
 Shelby County, AL
 12/17/2021 03:13:00 PM
 \$4640.00 CHERRY
 20211217000598430

Allen S. Bayl

Real Estate Sales Validation Form

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

Grantor's Name CPLP XX (Montevallo) LLC
 Mailing Address c/o Century Equities, Inc.
1233 Main St., Ste 1500
Wheeling, WV 26003

Grantee's Name MDC Coast 16, LLC
 Mailing Address 11995 El Camino Real
San Diego, CA 92130

Property Address 4633 Highway 25
Montevallo, AL 35115

Date of Sale December 1, 2021
 Total Purchase Price \$ 4,600,000

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 November 23, 2021

Print Shannon Jensen, SVP, Assoc. General Counsel

☐ Unattested

Sign

(verified by)

(Grantor/Grantee/Owner/Agent) circle one