

This Instrument was prepared by:  
Chambliss, Bahner & Stophel P.C.  
605 Chestnut Street, Suite 1700  
Chattanooga, Tennessee 37450  
Attn: Andrew J. Leffler

Property Address:  
1 Lake Heather Reserve  
Birmingham, Alabama 35242

QUITCLAIM DEED

**KNOW ALL MEN BY THESE PRESENTS**

That for and in consideration of the sum of \$10.00, and other good and valuable consideration, in hand paid to HAWTHORNE-MIDWAY LAKE HEATHER, LLC, a North Carolina limited liability company, having an address of 806 Green Valley Road, Suite 311, Greensboro, NC 27408 (hereinafter called "**Grantor**"), the receipt whereof is hereby acknowledged, the undersigned hereby releases, quitclaims, grants, sells and conveys to HM LAKE HEATHER, LLC, a Delaware limited liability company, having an address of 806 Green Valley Road, Suite 311, Greensboro, NC 27408 (hereinafter called "**Grantee**"), all right, title, interest, and claim in or to the following described real estate, situated in Shelby County, Alabama, to-wit:

See Exhibit A.

SUBJECT TO all easements, rights-of-way, covenants, restrictions and mineral reservations of record, if any.

TO HAVE AND TO HOLD to the said GRANTEE, and unto Grantee's heirs and assigns forever, with all appurtenances thereunto belonging.

*[Remainder of Page Intentionally Left Blank; Signature Page to Follow]*

IN WITNESS WHEREOF, this deed was executed by the undersigned on this  
31 day of August, 2023.

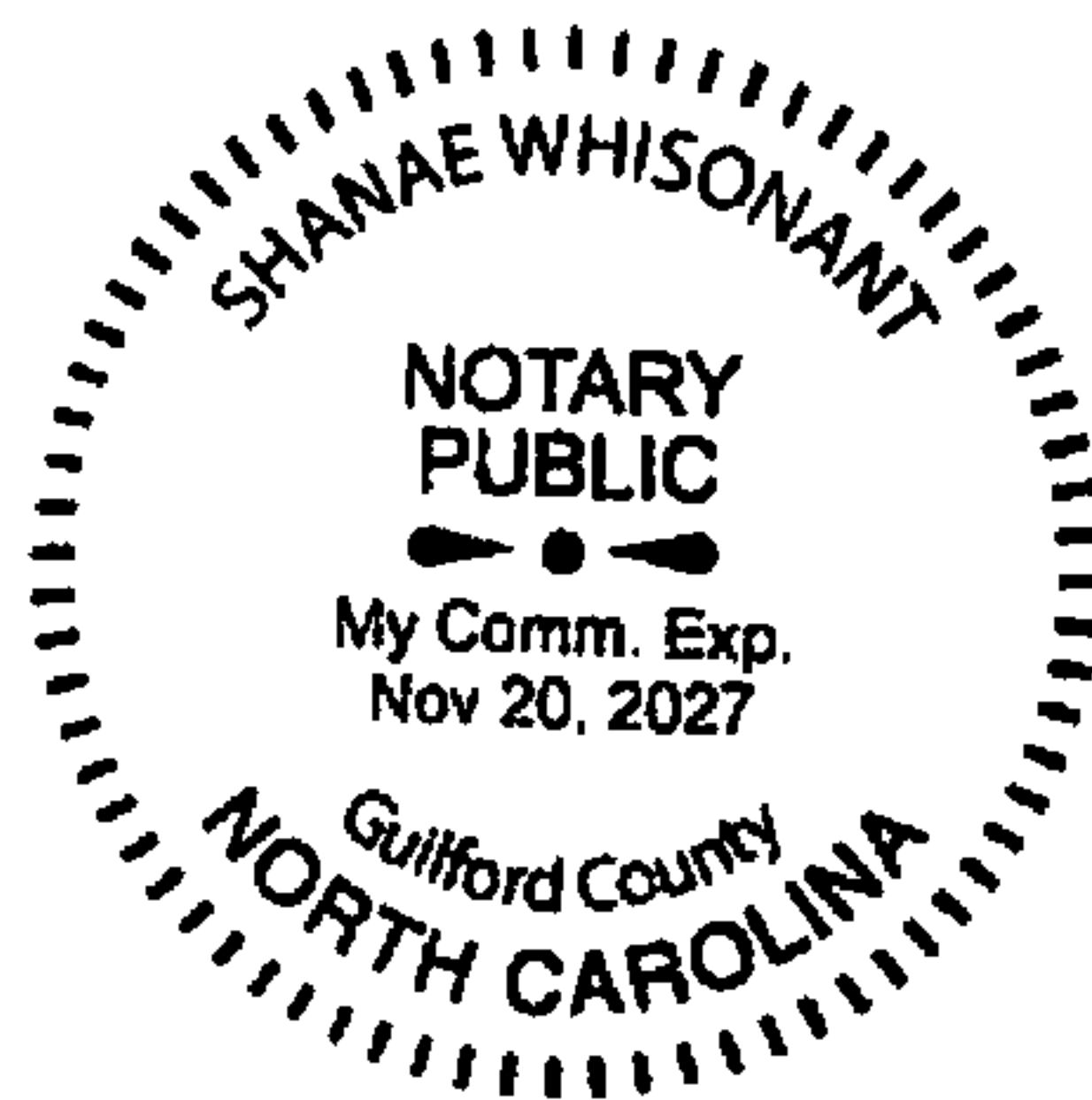
HAWTHORNE-MIDWAY LAKE HEATHER,  
LLC, a North Carolina limited liability company

By:  (SEAL)  
Philip M. Payonk, a Manager

STATE OF NORTH CAROLINA, Guilford County ss:

I, the undersigned, a Notary Public in and for said County in said State, hereby  
certify that Philip M. Payonk, whose name as a Manager of Hawthorne-Midway Lake  
Heather, LLC, a North Carolina limited liability company, is signed to the foregoing  
instrument, and who is known to me, acknowledged before me on this day, that being  
informed of the contents of said instrument, he as such Manager and with full authority,  
executed the same voluntarily for and as the act of said Hawthorne-Midway Lake  
Heather, LLC, acting in his capacity as Manager of said Hawthorne-Midway Lake  
Heather, LLC.

Given under my hand this 31 day of August, 2023.



  
Notary Public

My commission expires: 11-20-2027

EXHIBIT A

PART OF SECTION 35, TOWNSHIP 18 SOUTH, RANGE 2 WEST AND SECTION 2, TOWNSHIP 19 SOUTH, RANGE 2 WEST, SHELBY COUNTY, ALABAMA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 35, TOWNSHIP 18 SOUTH, RANGE 2 WEST, SHELBY COUNTY, ALABAMA AND RUN N88°48'03"W ALONG THE NORTH LINE OF SAME 734.25 FEET; THENCE RUN S41°25'52"W 1019.03 FEET TO THE POINT OF BEGINNING, SAID POINT BEING ON THE SOUTHEASTERLY RIGHT OF WAY OF INVERNESS PARKWAY; THENCE THE FOLLOWING COURSES PARALLELING THE EXISTING PAVED DRIVE TO THE LAKE HEATHER BOAT LAUNCH, 549°19'19"E, 44.63 FEET TO THE POINT OF CURVE OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 50.00 FEET AND A CENTRAL ANGLE OF 60°20'45"; THENCE RUN S19°08'56"E ALONG THE CHORD OF SAID CURVE 50.26 FEET TO THE POINT OF TANGENT; THENCE RUN S11°01'26"W, 96.35 FEET; THENCE S19°53'48"W, 72.94 FEET TO THE POINT OF CURVE OF A CURVE TO THE LEFT, HAVING A RADIUS OF 213.40 FEET AND A CENTRAL ANGLE OF 87°13'13"; THENCE RUN S23°42'48"E ALONG THE CHORD OF SAID CURVE 294.38 FEET TO THE POINT OF TANGENT; THENCE RUN S67°19'24"E, 84.72 FEET; THENCE N48°34'32"E, 58.21 FEET TO A POINT ON THE 496.00 ELEVATION CONTOUR, BEING THE MEAN WATER ELEVATION OF LAKE HEATHER; THENCE RUN IN A GENERAL SOUTHERLY DIRECTION ALONG THE MEANDERINGS OF SAID 496.00 CONTOUR 2283.6 FEET, MORE OR LESS TO A POINT ON THE NORTHERLY BOUNDARY OF INVERNESS COVE PHASE 2 - RESURVEY #1 AS RECORDED IN MAP BOOK 36, PAGE 110 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA; THENCE THE FOLLOWING COURSES ALONG THE NORTHERLY BOUNDARY OF SAID SUBDIVISION, S62°27'53"W, 70.91 FEET; THENCE RUN N36°25'48"W, 133.59 FEET; THENCE RUN S64°00'15"W, 148.44 FEET; THENCE RUN N44°32'37"W, 48.97 FEET; THENCE RUN S80°43'18"W, 88.09 FEET; THENCE RUN N39°17'36"W, 35.87 FEET; THENCE RUN N54°04'01"E, 141.72 FEET; THENCE RUN N35°08'09"W, 73.08 FEET; THENCE RUN N53°32'36"W, 192.86 FEET; THENCE RUN N80°58'43"W, 200.08 FEET; THENCE RUN S58°30'01"W, 94.92 FEET TO A POINT ON THE SOUTHEASTERLY RIGHT OF WAY OF INVERNESS PARKWAY; THENCE RUN N49°38'52"E ALONG SAID RIGHT OF WAY 444.74 FEET TO THE POINT OF CURVE OF A CURVE TO THE LEFT, HAVING A RADIUS OF 1254.79 FEET AND A CENTRAL ANGLE OF 18°36'00"; THENCE RUN N40°20'52"E ALONG THE CHORD OF SAID CURVE, 405.56 FEET TO THE POINT OF TANGENT; THENCE RUN N31°02'52"E ALONG SAID RIGHT OF WAY, 324.91 FEET TO THE POINT OF CURVE OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 2087.94 AND A CENTRAL ANGLE OF 10°23'00"; THENCE RUN N36°14'22"E ALONG THE CHORD OF SAID CURVE, 377.87 FEET TO THE POINT OF TANGENT; THENCE RUN N41°25'52"E ALONG SAID RIGHT OF WAY, 69.32 FEET 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***

**Grantor's Name** Hawthorne Midway Lake Heather, LLC  
**Mailing Address** 806 Green Valley Road, Suite 311  
 Greensboro, NC 27408

**Grantee's Name** HM Lake Heather, LLC  
**Mailing Address** 806 Green Valley Road, Suite 311  
 Greensboro, NC 27408

**Property Address** 1 Lake Heather Reserve  
 Birmingham, AL 35242

**Date of Sale** 09/27/23  
**Total Purchase Price** \$

or  
**Actual Value** \$

or  
**Assessor's Market Value** \$ 804,300<sup>00</sup>

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 to Clear Title

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** 09/27/23

**Print** Michael J. Stewart, Agent

**Sign**

(Grantor/Grantee/Owner/Agent) circle one

**Unattested**

Filed and Recorded  
 Official Public Records  
 Judge of Probate, Shelby County Alabama, County  
 Clerk  
 Shelby County, AL  
 09/28/2023 01:16:37 PM  
 \$32.00 JOANN  
 20230928000290630



**Form RT-1**

*Allen S. Bayl*