

**This instrument was prepared by:**

Joshua L. Hartman  
J L Hartman, P.C.  
P. O. Box 846  
Birmingham, Alabama 35201

**Send tax notice to:**

MPCT Properties, LLC  
4001 Langston Ford Drive  
Hoover, AL 35080

**SOURCE OF TITLE: Inst. # 20220127000037400**

**STATUTORY WARRANTY DEED**

STATE OF ALABAMA )

COUNTY OF SHELBY )

That in consideration of **FOUR HUNDRED THOUSAND AND 00/100 DOLLARS (\$400,000.00)** to the undersigned grantor, **LAKE WILBORN PARTNERS, LLC**, an Alabama limited liability company, (herein referred to as "Grantor") in hand paid by the grantee herein, the receipt whereof is hereby acknowledged, the said Grantor does by these presents, grant, bargain, sell and convey unto **MPCT PROPERTIES, LLC**, an Alabama limited liability company (herein referred to as Grantee), the following described real estate, situated in Shelby County, Alabama, to-wit:

**Lot C-1 according to the Final Plat of the Mixed-Use Subdivision of Lake Wilborn Phase 3 as recorded in the Office of the Judge of Probate for Shelby County, Alabama in Map Book 49, Page, 97A.**

**SUBJECT TO THOSE MATTERS AS SET FORTH ON EXHIBIT "A".**

TO HAVE AND TO HOLD unto the said grantee, its successors and assigns forever.

And the Grantor does hereby covenant with the Grantee, except as above-noted, that, at the time of the delivery of this Deed, the premises were free from all encumbrances made by it, and that it shall warrant and defend the same against the lawful claims and demands of all persons claiming by, through, or under it, but against none other.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 9<sup>th</sup> day of May, 2023.

**LAKE WILBORN PARTNERS, LLC**, an  
Alabama limited liability company

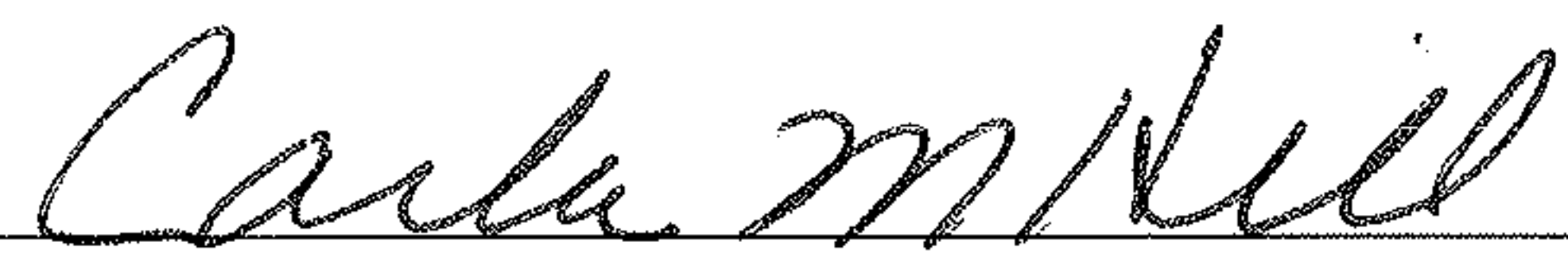
By:   
J. Daryl Spears, Its: CFO

STATE OF ALABAMA

COUNTY OF JEFFERSON

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that J. Daryl Spears, Chief Financial Officer of LAKE WILBORN PARTNERS, LLC, 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, and with full authority, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 9<sup>th</sup> day of May, 2023.

  
Notary Public

My Commission Expires: 3/23/27

## **Exhibit "A"**

**SUBJECT TO:**

1. Taxes and assessments for the year 2023 and subsequent years, a lien, not yet due and payable.
2. Covenants, restrictions, easements, rights of way and building set back lines as shown on the Survey of Mixed Use Subdivisions of Lake Wilborn Phase 3, as recorded in Map Book 49, page 97A&B and Map Book 48, Page 18 A&B in the Probate Office of Shelby County, Alabama.
3. Oil and Gas rights as conveyed to CSX Oil and Gas Corporation in Real 180, Page 715; Leased to Total Minatome Corporation as evidenced by Memo of Lease recorded in Real 370, Page 923, with a 31% interest being further conveyed to Westport Oil and Gas Company, Inc. in Instrument # 2001-20356.
4. Railroad right of way as set forth in DT page 655 and Deed Book 11, Page 344.
5. Railroad right of way as set forth in Deed Book 311, pages 295 and 303.
6. Conveyance of mineral interest (as that term is defined in the recorded document) from United States Steel Corporation to RGGS Land & Minerals, LTD., L.P. as recorded in Instrument(s) #2004-14856, #2004-14857.
7. Conveyance of mineral interest (as that term is defined in the recorded document) from United States Steel Corporation to RGGS Land & Minerals, LTD., L.P. as recorded in Instrument #2004-14862 and #2004-14863.
8. Agreement with respect to surface and subsurface uses between United States Steel Corporation and RGGS Land & Minerals, LTD., L.P. as recorded in Inst. #2004-14864.
9. Agreement to grant easements between United States Steel Corporation and RGGS Land & Minerals, LTD., L.P. as recorded in Inst. #20121206000464910.
10. Right of way to Alabama Power Company as recorded in Deed 239, page 539.
11. A 250 foot transmission line right of way to Alabama Power Company as referenced in deed recorded in Inst. #2002-4257 and in condemnation proceedings filed in Case No. 27-254 and Case No. 28-57.
12. Condemnation Case styled Alabama Power Company v. C.C. Wilborn et al in Probate Case No. 56719.
13. Restrictions, conditions and limitations, to include release of damages, as contained in that deed from United States Steel to The Auburn University Foundation, as trustee of the J. E. Wilborn Charitable Remainder Unitrust, as recorded in Shelby County Inst. #2002-4257.
14. Restriction for Trace Crossings (Business) as recorded in Real Volume 646, Page 515 and amended by the third Amendment to Declaration of Protective Covenants of Trace Crossings Inst #2020130548, as amended by the First Amendment as recorded in Inst. #20160226000058720, and the Second Amendment as recorded in Inst. #20181016000366510, each in the Office of the Judge of Probate of Shelby



15. Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto, including rights set out in Real 112, Page 876 and corrected by Real 328 page 1, and Book 180, page 715, as set forth in that certain Deferred Interest Agreement of record in Real Book 247, page 599 and amended in Real Book 247, page 636 and deed of conveyance in Instrument 20020515000229800.

16. Sanitary Sewer Easement in favor of Jefferson County Alabama referred to as the Fleming Sewer Extension Easement as recorded in Inst. #20060418000180510 in Shelby County.

17. Boundary line agreement as set forth in Deed Book 183, Page 39 in the Office of the Judge of Probate of Shelby County.

18. Subject to the obligations terms, conditions, agreements, reservations, easements and restrictions as set forth in the deed from United States Steel Corporation to P.R. Wilborn, LLC, a Delaware limited liability company as recorded in Instrument #20160226000058740, amended in Instrument #20180507000154510.

19. Easement to Alabama Power as recorded in Inst. #20170327000102320.

20. City Ordinance 17-2339 as recorded in Inst. #20171005000362810.

21. City Ordinance 17-2340 as recorded in Inst. #20171005000362820.

22. City Ordinance 17-2345 as recorded in Inst. #20171005000362830.

23. City Ordinance 17-2347 as recorded in Inst. Instrument # 2001-20356.

24. City Ordinance 17-2349 as recorded in Inst. #20171005000362850.

25. City Ordinance 17-2350 as recorded in Inst. #20171005000362860.

26. Easement to Alabama Power as recorded in Inst. #20171102000397480.

27. Easement to Alabama Power as recorded in Inst. #20180228000064450.

28. Easement to Alabama Power as recorded in Inst. #20180628000230480.

29. Easement to Alabama Power as recorded in Inst. #20181105000392210.

30. Easement in favor of Jefferson County Environmental Services as recorded in Inst. #2018001676 in the office of the Judge of Probate of Jefferson County, Alabama.

31. Less and except that part of the subject property located in the boundary of any roadway or easement.

32. Any rights, easements, interests or claims that may exist by reason of, or be reflected by, the following facts shown on the Boundary and Topographic Survey of Commercial Lot C-1 dated April 26th, 2023 by Robert W. Easley, IV, PLS Alabama Reg. No. 38795:

a) Metal fence encroachment of 0.5' in the southeast corner of the Land;

- b) Encroachment of multiple guy wires supporting the overhead utility traversing the property north and south outside of the designated utility easement;
- c) Wetland areas as designated thereon.



**Filed and Recorded**  
**Official Public Records**  
**Judge of Probate, Shelby County Alabama, County**  
**Clerk**  
**Shelby County, AL**  
**05/11/2023 09:25:14 AM**  
**\$434.00 BRITTANI**  
**20230511000139150**

*Allie S. Bayl*