

This Instrument Prepared by:

Aurum Title
304 West 12th Street
Dallas, Texas 75208

Send Tax Notice to:

Ewing Irrigation Products, Inc.
3441 E. Harbour Drive
Phoenix, Arizona 85034

STATE OF ALABAMA)
COUNTY OF BALDWIN)

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED is executed and delivered this 19th day of April 2022, by E & R PROPERTIES, LLC, an Alabama limited liability company ("Grantor"), in favor of EWING IRRIGATION PRODUCTS, INC., a Nevada corporation ("Grantee").

KNOW ALL MEN BY THESE PRESENTS, that in consideration of the sum of **TEN and NO/100 DOLLARS (\$10.00)**, in hand paid by Grantee to Grantor, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by Grantor, Grantor does by these presents GRANT, BARGAIN, SELL and CONVEY unto Grantee the following described real property and improvements situated in Shelby County, Alabama, more particularly described on Exhibit A attached hereto (the "Property").

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

And Grantor does for itself, and its heirs, personal representatives, successors and assigns, covenants with Grantee and its successors and assigns, that Grantor is lawfully seized in fee simple of the Property subject to the encumbrances, if any, identified herein, and that Grantor will warrant and defend the right and title to the above described Property unto the Grantee against the lawful claims and demand of all persons claiming by, through, or under Grantor, but none other.

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, Grantor has caused this Special Warranty Deed to be executed this 19th day of April 2022.

GRANTOR:

E & R PROPERTIES, LLC,
an Alabama limited liability company

By: Eddie R Gentry
Name: Eddie R. Gentry
Title: Member

STATE OF ALABAMA)
COUNTY OF BALDWIN)

I, the undersigned, a notary public in and for said county in said state, hereby certify that Eddie R. Gentry, whose name as Member of E & R Properties, LLC, 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 corporation.

GIVEN under my hand and seal this the 19th day of April, 2022.

Sharon Stafford
Notary Public
My Commission Expires: 05/31/2023
(SEAL)

Sharon Stafford
Notary Public, Alabama State At Large
My Commission Expires May 31, 2023

LEGAL DESCRIPTION

Parcel I:

A parcel of land located in the Southeast Quarter of Section 24, Township 20 South, Range 3 West, Shelby County, Alabama, more particularly described as follows:

Commence at the Southeast corner of the Southeast Quarter of Section 24, Township 20 South, Range 3 West; thence run Northerly along the Section line 634.89 feet to the point of beginning; thence continue Northerly along the same course 299.93 feet; thence left 89 degrees 46 minutes 38 seconds 459.38 feet to the East right of-way of McCain Parkway; thence left 91 degrees 03 minutes 05 seconds to the chord of a curve to the left with a radius of 3789.72 feet and a chord distance of 300.05 feet; thence run along the arc of said curve 300.13 feet along said right-of-way; thence left 88 degrees 57 minutes 27 seconds from said chord 455.05 feet to the point of beginning.

Parcel II:

A parcel of land located in the Southeast Quarter of Section 24, Township 20 South, Range 3 West, Shelby County, Alabama, more particularly described as follows:

Commence at the Southeast corner of Section 24, Township 20 South, Range 3 West, Shelby County, Alabama; thence run Northerly along the East line of Section 24 a distance of 935.04 feet to the point of beginning; thence continue Northerly along the East line of Section 24 a distance of 345.00 feet; thence left 90 degrees 00 minutes 40 seconds Westerly a distance of 448.28 feet to the Easterly right of way of McCain Parkway; thence left 88 degrees 04 minutes 10 seconds Southerly along the East Right-Of-Way of McCain Parkway a distance of 304.58 feet to the P.C. of a curve to the left with a radius of 3789.72 feet and a central angle of 00 degrees 36 minutes 49 seconds; thence run Southerly along the arc of said curve 40.59 feet; thence left 91 degrees 33 minutes 25 seconds from said curve chord Easterly a distance of 459.58 feet to the point of beginning.

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SUBJECT TO:

1. All taxes for the year 2022 and subsequent years, not yet due and payable. All taxes currently due and payable are paid.
2. Rights or claims of only the following parties in possession, as tenants only, not shown by the public records:
 - A. Core & Main LP, a Florida limited partnership
 - B. One Source Equipment Rentals, Inc., an Indiana corporation
 - C. Vertical Bridge S3 Assets, LLC, a Delaware limited liability company
3. 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.
4. Unrecorded Option and Lease Agreement dated 3/9/2016 by and between E & R Properties, LLC, an Alabama limited liability company, as Landlord, and Foresite, LLC, an Alabama limited liability company, as Tenant, as evidenced by that Memorandum of Option dated 3/9/2016, filed for record 03/17/2016 and recorded in Instrument 20160317000086300. Memorandum of Lease filed in connection therewith, dated 3/9/2016, filed for record 08/10/2016, recorded in Instrument 20160810000285340, Assignment and Assumption of Lease from Foresite LLC to Vertical Bridge Development LLC as recorded in Instrument 20180524000181480; Assignment and Assumption of Lease from Vertical Bridge Development LLC to Vertical Bridge S3 Assets LLC as recorded in Instrument 20180510000159630, in the Probate Office of Shelby County, Alabama, and as set forth on the ALTA/NSPS Land Title Survey prepared by Rodney Shiflett with Rodney Shiflett Surveying dated 02/25/2022 and designated as Job No. 22142.
5. Unrecorded Tower Lease Agreement dated 6/22/2016 by and between Foresite LLC, as Landlord, and Cellco Partnership d/b/a Verizon Wireless, as Tenant, as evidenced by that Memorandum of Agreement dated 6/22/2016, recorded in Instrument 20160706000234170, in the Probate Office of Shelby County, Alabama, and as set forth on the ALTA/NSPS Land Title Survey prepared by Rodney Shiflett with Rodney Shiflett Surveying dated 02/25/2022 and designated as Job No. 22142.

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6. Leasehold Mortgage dated 2/21/2018 from Vertical Bridge S3 Assets LLC (“VB3”) to Deutsche Bank Trust Company Americas, in the principal amount of \$67,311.32, filed for record on 5/10/2018 in Instrument 20180510000159640, in the Probate Office of Shelby County, Alabama. NOTE: This mortgage lien encumbers only VB3's leasehold interest in the unrecorded Tower Lease Agreement identified in Item 5 above and its interest in the fixtures and other personal property located thereon.
other personal property located thereon.
 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 Deed Book 23, page 525, in the Probate Office of Shelby County, Alabama.
 8. Transmission line permit to Alabama Power Company, recorded in Deed Book 126, Page 292, in the Probate Office of Shelby County, Alabama.
 9. Easement to South Central Bell as recorded in Real Book 119, page 870, in the Probate Office of Shelby County, Alabama.
 10. Right of Way granted to Alabama Power Company as recorded in Instrument 20160926000350700 and Instrument 20160926000350710 in the Probate Office of Shelby County, Alabama, and as set forth on the ALTA/NSPS Land Title Survey prepared by Rodney Shiflett with Rodney Shiflett Surveying dated 02/25/2022 and designated as Job No. 22142.
 11. The following matters set forth on the ALTA/NSPS Land Title Survey prepared by Rodney Shiflett, with Rodney Shiflett Surveying dated 02/25/2022 and designated as 22142:
 - a) location of fence within and without property lines;

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>E & R Properties, LLC</u>	Grantee's Name	<u>Ewing Irrigation Products, Inc.</u>
Mailing Address	<u>1904 Holmes Avenue</u> <u>Foley, Alabama 36535</u>	Mailing Address	<u>3441 E. Harbour Drive</u> <u>Phoenix, Arizona 85034</u>
Property Address	<u>1369, 1371 & 1373 McCain</u> <u>Parkway</u> <u>Pelham, Alabama 35124</u>	Date of Sale	<u>April 19, 2022</u>
		Total Purchase Price	<u>\$ 3,200,000.00</u>
		or	
		Actual Value	<u>\$</u>
		or	
		Assessor's Market Value	<u>\$</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 _____
☐ 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).

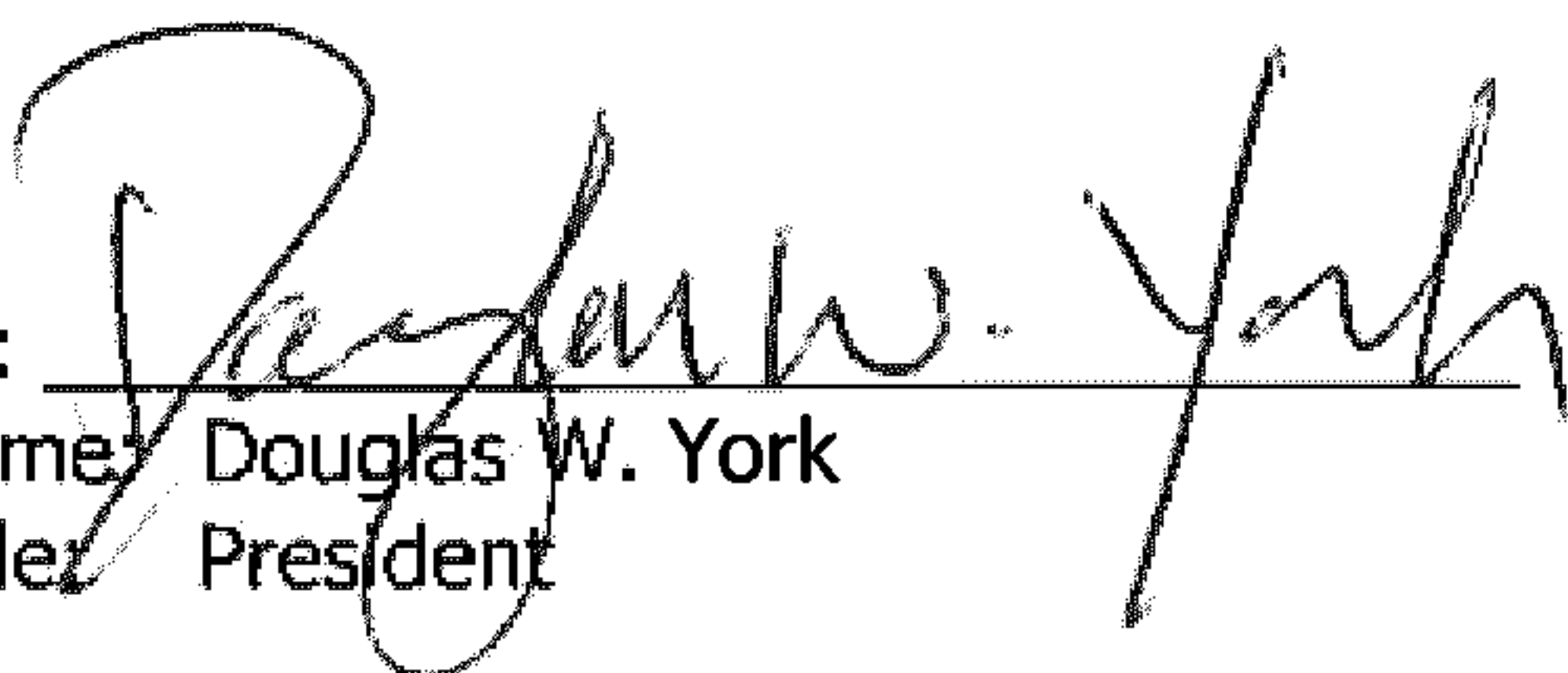
[SIGNATURE PAGE FOLLOWS]

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 April 15, 2022

GRANTEE:

EWING IRRIGATION PRODUCTS, INC.,
a Nevada corporation

By: 
Name: Douglas W. York
Title: President

STATE OF ARIZONA)
COUNTY OF MARICOPA)

I, the undersigned, a notary public in and for said county in said state, hereby certify that, Douglas W. York, as the President of Ewing Irrigation Products, Inc., 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 the instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

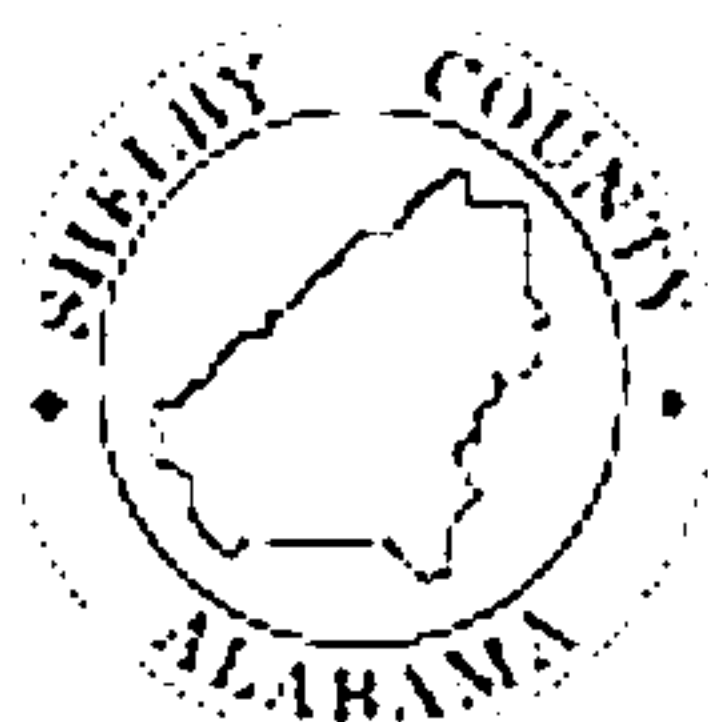
GIVEN under my hand and seal this the 15th day of April 2022.


Notary Public

My Commission Expires: March 16, 2024
(SEAL)



Form RT-1



Filed and Recorded
Official Public Records
Judge of Probate, Shelby County Alabama, County
Clerk
Shelby County, AL
04/22/2022 08:48:06 AM
\$3240.00 JOANN
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Allen S. Bayl