

DIVISION DEED TO PARISH

STATE OF ALABAMA

COUNTY OF SHELBY



20220413000151600 1/6 \$38.00
Shelby Cnty Judge of Probate, AL
04/13/2022 08:43:19 AM FILED/CERT

<u>Grantor's Name and Address:</u> Bishop of Birmingham in Alabama, a Corporation Sole 2121 3 rd Avenue North Birmingham, AL 35203 P.O. Box 12047 Birmingham, AL 35202-2047	<u>Grantee's Name and Address:</u> Our Lady of the Valley Catholic Parish, Birmingham 5514 Double Oak Lane Birmingham, AL 35242
<u>Property Address If Available:</u> 5514 Double Oak Lane Birmingham, AL 35242	<u>Date of Conveyance:</u> April 5, 2022 <u>Commercial Property Ins. Valuation:</u> \$ 22,099,000

WHEREAS, to ensure that the separate juridic persons of the Bishop of Birmingham in Alabama, a Corporation Sole (the "**Diocese**"), and Our Lady of the Valley Catholic Parish, Birmingham, and all other entities affiliated with the same (collectively referred to herein as the "**Parish**"), under the Code of Canon Law of the Roman Catholic Church, are more clearly reflected in their civil law organizational structures, the Parish has separately incorporated as OUR LADY OF THE VALLEY CATHOLIC PARISH, BIRMINGHAM, an Alabama nonprofit corporation (the "**Corporation**"), under the laws of the State of Alabama;

WHEREAS, pursuant to said described separate incorporation, the Diocese is transferring the real property herein below to the Corporation as a part of the division

between the Diocese and the Parish (the "**Division**"), whereby the Diocese and Parish become two separate entities under the laws of the State of Alabama; and

WHEREAS, said transfer of real property contemplated by the Division is a tax-exempt transfer between the Diocese and Corporation pursuant to Section 40-22-5.1, *Code of Alabama* (1975), which exempts payment of recordation tax on transfers where a religious organization divides into two or more similar organizations.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS, that for and in consideration of the sum of TEN AND NO/100THS DOLLARS (\$10.00) and other good and valuable consideration, the receipt of all of which is hereby acknowledged, BISHOP OF BIRMINGHAM IN ALABAMA, a Corporation Sole (herein called "**Grantor**"), does hereby GRANT, BARGAIN, SELL and CONVEY unto OUR LADY OF THE VALLEY CATHOLIC PARISH, BIRMINGHAM, an Alabama nonprofit corporation (herein called "**Grantee**"), and its successors and assigns forever, the real property, situated, lying and being in the State of Alabama, County of Shelby, more particularly described and set forth on Exhibit A attached hereto and incorporated herein, subject, however, to all those matters, if any set forth on the said Exhibit A, and all rights of way, easements, covenants, restrictions and reservations of record.

It is the intent of Grantor to convey to Grantee all of Grantor's rights, title and interests in said property herein conveyed;

TOGETHER WITH all and singular the rights, tenements, hereditaments, members, privileges and appurtenances thereunto belonging or in anywise appertaining;

TO HAVE AND TO HOLD the same unto said Grantee and its successors and assigns forever.

IN WITNESS WHEREOF, the said Grantor has executed this deed this the 5 day of April, 2022.

**BISHOP OF BIRMINGHAM IN
ALABAMA, a Corporation Sole:**

+ Steven J. Raica

By: Most Reverend Steven J. Raica
As: Its Bishop

STATE OF ALABAMA

COUNTY OF JEFFERSON

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that MOST REVEREND STEVEN J. RAICA, in his capacity as Bishop of Birmingham in Alabama, a Corporation Sole, and with full authority, signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal on this the 5 day of April, 2022.

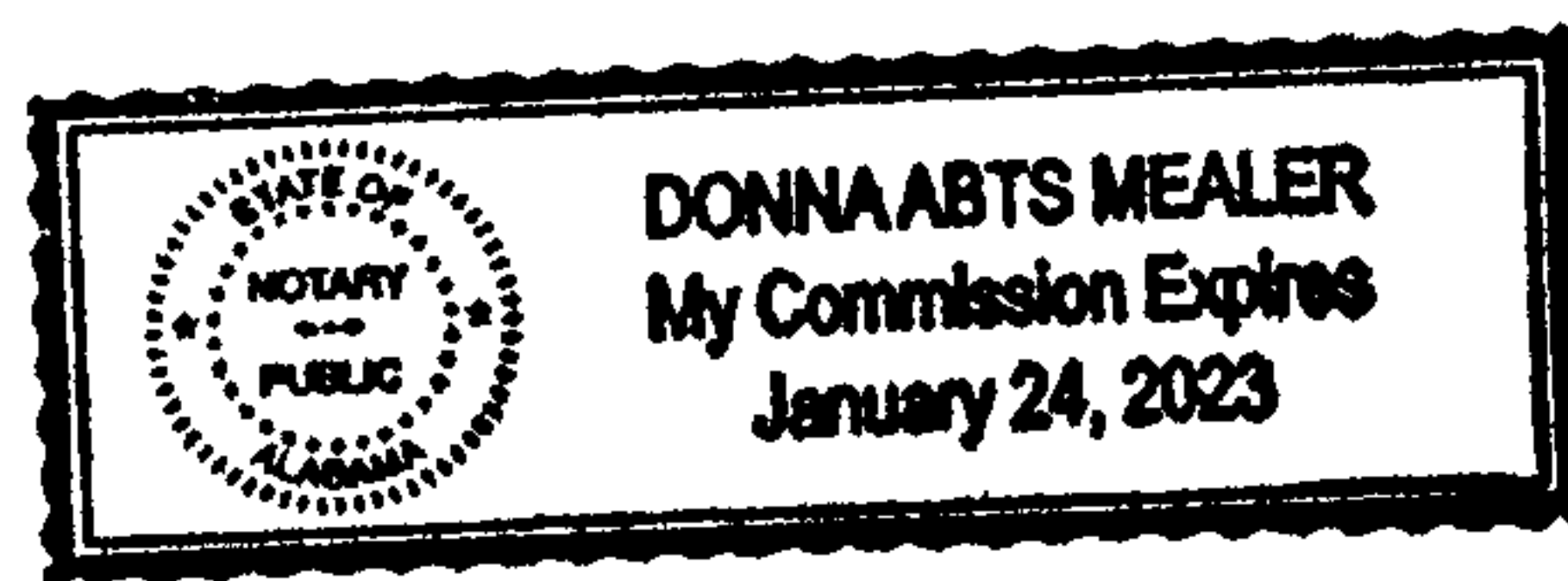
Donna Abts Mealer

NOTARY PUBLIC

State of Alabama at Large

My Commission Expires:

This instrument prepared by:
F. Grey Redditt, Esq.
Maynard Cooper & Gale, P.C.
RSA Battle House Tower
11 North Water Street, Suite 24290
Mobile, AL 36602-5027
(251) 432-0001



Revised by and legal descriptions provided by:
John F. Whitaker
General Counsel
Diocese of Birmingham in Alabama
2121 3rd Avenue North
Birmingham, AL 35203



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EXHIBIT A

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Parcel 1

17 Acres, more or less, being a part of Sections 27, & 22, Township 19 South, Range 2 West, Shelby County, Alabama; and more particularly described as: Parcel No. 1 - A parcel of land located in the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ and the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 22, Township 19 South, Range 2 West more particularly described as follows: Begin at the SW corner of said SW $\frac{1}{4}$ of SE $\frac{1}{4}$; thence in an easterly direction along the south line of said $\frac{1}{4}$ - $\frac{1}{4}$ Section, a distance of 332.73 feet; thence 79 deg. 44 min. left in a northeasterly direction a distance of 79.68 feet; thence 10 deg. 16 min. left in a northerly direction a distance of 260 feet; thence 90 deg. right in an easterly direction of 10 feet; thence 90 deg. left in a northerly direction a distance of 393 feet, more or less, to the southeasterly right of way line of the new Cahaba Valley Road; thence in a southwesterly direction along said right of way line a distance of 620 feet to the intersection with Bishop Creek; thence in a southwesterly direction along said Bishop Creek a distance of 800 feet to the intersection with the southerly line of said SE $\frac{1}{4}$ of SW $\frac{1}{4}$; thence in an easterly direction along said southerly line of said SE $\frac{1}{4}$ of SW $\frac{1}{4}$ a distance of 800 feet to the point of beginning, containing 10 acres, more or less, Shelby County, Alabama. Parcel No. 2 - Begin at the Northwest corner of the E $\frac{1}{2}$ of the E $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Section 27, Township 19 South, Range 2 West, thence run easterly along the north boundary line of said Section 27 for 997.86 feet to the Northeast corner of the W $\frac{1}{2}$ of the W $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the

NE $\frac{1}{4}$ of said Section 27; thence turn an angle of 88 deg. 38 min. to the right and run southerly 108.42 feet; thence turn an angle of 97 deg. 33 min. to the right and run northwesterly 1006.3 feet, more or less, to the point of beginning; This land being a part of the North one-half of Section 27, Township 19 South, Range 2 West and being 1.24 acres, more or less. Parcel No. 3 - Lots 5, 11 and 12 in Block 1 according to "Cherokee Forest", First Sector Subdivision which is situated in SE $\frac{1}{4}$ of Section 22 and the NE $\frac{1}{4}$ of Section 27, both in Township 19 South, Range 2 West, as shown by map of said subdivision recorded in Map Book 5 page 17 in the Probate Office of Shelby County, Alabama. Also begin at a point where the West right of way line of the Forest View Drive intersects the South line of the New Cahaba Valley Road and run in a Westerly direction along the South line of said New Cahaba Valley Road a distance of 420 feet to a point; thence turn an angle of 97 deg. 12' 30" to the left and run Southerly 206.70 feet to the Northwest corner of Lot 5 Block 1 according to said "Cherokee Forest" First Sector Subdivision; thence turn a 90 deg. angle to the left and run East 200 feet to the West right of way line of Forest View Drive; thence run in a Northerly direction along West right of way line of Forest View Drive a distance of 435.70 feet to point of beginning.

A part of the SW ¼ of SE ¼, Section 22, Township 19 South, Range 2 West, identified as Tract No. 9 on Project No. STPBH-7136(600) in Shelby County, Alabama and being more fully described as follows:

Parcel 2

Commencing, at the SW corner of the SW ¼ OF SE ¼, Section 22 Township 19 South, Range 2 West, thence N 37°13'36" E a distance of 1144.27 feet, to a point on present R/W 39.96 feet right station 409+03.44, which is the point of BEGINNING;

thence N 68°43'2" E and along the present R/W line a distance of 70.28 feet to a point on the present R/W line of Double Oak LN;

thence following the curvature thereof an arc distance of 82.49 feet and along the present R/W line to a point on the present R/W line(said point offset 105.26 feet and perpendicular to centerline of project at station 409+24.13)(said arc having a chord bearing of S 15°59'35" W, a clockwise direction, a chord distance of 81.84 feet and a radius of 189.32 feet);

thence N 38°56'3" W and along the required R/W line a distance of 68.34 feet(said point offset

And as shown on the right of way map of record in the Alabama Department of Transportation a copy of which is also deposited in the office of the Judge of Probate as an aid to persons and entities interested therein and as shown on the Property Sketch attached hereto and made a part hereof.



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