

This instrument prepared by:  
Suzanne D. Currie  
Lanier Ford Shaver & Payne P.C.  
2101 West Clinton Avenue, Suite 102  
Huntsville, Alabama 35805

  
20240709000207360 1/5 \$34.00  
Shelby Cnty Judge of Probate, AL  
07/09/2024 01:57:24 PM FILED/CERT

STATE OF ALABAMA

COUNTY OF SHELBY

PARTIAL RELEASE AND CONSENT OF TENANT

KNOW ALL MEN BY THESE PRESENTS: That for and in consideration of the sum of One (\$1.00) Dollar and other good and valuable consideration, cash in hand paid to the undersigned, the receipt of which is hereby acknowledged, the undersigned, CIRCLE K STORES, INC., a Texas corporation, does hereby release from that certain unrecorded Ground Lease by and between BROADWAY & PRESTON, LLC, an Alabama limited liability company, ("Landlord") and CIRCLE K STORES, INC., a Texas corporation ("Tenant"), with an effective date of April 30, 2022, as evidenced by that Memorandum of Lease recorded at Instrument No. 20230428000125200 in the Office of the Judge of Probate of Shelby County, Alabama (the "Lease"), any and all right, title and interest of the undersigned in and to the following described property:

**SEE EXHIBIT "A" ATTACHED HERETO**

AND FOR THE SAME CONSIDERATION, Tenant does hereby remise, release, quitclaim and convey unto STATE OF ALABAMA, all of its right, title and interest in and to the parcel of land particularly described in EXHIBIT "A" (the "ROW.")

Tenant further executes this instrument for the additional purpose of consenting to the conveyance of the temporary construction easement and the rights described therein to STATE OF ALABAMA over, across and upon that certain property described in EXHIBIT "B" hereto (the "TCE") and subordinating the leasehold interest of Tenant in and to the TCE and the rights described therein.

The ROW and TCE are depicted on the attached EXHIBIT "C."

It is expressly understood that this partial release and consent in no way affects the remainder of the property covered by the Lease, nor any of the terms contained therein.

WITNESS my hand and seal this 28<sup>th</sup> day of May, 2024.

CIRCLE K STORES, INC.,  
a Texas corporation

By: Julie Rodgers  
Its: Julie Rodgers, Authorized Representative



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STATE OF Florida )  
COUNTY OF Santa Rosa )

I, the undersigned Notary Public in and for said County and State, hereby certify that Julie Rodgers, whose name as Authorized Representative of CIRCLE K STORES, INC., a Texas corporation, 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 the instrument, (s) he, as such Authorized Representative and with full authority, executed the same voluntarily for and as the act of the corporation on the day the same bears date.

GIVEN under my hand and official seal this 28<sup>th</sup> day of May,  
2024.

Erika Marie Nowling  
NOTARY PUBLIC  
My commission expires: 8/1/2025



## EXHIBIT "A"



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Fee Simple (ROW)

A part of the SW  $\frac{1}{4}$  - SW  $\frac{1}{4}$ , Section 30, Township 19 South, Range 2 West, identified as Tract No. 71A on Project No. RP-7112(003) in Shelby County, Alabama and being more fully described as follows:

Parcel 1 of 1:

Commence at a found 5/8 inch rebar marking the Northeast corner of a parcel as recorded in Deed Book 275, Page 661, in the Probate Office of Shelby County, Alabama, and lying on the South present R/W line of SR 261; thence run Southwesterly along said present R/W line for a distance of 401.46 feet, more or less, to a point on the acquired R/W line, (said point perpendicular to centerline of project at station 289+60.00 RT) and marking the POINT OF BEGINNING; thence run South 09 degrees 50 minutes 02 seconds East along the acquired R/W line for a distance of 22.76 feet to a point on the acquired R/W line, (said point offset 65.00 feet RT and perpendicular to centerline of project at station 289+60.00); thence run along the acquired R/W line and the arc of a curve, said curve being a counterclockwise curve having a radius of 1325.00 feet, a delta angle of 05 degrees 26 minutes 36 seconds, a chord bearing of South 77 degrees 26 minutes 40 seconds West, and a chord length of 125.83 feet, for a distance of 125.88 feet to a point on the present Southeast R/W taper to SR 261, (said point offset 65.00 feet RT and perpendicular to centerline of project at station 288+27.94 ); thence run North 39 degrees 56 minutes 39 seconds East along said present R/W taper for a distance of 47.31 feet to a point on the South present R/W line of SR 261; thence run North 81 degrees 19 minutes 48 seconds East along said present R/W line for a distance of 89.58 feet to the POINT OF BEGINNING; said parcel contains 0.062 acre(s), more or less.

EXHIBIT "B"



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Temporary Construction Easement (TCE)

Temporary Construction Easement 1 of 1:

BEGIN at a point on the South present R/W line of SR 261 and the acquired R/W line, (said point perpendicular to centerline of project at station 289+60.00 RT); thence run North 81 degrees 19 minutes 48 seconds East along said present R/W line for a distance of 20. 62 feet to a point on the grantor's East property line; thence run South 01 degrees 03 minutes 05 seconds West along the grantor's East property line for a distance of 22.85 feet to a point on the required easement line, (said line 65.00 feet RT and parallel to centerline of project); thence run along the required easement line and the arc of a curve, said curve being a counterclockwise curve having a radius of 1324.99 feet, a delta angle of 00 degrees 42 minutes 18 seconds, a chord bearing of South 80 degrees 31 minutes 07 seconds West, and a chord length of 16.31 feet, for a distance of 16.31 feet to a point on the required easement line, (said point offset 65.00 feet RT and perpendicular to centerline of project at station 289+60.00); thence run North 09 degrees 50 minutes 02 seconds West along the required easement line for a distance of 22.76 feet to the POINT OF BEGINNING; said easement contains 0.010 acre(s) more or less.

EXHIBIT "C"

Depiction of ROW and TCE

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