

County Division Code: AL039 Inst. # 2023055867 Pages: 1 of 13 I certify this instrument filed on: 6/14/2023 1:30 PM  
Doc: MTG Judge of Probate Jefferson County, AL Rec: \$52.00 MtgTx: \$4,293.60  
Clerk: PWBESS

Fifth Modification of Mortgage and Security Agreement  
by and between  
BARP November 2015, LLC, a Delaware limited liability company  
and  
SouthPoint Bank, an Alabama state banking corporation  
Dated June 9, 2023

Jefferson County Allocation \$2,699,450.00 94%  
Shelby County Allocation \$162,900.00 6%  
Total \$2,862,350.00

Prepared by:  
Galloway Scott and Hancock, LLC  
Steven Leara  
2200 Woodcrest Pl, Ste 310  
Birmingham AL 35209

County Division Code: AL039 Inst. # 2023055867 Pages: 2 of 13

STATE OF ALABAMA     )  
                                     :  
JEFFERSON COUNTY     )

**FIFTH MODIFICATION TO MORTGAGE AND SECURITY AGREEMENT**

THIS MODIFICATION TO MORTGAGE AND SECURTY AGREEMENT (this "Agreement") is made and effective as of the 9<sup>th</sup> day of June 2023 by and between the following parties:

BARP NOVEMBER 2015, LLC, a Delaware limited liability company, whose address is 790 Montclair Road, Suite 215, Birmingham, Alabama 35213-1966 (the "Borrower" and "Mortgagor") and SOUTHPPOINT BANK, an Alabama state banking corporation, whose address is 3501 Grandview Parkway, Birmingham, Alabama 35243 (the "Lender" and "Mortgagee").

**RECITALS:**

A. Lender is secured by a Mortgage and Security Agreement in the original amount of \$5,051,060.00 dated December 29, 2020 and recorded on (i) January 5, 2021 at Instrument No. 2021001004 in the Office of the Judge of Probate of Jefferson County, Alabama, and (ii) January 6, 2021 at Instrument No. 20210106000008480 in the Office of the Judge of Probate of Shelby County, Alabama, and modified by that certain Modification to Mortgage and Security Agreement, dated February 22, 2021 and recorded on (iii) February 23, 2021 at Instrument No. 2021020570 in the Office of the Judge of Probate of Jefferson County, Alabama, and (iv) February 23, 2021 at Instrument No. 20210223000091470 in the Office of the Judge of Probate of Shelby County, Alabama, and further modified by that certain Second Modification to Mortgage and Security Agreement, dated August 11, 2021 and recorded on (v) August 12, 2021 at Instrument No. 2021093535 in the Office of the Judge of Probate of Jefferson County, Alabama, and (vi) August 12, 2021 at Instrument No. 202100812000393500 in the Office of the Judge of Probate of Shelby County, Alabama, and further modified by that certain Third Modification to Mortgage and Security Agreement, dated October 27, 2021 and recorded on (vii) November 3, 2021 at Instrument No. 20211127114 in the Office of the Judge of Probate of Jefferson County, Alabama, and (viii) November 3, 2021 at Instrument No. 20211103000533580 in the Office of the Judge of Probate of Shelby County, Alabama, and further modified by that certain Fourth Modification to Mortgage and Security Agreement, dated January 7, 2022 and recorded on (ix) January 10, 2022 at Instrument No. 2022002723 in the Office of the Judge of Probate of Jefferson County, Alabama (the "Mortgage").

B. The combined value of the additional Real Estate situated in Jefferson County, Alabama as described on Exhibit A totals \$2,699,450.00.

C. The combined value of the additional Real Estate situated in Shelby County,

County Division Code: AL039 Inst. # 2023055867 Pages: 3 of 13

Alabama as described on Exhibit A totals \$162,900.00.

**AGREEMENT**

NOW, THEREFORE, in consideration Ten and No/100 Dollars (\$10.00), the foregoing Recitals and other good and valuable consideration, the receipt, adequacy and sufficiency whereof are hereby acknowledged, the parties hereto agree as follows:

1. Exhibit "A" to the Mortgage is hereby amended to include that additional Real Estate situated in Jefferson County, Alabama and Shelby County, Alabama as described therein.
2. Exhibit "B" to the Mortgage is hereby amended to include those additional Permitted Encumbrances to the additional Real Estate as described in Exhibit A.
3. Except as herein modified, the Mortgage, shall remain in full force and effect, and the Mortgage as so modified herein, is hereby ratified and affirmed in all matters and respects.
4. This Agreement will inure to the benefit of the parties hereto, their respective heirs, personal representatives and assigns. This Agreement shall be governed in accordance with the laws of the State of Alabama.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals on the day and year first above written.

**MORTGAGOR:**

**BARP NOVEMBER 2015, LLC,**

a Delaware limited liability company

By: RTO I, LLC, an Alabama limited liability company

Its: Manager

By: 

Robert F. Ashurst

Its: Manager

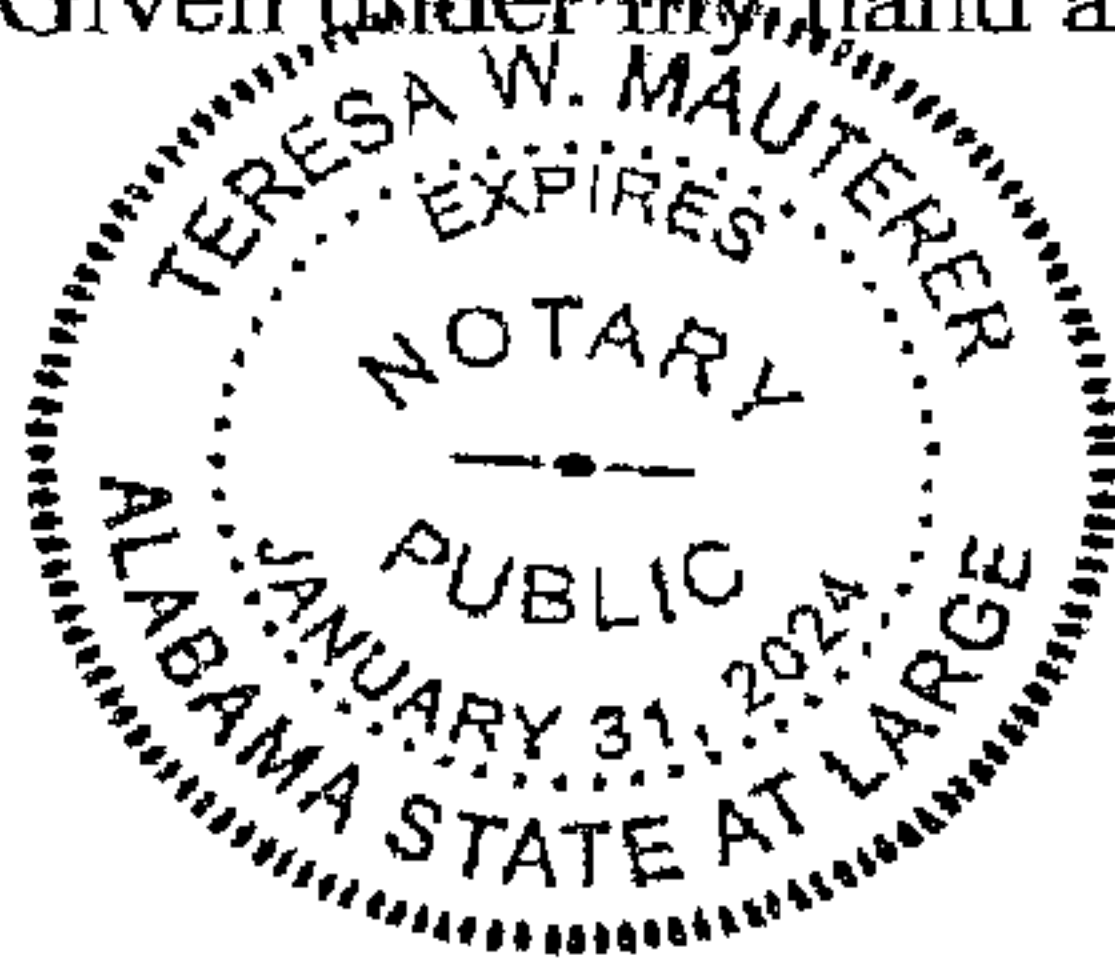
County Division Code: AL039 Inst. # 2023055867 Pages: 4 of 13

STATE OF ALABAMA     )  
JEFFERSON COUNTY    )

**ACKNOWLEDGMENT**

I, the undersigned, a notary public in and for said county in said state, hereby certify that Robert F. Ashurst, whose name as Manager of RTO I, LLC, as Manager of BARP NOVEMBER 2015, LLC, a Delaware limited liability company, is signed to the foregoing Agreement and who is known to me, acknowledged before me on this day that, being informed of the contents of the Agreement, he, as such Manager and with full authority, executed the same voluntarily for and on behalf of said limited liability company in its capacity as such Manager of said limited liability company.

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



Teresa W Maunter  
NOTARY PUBLIC

**LENDER:**

**SOUTHPOINT BANK,**  
an Alabama state banking corporation

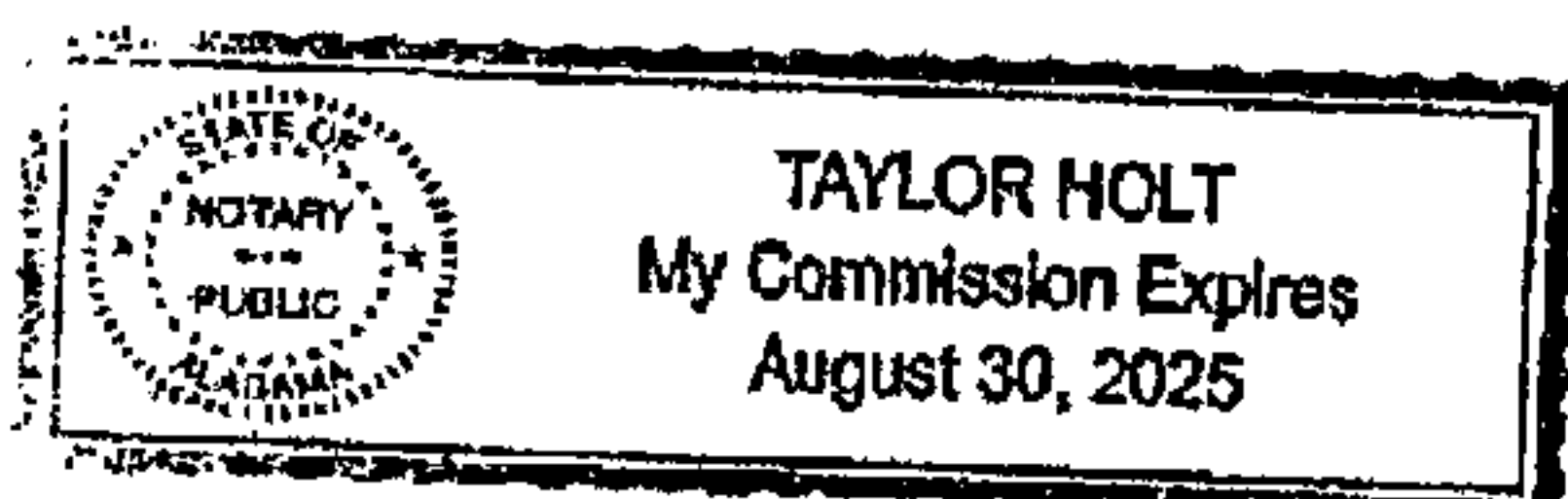
By: [Signature]  
Rob Richardson  
Its: Executive Vice President

**ACKNOWLEDGMENT**

STATE OF ALABAMA     )  
JEFFERSON COUNTY    )

I, the undersigned, a notary public in and for said county in said state, hereby certify that Rob Richardson, whose name as Executive Vice President of SOUTHPOINT BANK, an Alabama state banking corporation, is signed to the foregoing Agreement and who is known to me, acknowledged before me on this day that, being informed of the contents of the Agreement, he, as such officer and with full authority, executed the same voluntarily as and for the act of said corporation.

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



Taylor Holt  
NOTARY PUBLIC



County Division Code: AL039 Inst. # 2023055867 Pages: 5 of 13

**Exhibit A**  
**to**  
**Fifth Modification to Mortgage and Security Agreement**  
**between**  
**BARP November 2105, LLC and SouthPoint Bank**

**Legal Description of the Additional Property:**

**As to property located in Jefferson County, Alabama:**

**Tract 1-103 Fox Hill Court, Birmingham AL 35215**

**Jefferson County**

**Allocation \$89,050.00**

**Parcel ID 12 00 07 3 007 003.000**

**LOT 2 BLOCK 2 ACCORDING TO THE MAP AND SURVEY OF FOX HILL FIRST SECTOR AS RECORDED IN MAP BOOK 92 PAGE 34 IN THE PROBATE OFFICE OF JEFFERSON COUNTY ALABAMA.**

**Tract 2-1129 Linwood Street, Birmingham AL 35215**

**Jefferson County**

**Allocation \$101,500.00**

**Parcel ID 13 00 25 1 009 007.000**

**Lots 66 and 67, according to the Survey of Berkley Hills, as recorded in Map Book 17, Page 44, in the Probate Office of Jefferson County, Alabama.**

**Tract 3-1133 3rd Plaza, Pleasant Grove AL 35127**

**Jefferson County**

**Allocation \$166,200.00**

**Parcel ID 30 00 09 3 003 107.000**

**Lot 19, in Block 3, according to the Survey of Fifth Sector, Woodland Forest Estates, as recorded in Map Book 20 Page 54, in the Probate Office of Jefferson County, Alabama, Bessemer Division.**

**Tract 4-1653 Azalea Drive, Birmingham AL 35235**

**Jefferson County**

**Allocation \$120,900.00**

**Parcel ID 12 00 21 3 001 055.000**

**Lot 29, Block P, according to the Survey of Unit 2, Spring Lake Manor Subdivision, as recorded in Map Book 36 Page 96, in the Probate Office of Jefferson County, Alabama.**

**Tract 5-1700 Edgehill Drive, Birmingham AL 35213**

**Jefferson County**

**Allocation \$173,600.00**

**Parcel ID 38 00 06 1 004 010.000**

**Lots 23, 24 and 25, Block 84, according to the Survey of Bessemer North Highlands, as recorded in Map Book 8 Page 77 in the Probate Office of Jefferson County, Alabama.**

**Tract 6-Intentionally deleted.**

County Division Code: AL039 Inst. # 2023055867 Pages: 6 of 13

**Tract 7-2240 2nd Place NE, Center Point AL 35215**

**Jefferson County**

**Allocation \$105,100.00**

Parcel ID 12 00 18 1 009 009.000

Part of the Southwest 1/4 of the Northeast 1/4 of Section 18, Township 16 South, Range 1 West, Jefferson County, Alabama described as follows: Begin at the Northeast corner of the Southwest 1/4 of the Northeast 1/4 of Section 18, Township 16 South, Range 1 West and run West along the North line of said Quarter-Quarter Section 350 feet; thence 90 degrees 29 minutes left 324.49 feet for the Point of Beginning; thence 90 degrees right 165 feet; thence 90 degrees left 100 feet; thence 90 degrees left 165 feet; thence 90 degrees left 100 feet to the Point of Beginning.

**Tract 8-2449 Tracy Lane, Birmingham AL 35215**

**Jefferson County**

**Allocation \$120,500.00**

Parcel ID 12 00 08 3 012 001.008

Lot 21, according to the Map and Survey of Meadow Wood Estates 1st Sector, as recorded in Map Book 113, Page 3, in the Probate Office of Jefferson County, Alabama.

**Tract 9-2757 Wood Drive NE, Birmingham AL 35215**

**Jefferson County**

**Allocation \$129,100.00**

Parcel ID 12 00 07 1 002 019.007

Lot 6, according to the Survey of River Oaks, as recorded in Map Book 147, Page 21, in the Probate Office of Jefferson County, Alabama.

**Tract 10-2812 Creek Lane NE, Birmingham AL 35213**

**Jefferson County**

**Allocation \$121,900.00**

Parcel ID 12 00 08 2 007 020.000

Lot 23, in Block 4, according to the Survey of Arrowhead, First Sector, as recorded in Map Book 88, Page 13, in the Probate Office of Jefferson County, Alabama.

**Tract 11-2817 Wesley Avenue SW, Birmingham AL 35211**

**Jefferson County**

**Allocation \$54,000.00**

Parcel ID 29 00 17 2 018 004.000

Lot 8, Block 1, according to the Survey of Jefferson Park Estates, as recorded in Map Book 43, Page 17, in the Probate Office of Jefferson County, Alabama.

**Tract 12-3011 Sartain Drive, Adamsville AL 35005**

**Jefferson County**

**Allocation \$157,400.00**

Parcel ID 16 00 36 4 000 030.000

Lot 13, according to a Re-Survey of Lots 13 and 14, Shady Brook Estates, as recorded in Map Book 106, Page 81, in the Office of the Judge of Probate of Jefferson County, Alabama.

County Division Code: AL039 Inst. # 2023055867 Pages: 7 of 13

**Tract 13-3025 15th St, Birmingham AL 35208**

**Jefferson County**

**Allocation \$69,700.00**

Parcel ID 22 00 32 4 010 007.000

Lot 20, Block 1, according to the Survey of Oakhurst, as recorded in Map Book 16, Page 7, in the Office of the Judge of Probate of Jefferson County, Alabama.

**Tract 14-3077 Teresa Drive, Birmingham AL 35217**

**Jefferson County**

**Allocation \$165,100.00**

Parcel ID 13 00 19 2 005 009.000

LOT 300, ACCORDING TO THE SURVEY OF TOWN AND COUNTRY ESTATES, SECOND ADDITION, AS RECORDED IN MAP BOOK 76 PAGE 41, IN THE PROBATE OFFICE OF JEFFERSON COUNTY, ALABAMA.

**Tract 15-3146 Sleepy Hollow Drive, Pinson AL 35215**

**Jefferson County**

**Allocation \$119,600.00**

Parcel ID 12 00 05 2 000 023.000

Lot 4, according to the Survey of First Addition to Sleepy Hollow, First Sector, as recorded in Map Book 114, Page 57, in the Probate Office of Jefferson County, Alabama.

**Tract 16-428 86th Street S, Birmingham AL 35206**

**Jefferson County**

**Allocation \$57,800.00**

Parcel ID 23 00 11 1 020 009.000

Lot 11, Block 4, according to the Survey of Eastwood Park, as recorded in Map Book 18, Page 50, in the Probate Office of Jefferson County, Alabama.

**Tract 17-440 Bridle Trace Drive, Leeds AL 35094**

**Jefferson County**

**Allocation \$122,600.00**

Parcel ID 25 00 30 4 000 033.000

Lot 6, Block 3, according to the Survey of Bridle Trace Subdivision, Sector 1-B, as recorded in Map Book 121, Page 29, in the Probate Office of Jefferson County, Alabama.

**Tract 18-511 10th Ave, Midfield AL 35228**

**Jefferson County**

**Allocation \$58,600.00**

Parcel ID 30 00 22 4 027 017.000

Lot 5 and the West 1/2 of Lot 4, Block 52, according to the Map and Survey of First Addition to Fairfield Highlands, as recorded in Map Book 2, Page 40, 41 and 42, in the Probate Office of Jefferson County, Alabama.

**Tract 19-5781 Walnut Grove Road, Pinson AL 35215**

**Jefferson County**

**Allocation \$135,000.00**

County Division Code: AL039 Inst. # 2023055867 Pages: 8 of 13

Parcel ID 13 00 01 2 001 024.000

LOTS 21, 22 AND 23, ACCORDING TO THE SURVEY OF PINSON HEIGHTS FIRST SECTOR, AS RECORDED IN MAP BOOK 51 PAGE 9, IN THE PROBATE OFFICE OF JEFFERSON COUNTY, ALABAMA.

**Tract 20-605 Vaughn Circle, Birmingham AL 35235**

**Jefferson County**

**Allocation \$95,700.00**

Parcel ID 12 00 29 2 001 011.000

Lot 4, Block 3, according to the Map and Survey of Spring Lake Hills, First Sector, a survey and subdivision of Lot 1, of Lots 1 and 2, of Armstrong and Vaughn Addition to Spring Lake Hills and a subdivision of part of Northeast Quarter of Northwest Quarter, Section 29, Township 16 South, Range 1 West, as recorded in Map Book 60, Page 22, in the Probate Office of Jefferson County, Alabama, Birmingham Division.

**Tract 21-700 14th Avenue NW, Birmingham AL 35215**

**Jefferson County**

**Allocation \$77,900.00**

Parcel ID 13 00 24 3 008 031.000

LOT 14, BLOCK 11, ACCORDING TO THE SURVEY OF SECOND SECTOR, QUEENSBURY EAST, AS RECORDED IN MAP BOOK 127, PAGE 15, IN THE PROBATE OFFICE OF JEFFERSON COUNTY, ALABAMA.

**Tract 22-713 Martinwood Road, Birmingham AL 35235**

**Jefferson County**

**Allocation \$127,900.00**

Parcel ID 12 00 31 2 012 016.000

Part of Lot 1, according to the Map of Huffman Farm Estates, as recorded in Map Book 25, Page 61, in the Probate Office of Jefferson County, Alabama, being more particularly described as follows: Begin at the Northeast corner of said Lot 1; thence South along the East line of said Lot a distance of 170 feet; thence run West parallel with the North line of said lot a distance of 100 feet; thence North parallel with the East line of said Lot a distance of 170 feet to the North line of said Lot; thence East along said North line a distance of 100 feet to the point of beginning.

**Tract 23-722 28th Terrace S, Bessemer AL 35020**

**Jefferson County**

**Allocation \$79,300.00**

Parcel ID 38 00 11 2 006 003.000

Lot 3, Block 3, according to the Map and Survey of Sloss Village Sector B, as recorded in Map Book 9, Page 28A & Page 28B, in the Office of the Judge of Probate of Jefferson County, Alabama, Bessemer Division.

**Tract 24-821 19th Place SW, Birmingham AL 35211**

**Jefferson County**

**Allocation \$41,900.00**

Parcel ID 29 00 08 4 028 007.000



County Division Code: AL039 Inst. # 2023055867 Pages: 9 of 13

Lot 8, Block 12, according to the Survey of Eureka, as recorded in Map Book 5, Page 68, in the Probate Office of Jefferson County, Alabama.

**Tract 25-9268 Briarmont Drive, Birmingham AL 35217**

**Jefferson County**

**Allocation \$140,300.00**

Parcel ID 23 00 03 2 008 008.000

Lot 19, according to the Survey of Briarmont, as recorded in Map Book 71, Page 64, in the Probate Office of Jefferson County, Alabama.

**Tract 26-9704 Pape Avenue, Tarrant AL 35217**

**Jefferson County**

**Allocation \$68,800.00**

Parcel ID 13 00 34 3 006 011.002

Lot 5 of Block 1, according to the Survey of Bookerwood Heights as recorded in Map Book 15, Page 84, in the Probate Office of Jefferson County, Alabama.

<b>Total Jefferson County Allocation:</b>	<b>\$2,699,450.00</b>
---	-----------------------

**As to property located in Shelby County, Alabama:**

**Tract 27-100 Sommersby Circle, Pelham AL 35124**

**Shelby County**

**Allocation \$162,900.00**

Parcel ID 13 1 02 4 002 055.000

Lot 55, according to the Survey of Sommersby Townhomes, as recorded in Map Book 20, Page 112, in the Office of the Judge of Probate of Shelby County, Alabama.

<b>Total Shelby County:</b>	<b>\$162,900.00</b>
-----------------------------	---------------------

**END**

County Division Code: AL039 Inst. # 2023055867 Pages: 10 of 13

**Exhibit B**  
**to**  
**Fifth Modification to Mortgage and Security Agreement**  
**between**  
**BARP November 2015, LLC and SouthPoint Bank**  
**Permitted Encumbrances for the Additional Property**

Taxes for the year 2023 and subsequent years are not yet due and payable.

Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto, including release of damages are not insured herein.

Rights of others as to any unrecorded leases.

**And specifically as to property located in Jefferson County, Alabama:**

**Tract 1-103 Fox Hill Court, Birmingham AL 35215**

Building lines, setbacks and easements as shown on that certain Plat Map recorded in Map Book 92, Page 34, in the Probate Office of Jefferson County, Alabama.  
Rights of Way to Alabama Power Company and Southern Bell Telegraph Company in Volume 6599, page 959 and Volume 6681, page 885.  
Right of Way Southern Natural Gas in Volume 2382, page 241.

**Tract 2-1129 Linwood Street, Birmingham AL 35215**

Building lines, setbacks and easements as shown on that certain Plat Map recorded in Map Book 17, Page 44, in the Probate Office of Jefferson County, Alabama.

**Tract 3-1133 3rd Plaza, Pleasant Grove AL 35127**

Restrictions in Real Volume 197, Page 926 & Real Volume 212, Page 535.  
Right of Way to Alabama Power Company & South Central Bell in Real Volume 331, Page 405.  
Sanitary Sewer Agreement In Real Volume 339, Page 543.  
Mineral and Mining rights in Real Volume 197, Page 926.

**Tract 4-1653 Azalea Drive, Birmingham AL 35235**

Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto, including release of damages, are not insured herein and as shown in Volume 5619 Page 567.  
Building lines, setbacks and easements as shown on that certain Plat Map recorded in Map Book 36, Page 96, in the Probate Office of Jefferson County, Alabama.  
Covenants, conditions and restrictions as shown in Volume 5619 Page 567, in the Probate Office of Jefferson County, Alabama.  
Storm Sewer Easement set forth in instrument recorded In Instrument 200314/5861, In the Probate Office of Jefferson County, Alabama.

**Tract 5-1700 Edgehill Drive, Birmingham AL 35213**

Building lines, setbacks and easements as shown on that certain Plat Map recorded In Map Book 8, Page 77, in the Probate Office of Jefferson County, Alabama.

County Division Code: AL039 Inst. # 2023055867 Pages: 11 of 13

Restrictions as recorded in Volume 374, Page 448.

**Tract 6-Intentionally deleted**

**Tract 7-2240 2nd Place NE, Center Point AL 35215**

We do not purport to insure the amount of acreage.

Less and except any portion of the property lying in the road right of way.

**Tract 8-2449 Tracy Lane, Birmingham AL 35215**

Building lines, setbacks and easements as shown on that certain Plat Map recorded in Map Book 113, Page 3, in the Probate Office of Jefferson County, Alabama.

Restrictions recorded in Real Volume 1531 Page 394, in the Probate Office of Jefferson County, Alabama.

Right of Way to Alabama Power Company and South Central Bell recorded in Real Volume 1526 Page 462, in the Probate Office of Jefferson County, Alabama.

Agreement with Jefferson County Department of Health recorded in Real Volume 1588 Page 722, in the Probate Office of Jefferson County, Alabama.

**Tract 9-2757 Wood Drive NE, Birmingham AL 35215**

Building lines, setbacks and easements as shown on that certain Plat Map recorded in Map Book 147, Page 21, in the Probate Office of Jefferson County, Alabama.

**Tract 10-2812 Creek Lane NE, Birmingham AL 35213**

Building lines, setbacks and easements as shown on that certain Plat Map recorded in Map Book 88, Page 13, in the Probate Office of Jefferson County, Alabama.

**Tract 11-2817 Wesley Avenue SW, Birmingham AL 35211**

Building lines, setbacks and easements as shown on that certain Plat Map recorded in Map Book 43, Page 17, in the Probate Office of Jefferson County, Alabama.

**Tract 12-3011 Sartain Drive, Adamsville AL 35005**

Building lines, setbacks and easements as shown on that certain Plat Map recorded in Map Book 106, Page 81, in the Probate Office of Jefferson County, Alabama.

Right of Way granted to Alabama Power Company recorded in Real 981, Page 119.

Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto, together with any release of liability for injury or damage to persons or property as a result of the exercise of such right as recorded in Real 2661, Page 436.

Agreement to Jefferson County Health Department recorded in Real 940, Page 919.

**Tract 13-3025 15th St, Birmingham AL 35208**

Building lines, setbacks and easements as shown on that certain Plat Map recorded in Map Book 16, Page 7, in the Probate Office of Jefferson County, Alabama.

**Tract 14-3077 Teresa Drive, Birmingham AL 35217**

Building lines, setbacks and easements as shown on that certain Plat Map recorded in Map Book 76, Page 41, in the Probate Office of Jefferson County, Alabama.

**Tract 15-3146 Sleepy Hollow Drive, Pinson AL 35215**

Building lines, setbacks and easements as shown on that certain Plat Map recorded in Map Book



County Division Code: AL039 Inst. # 2023055867 Pages: 12 of 13

114, Page 57, in the Probate Office of Jefferson County, Alabama.

**Tract 16-428 86th Street S, Birmingham AL 35206**

Building lines, setbacks and easements as shown on that certain Plat Map recorded in Map Book 18, Page 50, in the Probate Office of Jefferson County, Alabama.

**Tract 17-440 Bridle Trace Drive, Leeds AL 35094**

Building lines, setbacks and easements as shown on that certain Plat Map recorded In Map Book 121, Page 29, In the Probate Office of Jefferson County, Alabama.

Covenants, conditions and restrictions recorded in Real Volume 1882, Page 37, in the Probate Office of Jefferson County, Alabama.

Right of Way easement as set forth in Real Volume 1611, Page 185, In the Probate Office of Jefferson County, Alabama.

**Tract 18-511 10th Ave, Midfield AL 35228**

Building lines, setbacks and easements as shown on that certain Plat Map recorded In Map Book 2, Pages 40, 41 and 42, in the Probate Office of Jefferson County, Alabama.

**Tract 19-5781 Walnut Grove Road, Pinson AL 35215**

Building lines, setbacks and easements as shown on that certain Plat Map recorded in Map Book 51, Page 9, in the Probate Office of Jefferson County, Alabama.

**Tract 20-605 Vaughn Circle, Birmingham AL 35235**

Building lines, setbacks and easements as shown on that certain Plat Map recorded in Map Book 60,

Page 22, in the Probate Office of Jefferson County, Alabama.

Right of way to Alabama Power Company and Southern Bell Telephone recorded in Volume 6448, Page 474.

Restrictions recorded in Volume 6457, Page 1.

**Tract 21-700 14th Avenue NW, Birmingham AL 35215**

Building lines, setbacks and easements as shown on that certain Plat Map recorded in Map Book 127, Page 15, in the Probate Office of Jefferson County, Alabama.

Easement/right of way to Alabama Power Company and South Central Bell Telephone Company recorded in Book 2017 Page 753, in the Probate Office of Jefferson County, Alabama.

Restrictions recorded in Book 1184 Page 784, in the Probate Office of Jefferson County, Alabama.

**Tract 22-713 Martinwood Road, Birmingham AL 35235**

Building lines, setbacks and easements as shown on that certain Plat Map recorded in Map Book 25, Page 61, in the Probate Office of Jefferson County, Alabama.

Right of Way granted to Alabama Power Company by instrument(s) recorded in Volume 6528, Page 278 and Real Volume 1474, Page 743.

Right of Way granted to the City of Birmingham, as recorded in Real Volume 959, Pages 333, 337, 343 and 345.

**Tract 23-722 28th Terrace S, Bessemer AL 35020**

Building setback lines and other matters as shown on the Plat recorded in Map Book 9, Pages 28A and



County Division Code: AL039 Inst. # 2023055867 Pages: 13 of 13

28B.

Restrictions, conditions and limitations as set forth in deed from the Sloss-Sheffield Steel & Iron Company as recorded in Bessemer Volume 506, Page 423, and in Bessemer Volume 814, Page 587.

Release-of-damages as recorded in Bessemer Volume 506, Page 423.

**Tract 24-821 19th Place SW, Birmingham AL 35211**

Building lines, setbacks and easements as shown on that certain Plat Map recorded in Map Book 1, Page

38, in the Probate Office of Jefferson County, Alabama.

**Tract 25-9268 Briarmont Drive, Birmingham AL 35217**

Building setback lines and other matters as shown on the Plat recorded in Map Book 71, Page 64.

Mineral and mining rights and rights incident thereto recorded in Volume 59, Page 690.

Agreement as recorded in Real Volume 1137, Page 908.

Right of Way to Southern Natural Gas Company as recorded in Volume 2187, Page 32 and Volume 3942, Page 282.

Restrictions appearing of record in Volume 51, Page 341, in the Probate Office of Jefferson County, Alabama.

Right of way to Alabama Power Company and Southern Bell Telephone and Telegraph Company, as recorded in Volume 55, Page 135.

**Tract 26-9704 Pape Avenue, Tarrant AL 35217**

Building setback lines and other matters as shown on the Plat recorded in Map Book 15, Page 84.

**And specifically as to property located in Shelby County, Alabama:**

**Tract 27-100 Sommersby Circle, Pelham AL 35124**

**Shelby County**

Building setback lines and other matters as shown on the Plat recorded in Map Book 20, Page 112, in Shelby County, Alabama.

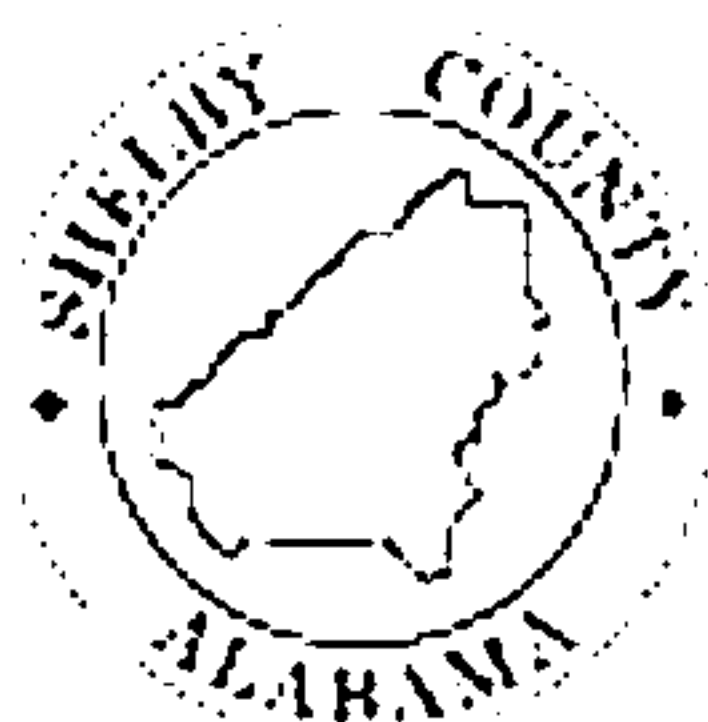
Restrictions, covenants and conditions in Instrument 1994-484 and Instrument 1996-484, in Shelby County, Alabama.

Restrictions, conditions, limitations, easements as set forth by deed recorded in Instrument 1997-2592 in Shelby County, Alabama.

Transmission line permit to Alabama Power in Deed Book 194 Page 67, Deed Book 198 Page 509, Deed Book 119 Page 111, Deed Book 103 Page 146; Deed Book 161 Page 143; Deed Book 179 Page 384; Deed Book 135 Page 366 and Deed Book 135 Page 362 in Shelby County, Alabama.

Mineral and mining rights in Instrument 1994-26798 in Shelby County, Alabama.

Right of way in favor of Shelby County in Deed Book 135 Page 362 and Deed Book 135 Page 366, in Shelby County, Alabama.



Filed and Recorded

Official Public Records

Judge of Probate, Shelby County Alabama, County

Clerk

Shelby County, AL

06/15/2023 10:25:30 AM

\$62.00 BRITTANI

20230615000179520

*Allen S. Bayl*