



20230119000015520 1/7 \$4786.00
Shelby Cnty Judge of Probate, AL
01/19/2023 11:00:00 AM FILED/CERT

This instrument was prepared by:
Steffanie M. Speck, Attorney
Brock Shipe Klenk PLC
265 Brookview Centre Way, Suite 604
Knoxville, TN 37919

SPECIAL WARRANTY DEED

STATE OF ALABAMA §
 §
SHELBY COUNTY §

KNOW ALL MEN BY THESE PRESENTS:

THAT JMB FP INVESTMENT COMPANY, LLC, a Tennessee limited liability company ("Grantor"), for and in consideration of the sum of \$10.00 cash and other good and valuable consideration, in hand paid by **Dana Downs Apartments of Murfreesboro, LLC**, a Tennessee limited liability company, as to an undivided 21.58% interest in the property conveyed hereby, **Gateway Apartments of Murfreesboro, LLC**, a Tennessee limited liability company, as to an undivided 44.47% interest in the property conveyed hereby, and **Applegate Apartments of Murfreesboro, LLC**, a Tennessee limited liability company, as to an undivided 33.95% interest in the property conveyed hereby, as tenants-in-common (hereinafter collectively called the "Grantee"), whose address is P.O. Box 3728, Brentwood, TN 37024, the receipt of which is acknowledged, does grant, bargain, sell, convey and confirm unto Grantee, and unto its successors and assigns forever the real property (the "Property") situated in Alabaster, Shelby County, Alabama described in the attached **Exhibit "A"** which is made a part hereof and incorporated herein, expressly subject to all matters set forth on **Exhibit "B"** which is made a part hereof and incorporated herein (collectively, the "Permitted Encumbrances").

TO HAVE AND TO HOLD the Property unto the Grantee and unto its successors and assigns forever, with all appurtenances thereunto belonging.

And Grantor hereby covenants with the Grantee that Grantor will forever warrant and defend the title to the Property against all claims or encumbrances done or suffered by Grantor, but against none other.

Shelby County, AL 01/19/2023
State of Alabama
Deed Tax: \$4746.00



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GRANTEE ACKNOWLEDGES THAT GRANTEE HAS INDEPENDENTLY AND PERSONALLY INSPECTED THE PROPERTY. BY GRANTEE'S ACCEPTANCE OF THIS DEED BY EVIDENCE OF ITS RECORDATION, GRANTEE HEREBY ACKNOWLEDGES AND AGREES THAT, EXCEPT FOR THE REPRESENTATIONS AND WARRANTIES OF GRANTOR EXPRESSLY SET FORTH IN THE PURCHASE AND SALE AGREEMENT BETWEEN GRANTOR AND GRANTEE, GRANTEE WARRANTS AND ACKNOWLEDGES TO AND AGREES WITH GRANTOR THAT GRANTEE IS ACQUIRING THE PROPERTY IN ITS "AS-IS, WHERE IS" CONDITION "WITH ALL FAULTS" AND DEFECTS AND SPECIFICALLY AND EXPRESSLY WITHOUT ANY WARRANTIES, REPRESENTATIONS OR GUARANTEES, EITHER EXPRESS OR IMPLIED, AS TO ITS CONDITION, FITNESS FOR ANY PARTICULAR PURPOSE, MERCHANTABILITY, OR ANY OTHER WARRANTY OF ANY KIND, NATURE, OR TYPE WHATSOEVER FROM OR ON BEHALF OF GRANTOR.

[SIGNATURE PAGE FOLLOWS]



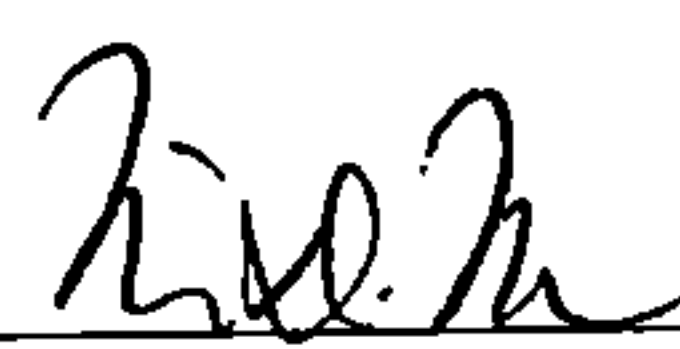
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**[SIGNATURE PAGE TO
SPECIAL WARRANTY DEED]**

EXECUTED to be EFFECTIVE as of January ¹⁷~~18~~ ^(KW), 2023.

GRANTOR:

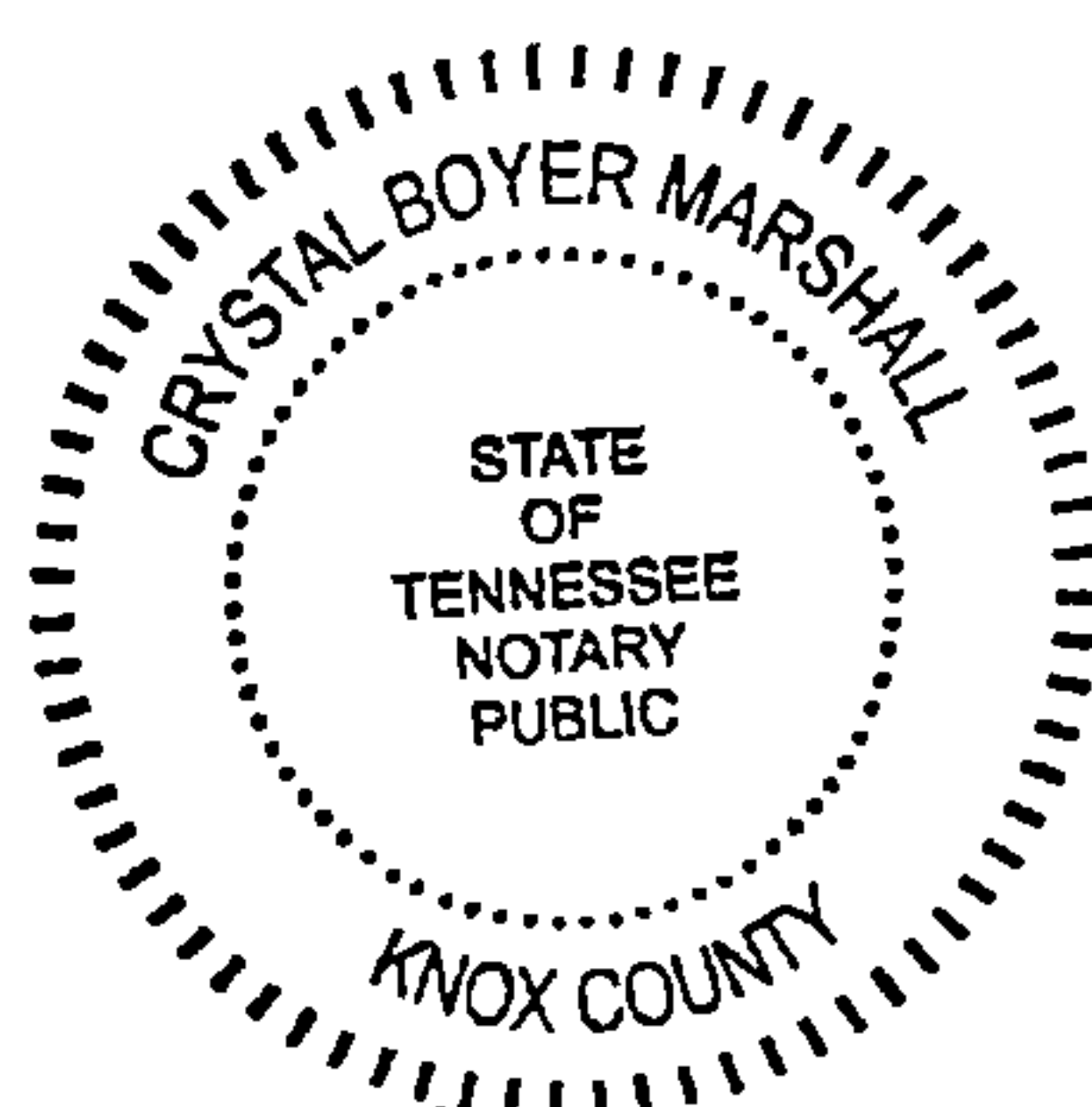
JMB FP INVESTMENT COMPANY, LLC,
a Tennessee limited liability company

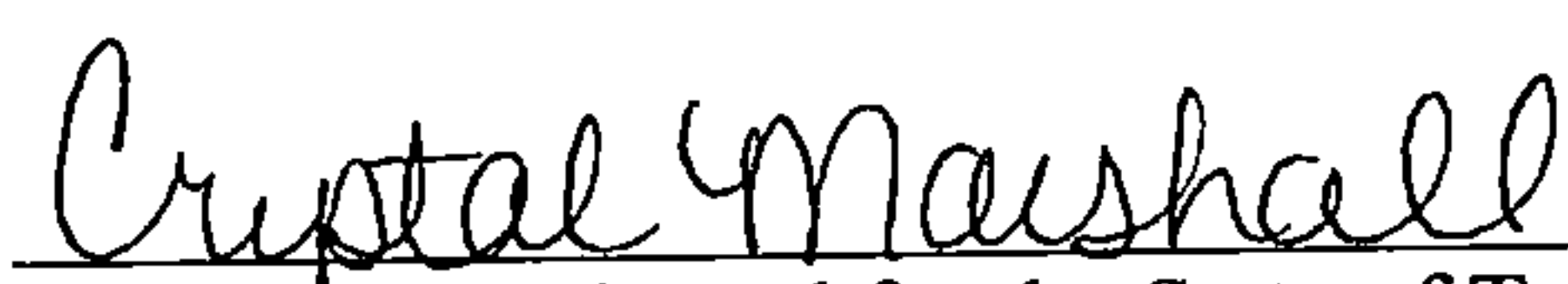
By: 
Name: Brian D. Brown
Its: Vice President and Secretary

STATE OF TENNESSEE §
COUNTY OF KNOX §

Before me, Crystal Marshall, a Notary Public in and for the County and State aforesaid, personally appeared **Brian D. Brown**, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged himself to be the, as **Vice President and Secretary** of **JMB FP Investment Company, LLC**, a Tennessee limited liability company, the within named bargainor, and that he as such Vice President and Secretary, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the company by himself as Vice President and Secretary.

Witness my hand and seal at office in Knox County, Tennessee, this 18th day of January, 2023.




Notary Public in and for the State of Tennessee
My Commission Expires: 6/6/2023



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EXHIBIT A

LEGAL DESCRIPTION

9171 Highway 119
Alabaster, AL 35007

All that certain lot or parcel of land situated in the County of Shelby, State of Alabama, and being more particularly described as follows:

Commence at the Northwest corner of Section 14, Township 21 South, Range 3 West, Shelby County, Alabama, and run South 00 degrees 25 minutes 40 seconds East along the West line thereof a distance of 661.30 feet to the Northwest corner of an Overall Lot as recorded in Map Book 44, Page 10 in the Probate Office of Shelby County, Alabama; thence run South 89 degrees 23 minutes 43 seconds East along the Northerly boundary of said Overall Lot a distance of 156.81 feet; thence run South 88 degrees 45 minutes 52 seconds East and continue along said Northerly boundary of said Overall Lot a distance of 310.01 feet to a found 4-inch open top pipe, said point being the point of beginning; thence run South 89 degrees 12 minutes 42 seconds East a distance of 196.81 feet to a found 5/8 inch capped rebar stamped CA-0237-LS; thence run South 89 degrees 22 minutes 35 seconds East a distance of 372.84 feet to a set 5/8 inch capped rebar stamped CA-560-LS, said point lying on the Westerly right of way of Alabama Highway 119; thence run South 26 degrees 31 minutes 21 seconds West and along said Westerly right of way a distance of 208.12 feet to a found 5/8 inch capped rebar stamped Beacon, said point being the Northeastern corner of said Overall Lot; thence run North 88 degrees 59 minutes 14 seconds West and leaving said right of way and along the boundary of said Overall Lot a distance of 555.53 feet to a found 2-inch open top pipe; thence run North 23 degrees 16 minutes 05 seconds East and along the boundary of said Overall Lot a distance of 199.38 feet to the point of beginning.

Formerly described as:

All that certain lot or parcel of land situate in the County of Shelby, State of Alabama, and being more particularly described as follows:

For point of reference, beginning at the Northwest corner of Section 14, Township 21 South, Range 3 West, Shelby County, Alabama, and run South along the West line thereof a distance of 660 feet; thence run East and parallel to the North line of said Section a distance of 1100 feet, more or less, to a point on the Western margin of the Montevallo Public Road, said point being the point of beginning; thence run Southerly along the Westerly side of said road, 100.00 feet to an iron pin; thence turn an angle to the right of 0 degrees 44 minutes 39 seconds and run Southerly along the Westerly side of said road 100.00 feet to an iron pin; thence turn an angle to the right of 68 degrees 04 minutes 1 seconds and run Westerly 593.04 feet to an iron pipe; thence turn an angle to the right of 111 degrees 39 minutes 05 seconds and run Northerly 100.09 feet to an iron pipe; thence turn an angle to the right of 01 degrees 07 minutes 42 seconds and run Northerly 99.31 feet to an iron pipe; thence turn an angle to the right of 67 degrees 05 minutes 04 seconds and run East 596.15 feet to the point of beginning.
Being situated in Shelby County, Alabama.

LESS AND EXCEPT:

A part of the Northwest 1/4 of the Northwest 1/4 of Section 14, Township 21 South, Range 3 West, identified as Tract No. 10, Project No. STPAA-458(1), Shelby County, Alabama, and being more particularly described as follows:



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Commence at the Southeast corner of said Northwest 1/4 of the Northwest 1/4; thence West along the South line of said Northwest 1/4 of Northwest 1/4 a distance of 530 feet, more or less, to the present Northwest right of way line of Alabama Highway No. 119; thence Northeasterly along said right of way line a distance of 505 feet, more or less, to the South property line and the point of beginning of the property herein to be conveyed; thence continue Northeasterly along said right of way line a distance of 198 feet, more or less, to the North property line; thence Westerly along said property line a distance of 27 feet, more or less, to a point on a line which extends from a point that is 90 feet Northwesterly of and at right angles to the centerline of said Project No. STPAA-458(1) at P.T. Station 455+90.39 to a point that is 80 feet Northwesterly of and at right angles to said centerline at Station 461+25; thence Southwesterly along a line which if extended, would intersect said point that is 90 feet Northwesterly of and at right angles to the centerline of said Project No. STPAA-458(1) at P.T. Stations 455+90.39 a distance of 203 feet, more or less, to the South property line; thence Easterly along said property line a distance of 38 feet, more or less, to the point of beginning.

Now described as:

Lot 1 of Fast Pace Urgent Care Addition to Alabaster, Plat No. 1, as recorded in Map Book 56, Page 90 in the Office of the Judge of Probate, Shelby County, Alabama.

BEING the same property conveyed to JMB FP Investment Company, LLC, a Tennessee limited liability company, by deed recorded as Instrument No. 20220808000307620, in the Office of the Judge of Probate, Shelby County, Alabama.

[END OF LEGAL DESCRIPTION]

EXHIBIT B

PERMITTED EXCEPTIONS

1. Right of Way granted to Alabama Power Company as set out in instrument(s) recorded in Deed Book 101, Page 87 and Deed Book 218, Page 368.
2. Right of Way as set out in instrument(s) recorded in Inst. # 2000-1571.
3. Right of Way to Shelby County as set out in instrument(s) recorded in Deed Book 216, Page 559.
4. Right of Way Deed to the State of Alabama as set forth in instrument(s) recorded in Inst. # 2001-03625.
5. Right of Way granted to Alabama Power Company as set out in instrument(s) recorded in Inst. # 2001-18585.
6. Encroachment by gravel driveway and rights as to its use as shown on survey by Derek S. Meadows dated April 11, 2022.
7. Encroachment of barbed wire fence along the Northerly property line as shown on survey by Derek S. Meadows dated April 11, 2022.
8. Easement in favor of JMB FP Investment Company, LLC recorded in Inst. # 20221031000408080.
9. Easements, building set back lines and notes as shown on plat recorded in Map Book 56, Page 90.

[END OF PERMITTED EXCEPTIONS]

Real Estate Sales Validation Form

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

Grantor's Name JMB FP Investment Company, LLC
Mailing Address 325 Erin Drive
Knoxville, TN 37919

Grantee's Name Dana Downs Apartments of Murfreesboro, LLC, Gateway Apartments of Murfreesboro, LLC, and Applegate Apartments of Murfreesboro, LLC
Mailing Address PO Box 37024
Brentwood, TN 37024

Property Address 9171 Highway 119
Alabaster, AL 35007

Date of Sale January 17, 2023
Total Purchase Price \$ 4,745,763.00

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
☐ Sales Contract
☒ Closing Statement

☐ Appraisal
☐ Other

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 1/17/2023

Print Steffanie M. Speck, Attorney & Closing Agent

☐ Unattested

(verified by)

Sign

(Grantor/Grantee/Owner/Agent) circle one

Form RT-1