

Prepared by and return to:  
Vandeventer Black LLP  
Attn: James B. Rixey, III, Esq.  
101 West Main Street  
500 World Trade Center  
Norfolk, Virginia 23510

Parcel ID No.: \_\_\_\_\_  
060168-060169

**MEMORANDUM OF TENANCY-IN-COMMON AGREEMENT**

THIS MEMORANDUM OF TENANCY IN COMMON AGREEMENT (this "Memorandum") is made and entered into effective as of March 30, 2022, by and among CIG SSD LLC, a Delaware limited liability company, as to an undivided 54.1666% interest, CIG SSD EM LLC, a Delaware limited liability company, as to an undivided 27.7778% interest, CIG SSD JWG LLC, a Delaware limited liability company, as to an undivided 13.8889% interest, CIG SSD RGM LLC, a Delaware limited liability company, as to an undivided 2.7778% interest, and CIG SSD FB LLC, a Delaware limited liability company, as to an undivided 1.3889% interest (individually, a "Co-Owner," and collectively, the "Co-Owners").

FOR VALUABLE CONSIDERATION, the receipt and sufficiency of which are hereby acknowledged, the Co-Owners hereby declare and agree as follows:

1. The Co-Owners have entered into that certain unrecorded Agreement Between Tenants in Common, dated of even date herewith (the "Co-Tenancy Agreement"), for the purpose of providing for, among other things, the management and operation of certain improved real property as more particularly described on Exhibit A attached hereto (the "Property").

2. The Co-Tenancy Agreement, among other things, (i) restricts under certain circumstances the rights of the Co-Owners to sell, transfer, assign, or encumber their respective undivided interests in the Property; (ii) restricts under certain circumstances the rights of each Co-Owner to incur expenses or to enter into contracts or other agreements in connection therewith on behalf of the other Co-Owners; (iii) provides that, except as otherwise provided in the Co-Tenancy Agreement, no single Co-Owner shall have any authority to act for, or assume obligations or responsibility on behalf of, the other Co-Owners; and (iv) contains certain provisions in favor and for the benefit of Lender (as defined in the Co-Tenancy Agreement) which may not be modified without the Lender's prior written consent.

3. This Memorandum is being made and entered into for the purpose of providing notice of the Co-Tenancy Agreement and the provisions thereof. The Co-Tenancy Agreement is incorporated herein by this reference and hereby is made a part hereof as if set forth in full herein.

4. This Memorandum may be executed in multiple counterparts, each of which shall be deemed an original and all of which, taken together, shall constitute one (1) and the same document.

IN WITNESS WHEREOF, the undersigned have executed this Memorandum of Tenancy  
In Common Agreement as of the day and year first above written.

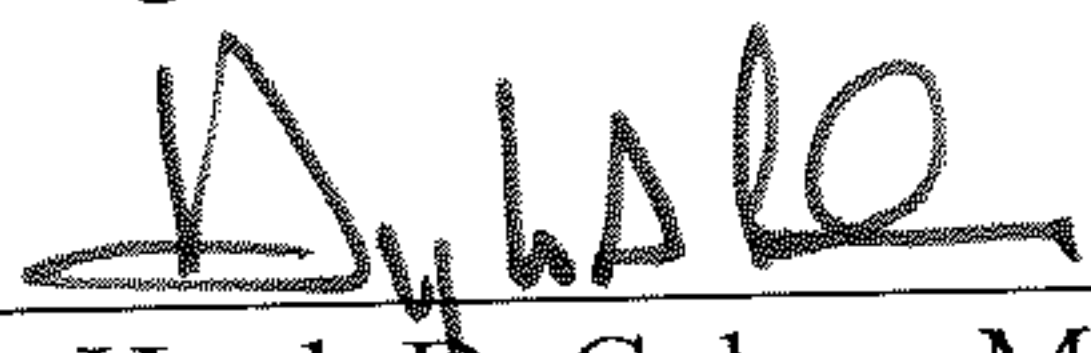
**CO-OWNER:**

**CIG SSD LLC**

a Delaware limited liability company

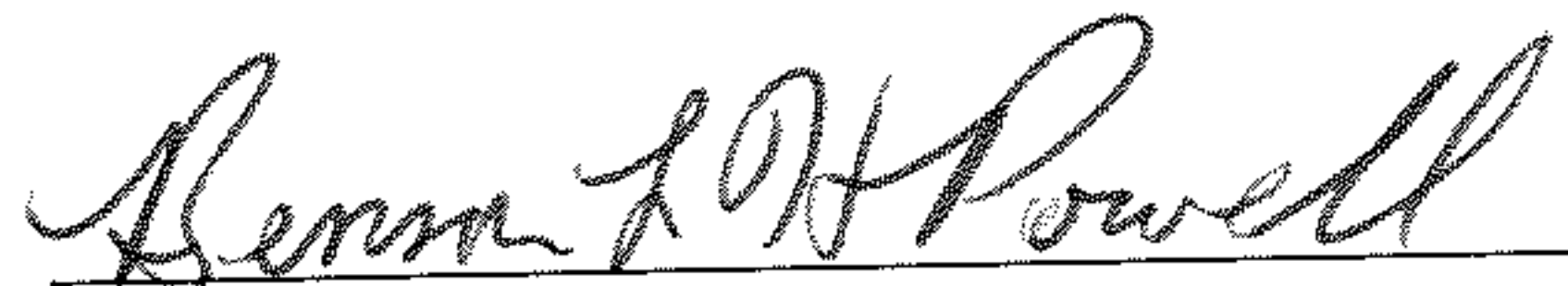
By: CIG SSD MANAGER LLC  
a Virginia limited liability company,  
its Manager

By: COHEN INVESTMENT GROUP  
CAPITAL LLC  
a Virginia limited liability company,  
its Manager

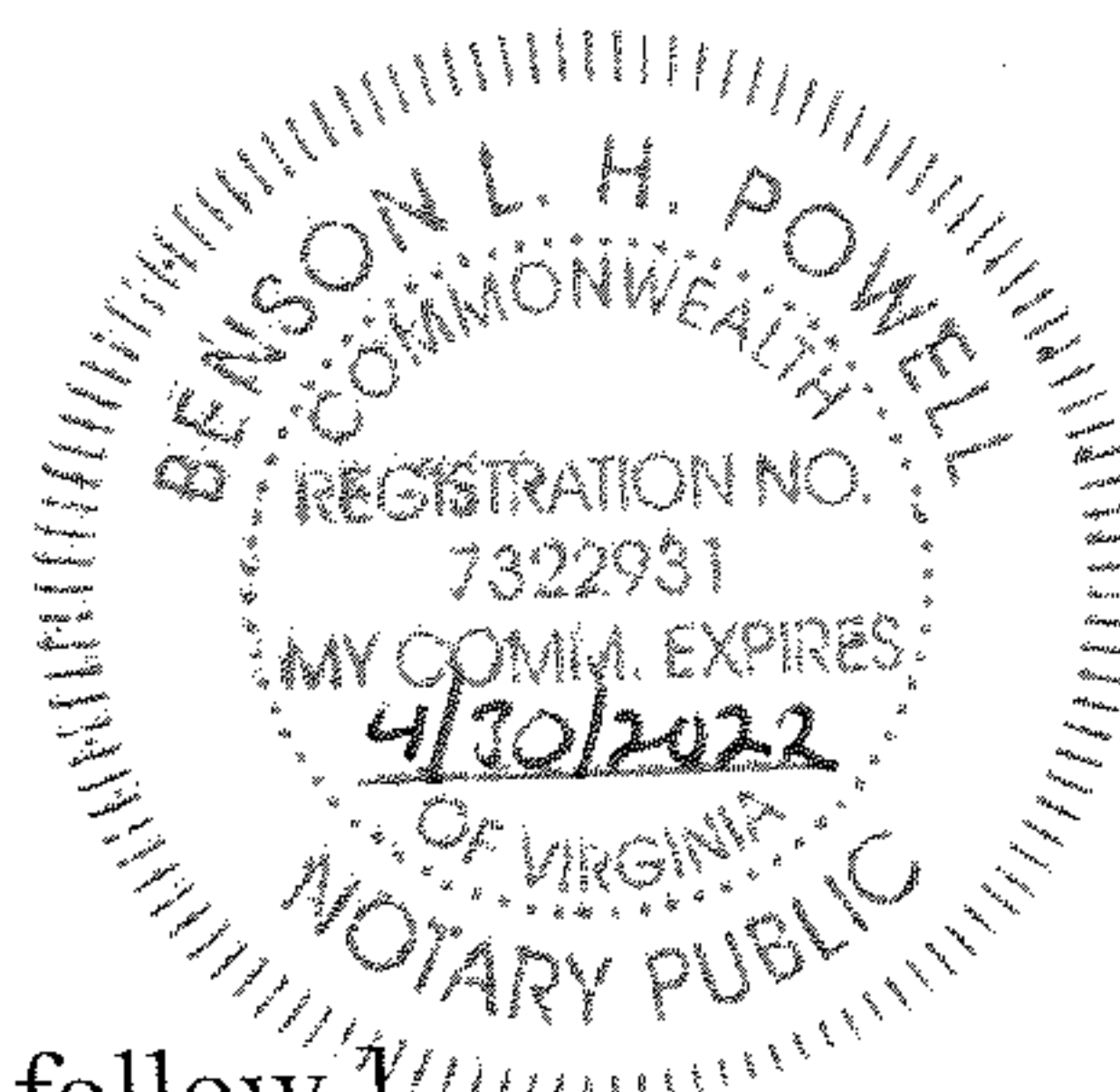
By:   
Hugh D. Cohen, Manager

COMMONWEALTH OF VIRGINIA  
CITY OF NORFOLK, to-wit:

I, the undersigned, a Notary Public of the above jurisdiction, do hereby certify that Hugh D. Cohen, in his capacity as Manager of Cohen Investment Group Capital LLC, a Virginia limited liability company, in its capacity as Manager of CIG SSD Manager LLC, a Virginia limited liability company, in its capacity as Manager of CIG SSD LLC, a Delaware limited liability company, has appeared before me and acknowledged the due execution of the aforesaid instrument, this 24 day of MARCH, 2022, on its behalf.

  
Notary Public

Notary Registration No: 7322931  
My Commission Expires: April 30, 2022  
SEAL



[Additional signature pages follow.]

CO-OWNER:

**CIG SSD EM LLC**

a Delaware limited liability company

By: CIG SSD MANAGER LLC  
a Virginia limited liability company,  
its Manager

By: COHEN INVESTMENT GROUP  
CAPITAL LLC  
a Virginia limited liability company,  
its Manager

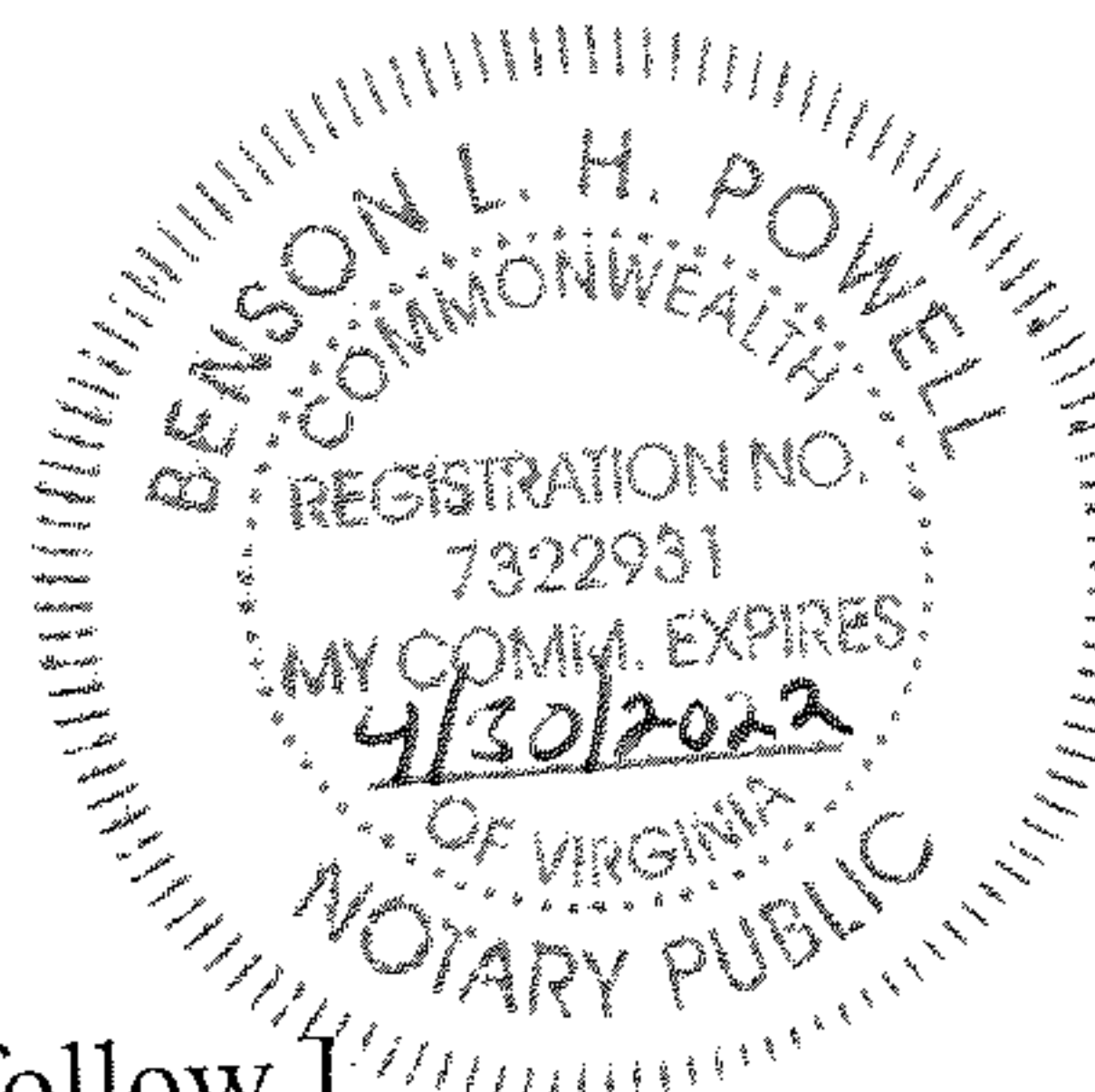
By:   
Hugh D. Cohen, Manager

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CITY OF NORFOLK, to-wit:

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Notary Public

Notary Registration No: 7322931  
My Commission Expires: APRIL 30, 2022  
SEAL



[Additional signature pages follow.]




**CO-OWNER:**

**CIG SSD JWG LLC**

a Delaware limited liability company

By: CIG SSD MANAGER LLC  
a Virginia limited liability company,  
its Manager

By: COHEN INVESTMENT GROUP  
CAPITAL LLC  
a Virginia limited liability company,  
its Manager

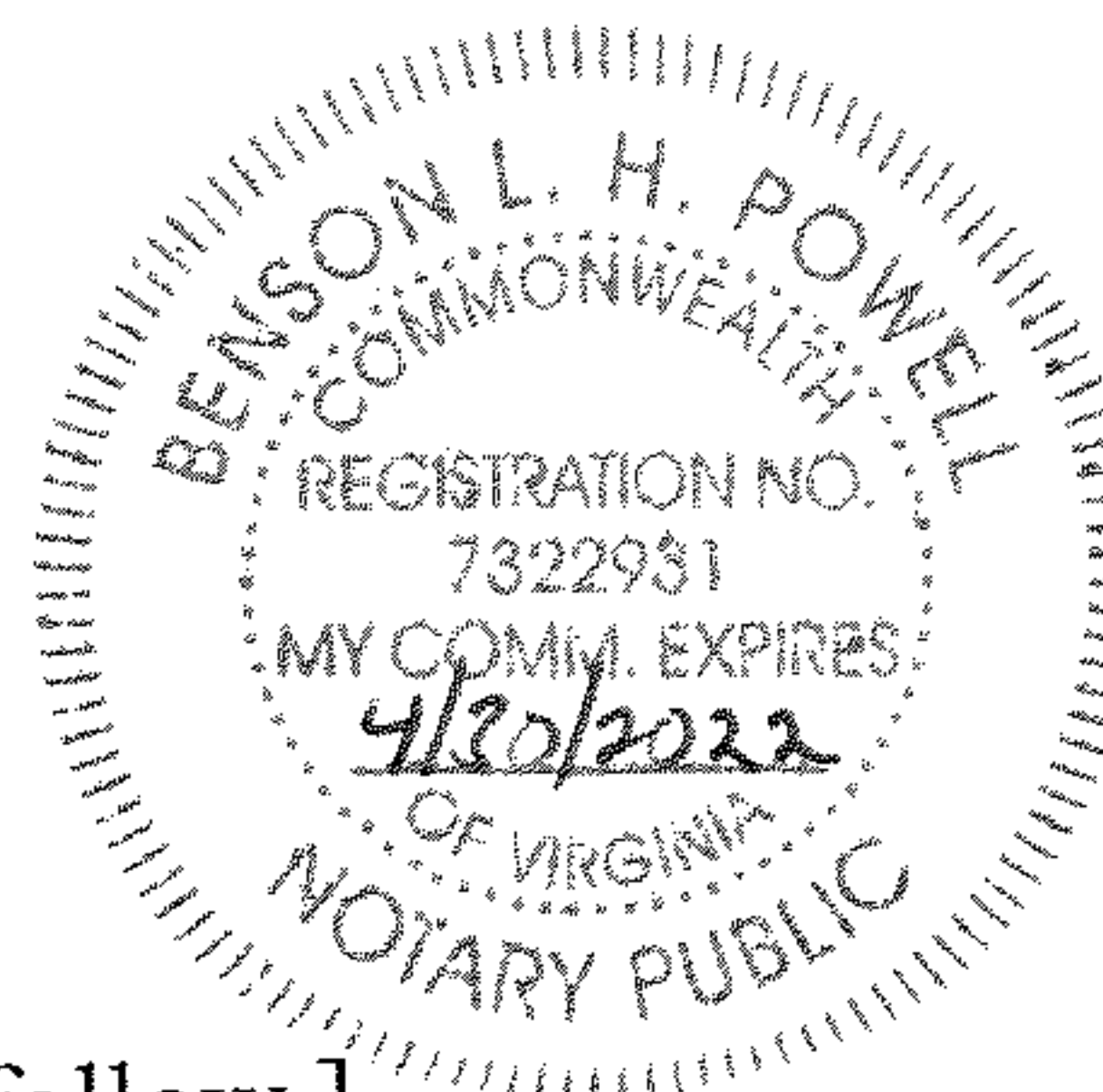
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Notary Public

Notary Registration No: 7322931  
My Commission Expires: APRIL 30 2022  
SEAL



[Additional signature pages follow.]

**CO-OWNER:**

**CIG SSD RGM LLC**

a Delaware limited liability company


By: CIG SSD MANAGER LLC  
a Virginia limited liability company,  
its Manager

By: COHEN INVESTMENT GROUP  
CAPITAL LLC  
a Virginia limited liability company,  
its Manager

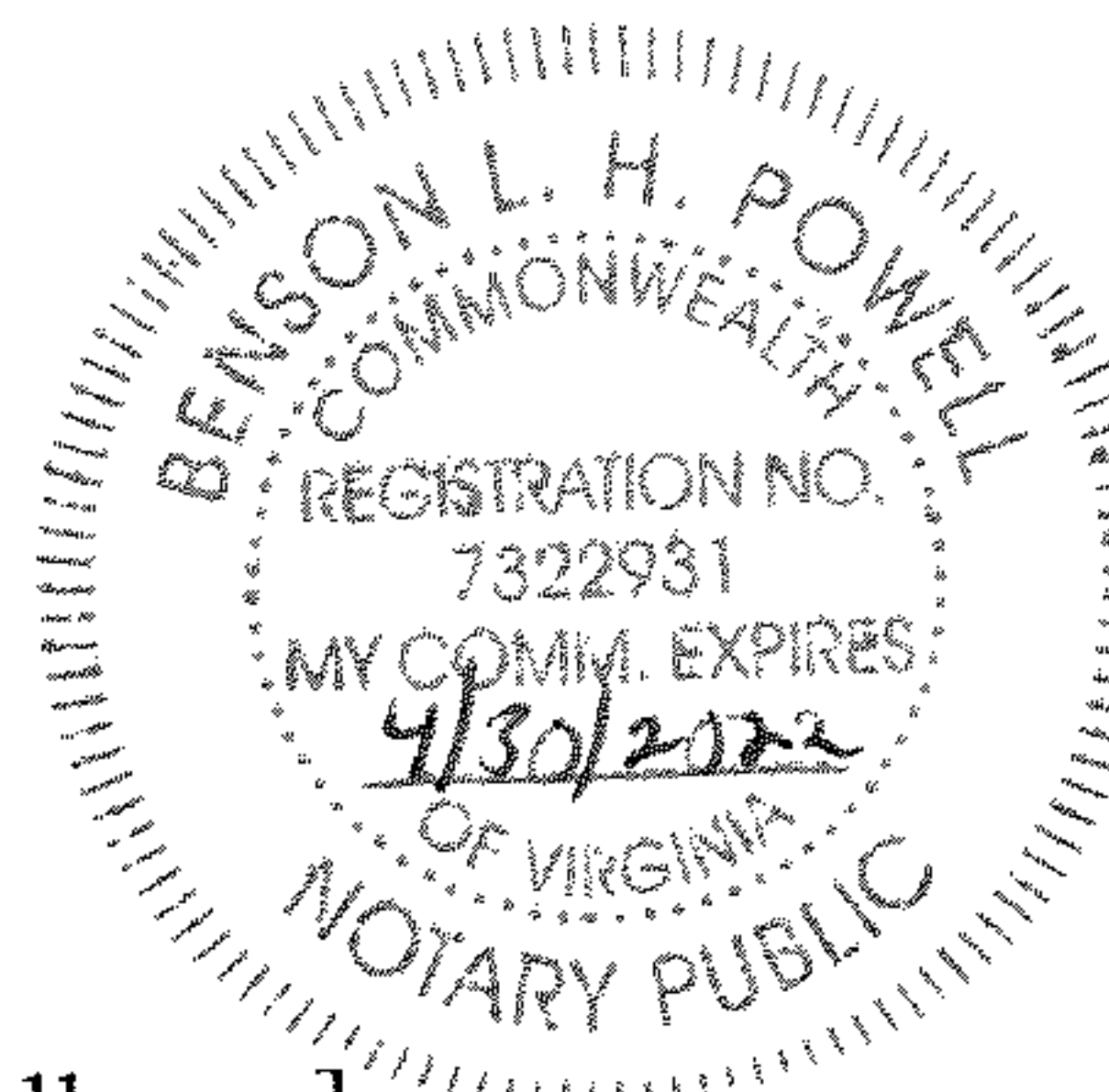
By:   
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Notary Public

Notary Registration No: 7322931  
My Commission Expires: April 30, 2022  
SEAL



[Additional signature page follows.]

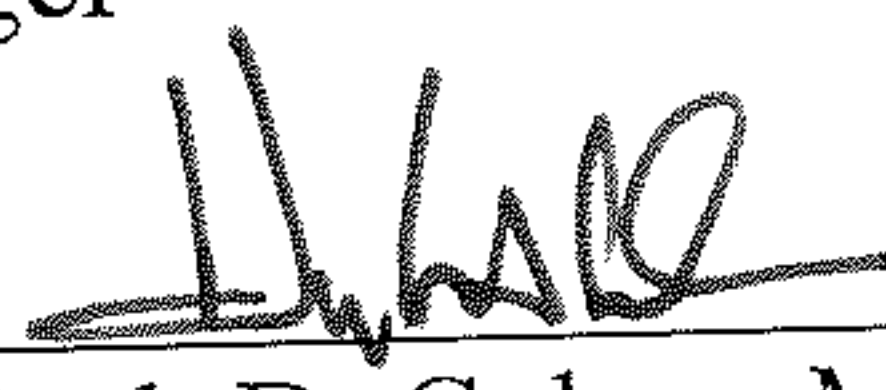
**CO-OWNER:**

**CIG SSD FB LLC**

a Delaware limited liability company


By: CIG SSD MANAGER LLC  
a Virginia limited liability company,  
its Manager

By: COHEN INVESTMENT GROUP  
CAPITAL LLC  
a Virginia limited liability company,  
its Manager

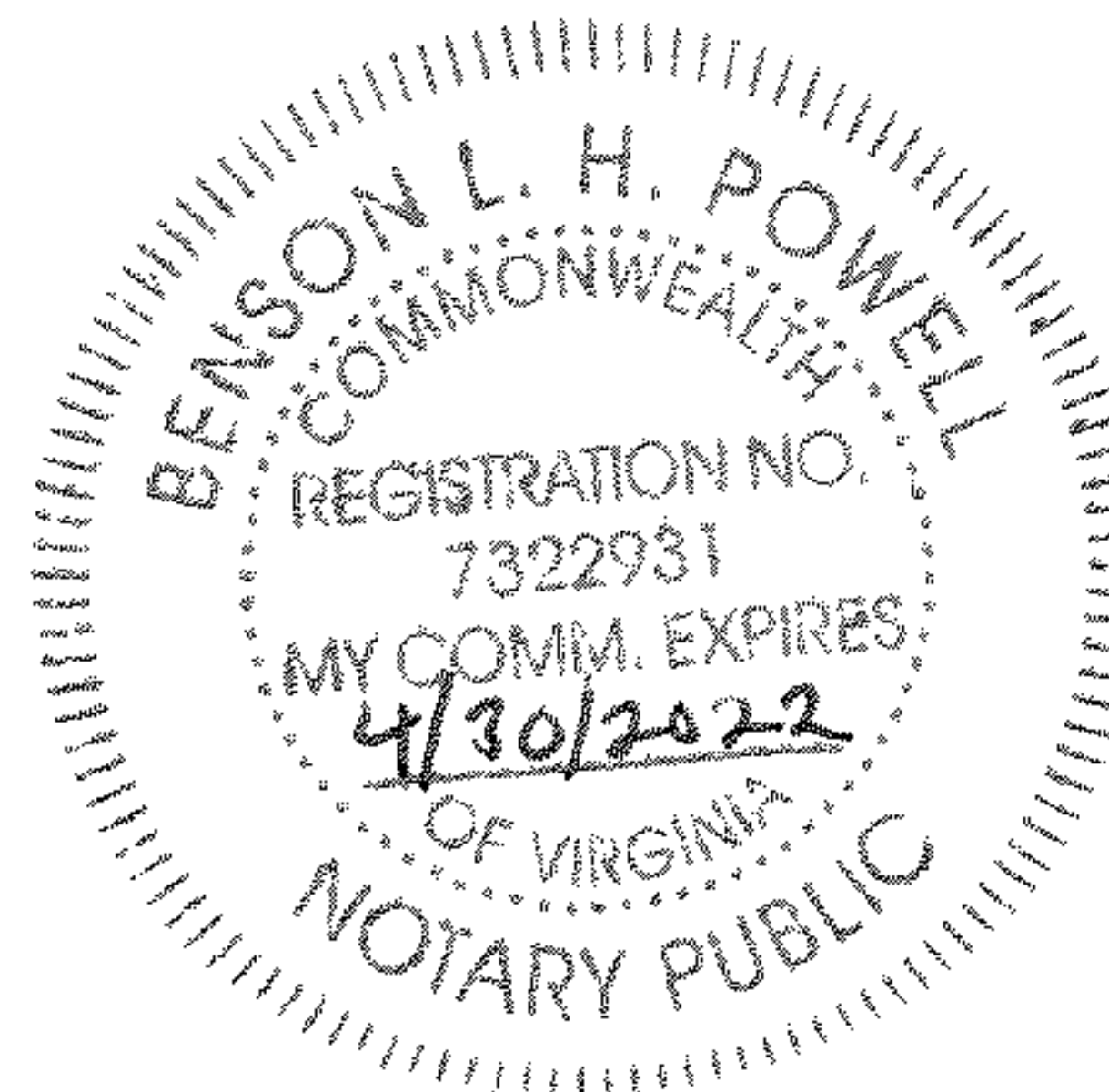
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Notary Public

Notary Registration No: 7322931  
My Commission Expires: April 30, 2022  
SEAL



**EXHIBIT A**

[Legal Description]

4874-2344-7576, v. 1



Exhibit A

**Parcel I: 5300 Cahaba Valley Road, Birmingham, AL 35242 (Parcel ID: 10 5 22 0 002 074.000):**

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

A parcel of land situated in the SE 1/4 of Section 22, Township 19 South, Range 2 West, Shelby County, Alabama, being more particularly described as follows:

Commence at a point where the East boundary of the NE 1/4 of the SE 1/4 of Section 22 intersects with the North right of way line of Alabama Highway No. 119, also known as Cahaba Valley Road; thence run in a Southwesterly direction along said right of way line for a distance of 423.30 feet to an iron pin found at the point of beginning; said point of beginning being on a curve to the right having a central angle of 3 degrees, 08 minutes, 29 seconds and a radius of 1869.87 feet; thence continue along said right of way line and also along the arc of said curve for a distance of 102.52 feet to an iron pin found; thence turn an angle to the right from the chord of last stated curve of 94 degrees, 32 minutes, 25 seconds and run in a Northwesterly direction for a distance of 147.93 feet to an iron pin found; thence turn an angle to the left of 93 degrees, 34 minutes, 49 seconds and run in a Northwesterly direction for a distance of 48.86 feet to an iron set; thence turn an angle to the right of 66 degrees, 56 minutes, 16 seconds and run in a Northwesterly direction for a distance of 390.34 feet to an iron pin set; thence turn an angle to the right of 31 degrees, 02 minutes, 54 seconds and run in a Northwesterly direction for a distance of 159.31 feet to a point in the centerline of Cahaba Valley Creek; thence run in a Southeasterly to Northeasterly direction along the centerline of said creek for a distance of 446.00 feet, more or less, to a point in the centerline of said creek; thence run in a Southerly direction for a distance of 765.00 feet to the point of beginning.

**Parcel II: 38188 AL-25, Harpersville, AL 35078 (Parcel ID: 17 2 04 0 000 001.001):**

The following described property in the County of Shelby, State of Alabama, to-wit:

COMMENCE AT A FOUND CORNER REPRESENTING THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 4, TOWNSHIP 20 SOUTH, RANGE 2 EAST, SHELBY COUNTY, ALABAMA AND RUN THENCE NORTH 89 DEGREES 55 MINUTES 56 SECONDS WEST ALONG THE NORTH LINE OF SAID QUARTER-QUARTER A DISTANCE OF 1560.55 FEET TO A STEEL REBAR CORNER AND THE POINT OF BEGINNING OF THE PROPERTY BEING DESCRIBED; THENCE CONTINUE ALONG LAST DESCRIBED COURSE A DISTANCE OF 240.00 FEET TO A STEEL REBAR CORNER ON THE EAST MARGIN OF ALABAMA HIGHWAY NO. 25; THENCE RUN SOUTH 11 DEGREES 57 MINUTES 02 SECONDS EAST ALONG THE SAID EAST MARGIN OF SAID HIGHWAY 25 A DISTANCE OF 381.21 FEET TO THE P.C. OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 12 DEGREES 09 MINUTES 08 SECONDS AND A RADIUS OF 1990.00 FEET; THENCE CONTINUE ALONG THE ARC OF JUST DESCRIBED CURVE AN ARC DISTANCE OF 422.07 FEET TO A STEEL REBAR CORNER MARKING THE P. T. OF JUST DESCRIBED CURVE; THENCE RUN SOUTH 00 DEGREES 12 MINUTES 06 SECONDS WEST ALONG SAID MARGIN OF SAID HIGHWAY 25 A DISTANCE OF 0.76 FEET TO A STEEL REBAR CORNER; THENCE RUN NORTH 82 DEGREES 07 MINUTES 44 SECONDS EAST A DISTANCE OF 238.28 FEET TO A STEEL REBAR CORNER; THENCE RUN NORTH 08 DEGREES 50 MINUTES 01 SECONDS WEST A DISTANCE OF 768.99 FEET TO THE POINT OF BEGINNING.

**Property Address:**

Parcel I: 5300 Cahaba Valley Road, Birmingham, AL 35242

Parcel II: 38188 AL-25, Harpersville, AL 35078

**Parcel ID:**

Parcel I: 10 5 22 0 002 074.000

Parcel II: 17 2 04 0 000 001.001



Filed and Recorded  
Official Public Records  
Judge of Probate, Shelby County Alabama, County  
Clerk  
Shelby County, AL  
08/08/2022 03:47:21 PM  
\$49.00 JOANN  
20220808000309970

060168-060169  
101-10347522

*Allen S. Bayl*