

This instrument prepared by:  
Russell M. Cunningham, IV  
Cunningham Firm, LLC  
The Landmark Center, Suite 600  
2100 1<sup>st</sup> Avenue North  
Birmingham, AL 35203

Send tax notice to:  
Attic Plus Storage IV, LLP  
4748 Cahaba River Road  
Birmingham, AL 35243

STATE OF ALABAMA                    )  
  :  
COUNTY OF SHELBY                )

**STATUTORY WARRANTY DEED**

**KNOW ALL MEN BY THESE PRESENTS:**

**WHEREAS**, Samuel R. Flowers (“Sam”) and D. Frank Davis (“Frank”) acquired the property described in **Exhibit A** (the “Property”), on or about September 25, 1997 pursuant to that certain Warranty Deed recorded as Instrument #1997-31754 in the Office of Judge of Probate of Shelby County, Alabama; and

**WHEREAS**, Frank, Sam and J. Courtland Davis, as partners, formed Attic Plus Storage IV, LLP, an Alabama limited liability partnership (“APS IV”), on or around November 22, 2005; and

**WHEREAS**, the said partners of APS IV entered into that certain Partnership Agreement of Attic Plus Storage IV, LLP dated March 2, 2021 (the “APS IV Partnership Agreement”) for the ownership, operation and maintenance of certain real estate, including the Property; and

**WHEREAS**, Frank and Sam dedicated the Property to APS IV effective March 2, 2021 and, in this regard, it was the desire of Frank and Sam to document the transfer of the Property to APS IV, in accordance with the provisions of the APS IV Partnership Agreement, but before they could effectuate such documented transfer of the Property, Sam died on April 8, 2021; and

**WHEREAS**, Sam’s Last Will and Testament (the “Will”) was admitted to record in the matter of the Estate of Samuel R. Flowers, a/k/a Samuel Robert Flowers, deceased, in the Probate Court of Jefferson County, Alabama, Case No. 21BHM001363 (the “Estate”), and said Court issued Letters Testamentary to Daniel L. Bass, as Personal Representative of the Estate (the “Personal Representative”), on June 1, 2021; and

**WHEREAS**, certified copies of certain probate papers from the Estate are being recording simultaneously herewith; and

**WHEREAS**, in order to effectuate the provisions of the APS IV Partnership Agreement, Frank and the Personal Representative of the Estate desire to document the March 2, 2021 dedication of the Property to APS IV.

**NOW THEREFORE**, in consideration of the provisions of the APS IV Partnership Agreement, the above recitals, and the authority granted to the Personal Representative under Sam's Will, the undersigned GRANTORS in hand paid by the GRANTEE herein, the receipt of which whereof is acknowledged, D. Frank Davis, a married man whose address is 4748 Cahaba Rive Road, Birmingham, Alabama 35243, and Daniel L. Bass, as Personal Representative of the Estate of Samuel R. Flowers, a/k/a Samuel Robert Flowers whose address is 3460 Birchwood Lane, Vestavia Hills, Alabama 35243 (the "Grantors"), do hereby grant, bargain, transfer and convey unto Attic Plus Storage IV, LLP, an Alabama limited liability partnership (the "Grantee"), all right, title and interest in the following described real estate situated in Shelby County, Alabama:

See: **Exhibit A** attached hereto and made a part hereof by reference.

Subject to:

1. Taxes and assessments for the current year and any previous years that are not yet due and payable.
2. Rights of tenant(s) in possession, as tenant(s) only, under recorded or unrecorded lease(s).
3. Transmission Line Permit(s) to Alabama Power Company as shown by instrument(s) recorded in Deed Book 113, Page 386 and Deed Book 170, Page 22 in the Office of Judge of Probate for Shelby County, Alabama.
4. Right(s)-of-Way(s) granted to Shelby County, Alabama by instrument(s) recorded in Deed Book 112, Page 163 and Deed Book 167, Page 444 in the Office of Judge of Probate for Shelby County, Alabama.
5. Title to all minerals within and underlying the premises, together with all mining rights set out in Deed Book 43, Page 199 in the Office of Judge of Probate for Shelby County, Alabama.
6. All easements, liens, encumbrances, restrictions, rights-of-way, any reservations of mineral rights, and other matters of record in the Office of Judge of Probate for Shelby County, Alabama, together with any deficiencies in quantity of land, easements, discrepancies as to boundary lines, overlaps, etc., which would be disclosed by a true and accurate survey of the property conveyed herein.

To have and to hold, unto the said GRANTEE, its successors and assigns, forever.

GRANTORS make no warranty or covenant respecting the nature of the quality of title to the property hereby conveyed other than that the GRANTORS have neither permitted nor suffered any lien, encumbrance or adverse claim to the property described herein since the date of acquisition thereof by GRANTORS.

This instrument is executed by Daniel L Bass solely in his representative capacity described herein, and neither this instrument nor anything contained herein shall be construed as creating any





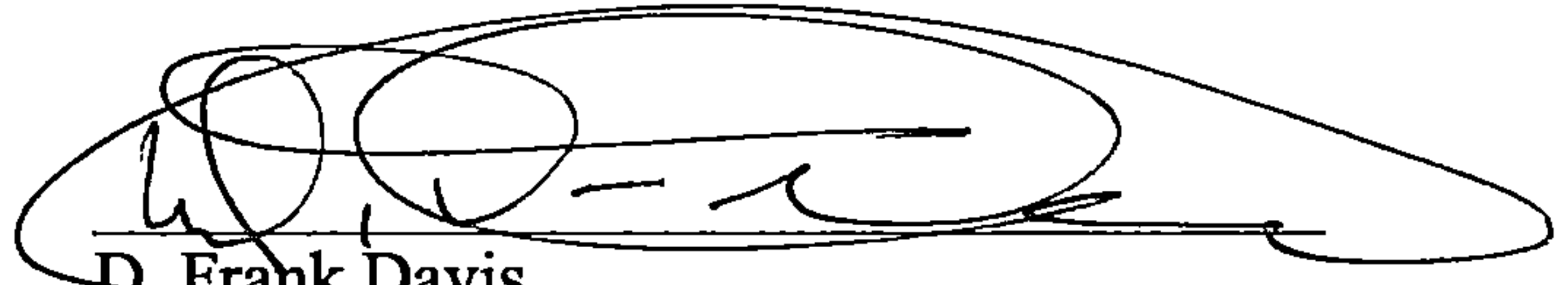
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Shelby Cnty Judge of Probate, AL  
04/28/2023 11:12:54 AM FILED/CERT

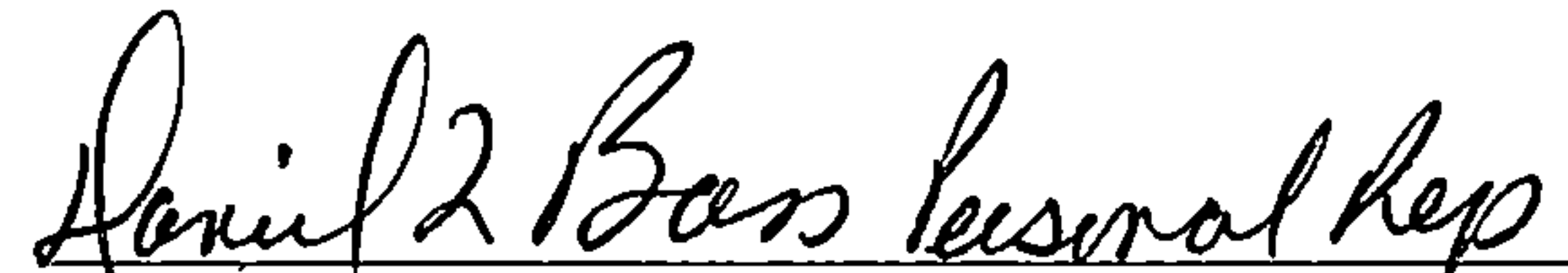
indebtedness or obligation on the part of Daniel L. Bass in his individual capacity, and the liability of Daniel L. Bass is expressly limited to his representative capacity described herein.

The above-described real property is located on Pelham Parkway near 3357 Pelham Parkway, Alabaster, Alabama 35124. This parcel does not have a street address. The tax parcel ID # of this parcel is 13-6-24-3-001-030.004.

[signature on following page]

IN WITNESS WHEREOF, the Grantors have hereunto set their hands and seals to this conveyance as heretofore described on the 26<sup>th</sup> day of January 2023.

  
D. Frank Davis

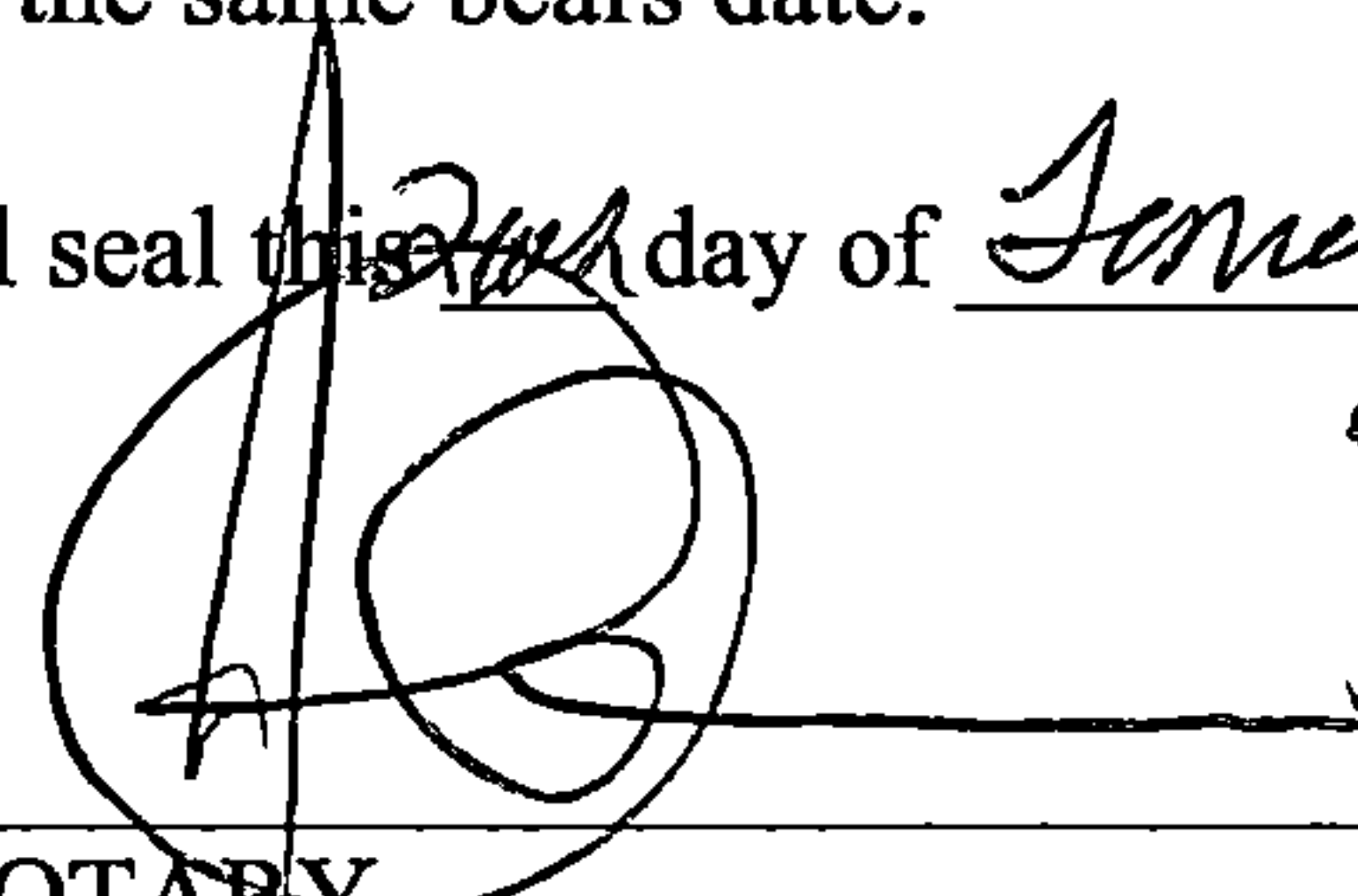
  
Daniel L. Bass, as Personal Representative  
of the Estate of Samuel Robert Flowers

**NOTE: THE PREPARER OF THIS INSTRUMENT HAS SERVED AS A SCRIVENER ONLY AND HAS NOT EXAMINED TITLE WITH RESPECT TO THE PROPERTY DESCRIBED HEREIN AND DOES NOT HEREBY GIVE AN OPINION WITH RESPECT THERETO.**

STATE OF ALABAMA       )  
                                     :  
COUNTY OF JEFFERSON   )

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that D. Frank Davis, whose name 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 executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 26<sup>th</sup> day of January 2023.

  
\_\_\_\_\_  
NOTARY  
My commission expires: August 30, 2024

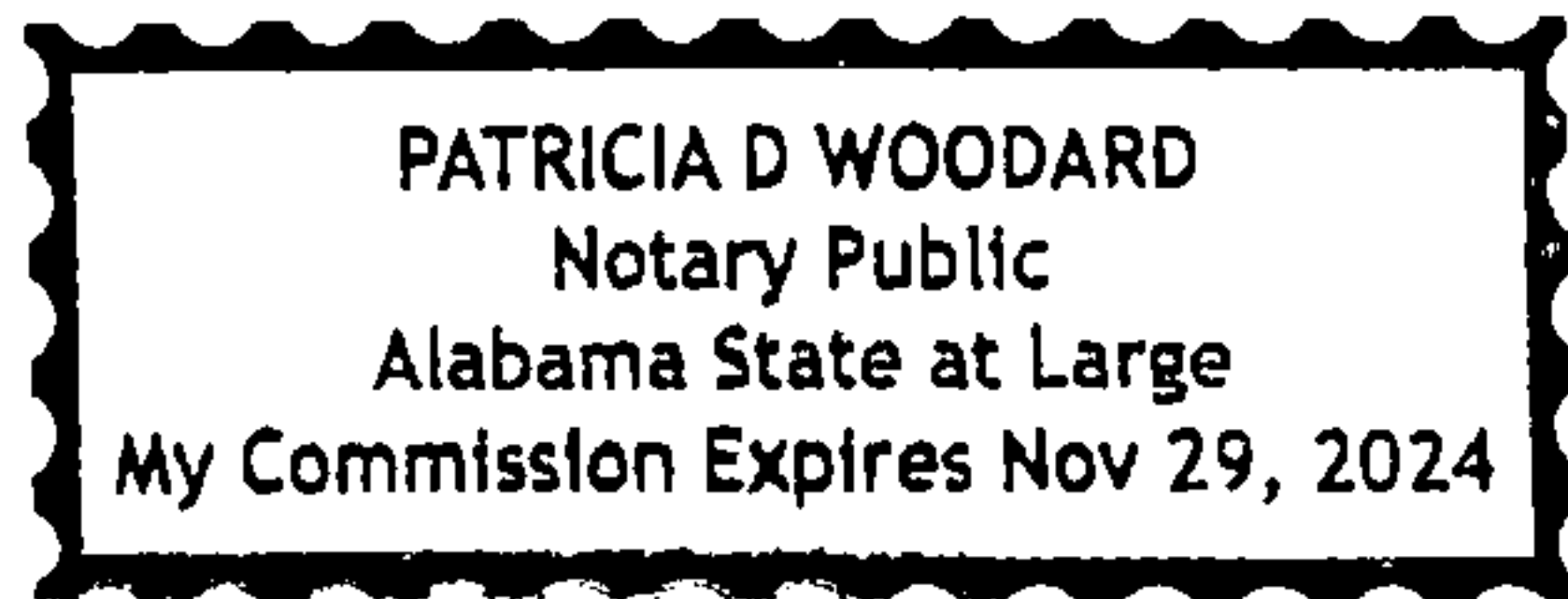
[NOTARIAL SEAL]

Karl Elliott Doyer  
Notary Public, Alabama State At Large  
My Commission Expires Aug 30, 2024

STATE OF ALABAMA       )  
                                     :  
COUNTY OF JEFFERSON    )

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Daniel L. Bass, whose name as the Personal Representative of the Estate of Samuel R. Flowers, a/k/a Samuel Robert Flowers, deceased, 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, in his capacity as such Personal Representative, executed the same with full authority and voluntarily on the day the same bears date.

Given under my hand and official seal this 26<sup>th</sup> day of January 2023.



[NOTARIAL SEAL]

Patricia D. Woodard  
NOTARY  
My commission expires: 11/29/2024



20230428000124510 6/7 \$147.00  
Shelby Cnty Judge of Probate, AL  
04/28/2023 11:12:54 AM FILED/CERT

## **EXHIBIT A**

### **Legal Description**

A parcel of land located in the SW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of Section 24, Township 20 South, Range 3 West, Shelby County, Alabama, more particularly described as follows:

Commence at the SW corner of the SW  $\frac{1}{4}$  of SW  $\frac{1}{4}$  of Section 24, Township 20 South, Range 3 West, Shelby County, Alabama; thence run East 974.97 feet to the East right of way line of U.S. Highway #31; thence left 106 deg. 54 min. 35 sec. 1023.91 feet to the Southwest corner of Performance Tire Company; thence right 105 deg. 10 min. 51 sec. and run in an Easterly direction for a distance of 194.69 feet to an existing iron rebar set by Laurence D. Weygand and being the point of beginning; thence continue in an easterly direction along the last mentioned course for a distance of 167.30 feet to an existing iron rebar and being on the West line of Lot 11, Blue Berry Estates, as recorded in the Office of the Judge of Probate, Shelby County, Alabama, in Map Book 5, Page 72; thence turn an angle to the left of 107 deg. 53 min. 10 sec. and run in a Northwesterly direction along the West line of Lot 11 and Lot 12 of said Blueberry Estates for a distance of 100.0 feet to an existing iron rebar; thence turn an angle to the left of 71 deg. 53 min. 57 sec. and run in a Westerly direction for a distance of 136.80 feet to an existing iron rebar set by Laurence D. Weygand; thence turn an angle to the left of 90 deg. 20 min. 23 sec. and run in a Southerly direction for a distance of 95.68 feet, more or less to the point of beginning.



Real Estate Sales Validation Form

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

**Grantors' Names / Addresses:**

D. Frank Davis  
4748 Cahaba River Road  
Birmingham, AL 35243

Daniel L. Bass, as Personal Representative  
of the Estate of Samuel Robert Flowers  
3460 Birchwood Lane  
Vestavia Hills, AL 35243

**Grantee's Name/Address:**

Attic Plus Storage IV, LLP  
Attn: D. Frank Davis  
4748 Cahaba River Road  
Birmingham, AL 35243

**Property Address:**

No street address  
Tax Parcel No. 13-6-24-3-001-030.004

**Date of Sale:** March 2, 2021

Total Purchase Price \$ \_\_\_\_\_

Or

Actual Value **\$105,000**

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: 1/26/23  
\_\_\_\_ Unattested \_\_\_\_\_

(verified by)

Print: D. Frank Davis

Sign: [Signature]  
(Grantor / Grantee / Owner / Agent) circle one