

First American Title Insurance Company

COMMITMENT

SCHEDULE A

Address Reference: **3340 Sandhurst Road, Birmingham, AL 35223**

Issuing Office File No.: **T-96389**
BC/EC/le

1. Effective Date: **June 18, 2015 at 8:00 am**

2. Policy or Policies to be issued: Amount

(a) Owners Policy **\$ To Be Determined**

Proposed Insured:

Any Purchaser

(b) Loan Policy

Proposed Insured:

3. Title to the fee simple estate or interest in said land is at the effective date hereof vested in:


MWT Land, LLC, an Alabama limited liability company – (PARCELS I AND III)

Volunteers of America, Southeast, a Non-Profit Corporation – (PARCEL II) – SUBJECT TO REQUIREMENTS HEREIN

4. The land referred to in this Commitment is described as follows:

See Schedule C for Legal Description

Date: **July 28, 2015**
The Title Group Incorporated
License No.: 0188511

By: 
(Authorized Signatory)
License No.: 0656164

First American Title Insurance Company

COMMITMENT SCHEDULE B - PART 1 REQUIREMENTS

Issuing Office File No.: **T-96389**

The following requirements must be met:

1. Pay us the agreed amounts for the interest in the land and/or the mortgage to be insured.
2. Pay us the premiums, fees and charges for the policy.
3. Pay all taxes and/or assessments, levies and assessed against the land, which are due and payable.
4. You must tell us in writing the name of anyone not referred to in this Commitment who will get an interest in the land or who will make a loan on the land. We may then make additional requirements or exceptions.
5. Documents, satisfactory to us, creating the interest in the land and/or the mortgage to be insured, must be signed, delivered and recorded:
 - a) We find a deed from Cambridge Park, LLC to Caroline B. Taylor recorded in Instrument #20080428000173090. Next we find a deed from Southeast Affordable Housing, Inc. to Volunteers of America, Southeast, a Non-Profit Corporation recorded in Instrument #20090501000160520. We do not find a deed out of Caroline B. Taylor. Therefore, we will require a deed from Caroline B. Taylor (and spouse(s), when required by law) to Volunteers of America, Southeast, a Non-Profit Corporation to be properly executed and recorded in Shelby County, Alabama. (as to Parcel II)
 - b) Execution and recordation, without intervening rights, of a warranty deed from MWT Land, LLC, an Alabama limited liability company, (as to Parcels I and III); and Volunteers of America, Southeast, a Non-Profit Corporation, (as to Parcel II), conveying the property described in Schedule "A" to Any Purchaser.
 - c) Proper completion and attestation of the Real Estate Sales Validation Form and submission to the Judge of Probate in accordance with Code of Alabama (1975), Section 40-22-1.

NOTE: This is an informational title commitment only. No policies of title insurance are to be issued hereunder. This is not to be construed as evidence of title, a title insurance policy or title guarantee. The maximum liability of the Company shall not exceed what is paid for this report.

6. We require that attached Notice of Availability of Closing Protection be properly executed by each party to the transaction. (Seller, Purchaser and Lender, where applicable)

NOTE: Charges in connection with the issuance of said protection will be added to the existing invoice. Please make sure we are notified of the request of the closing protection prior to the completion of the settlement statement)

7. We require satisfactory proof all homeowner's association dues are paid in full, and a certificate of compliance, if applicable.

First American Title Insurance Company

COMMITMENT

SCHEDULE B - PART 1 REQUIREMENTS CONTINUED

Issuing Office File No.: **T-96389**

8. We will require a statement from the City Clerk of Montevallo stating that there are no unpaid municipal improvement assessments, special dues, and specifically, but not limited to, garbage fees, against subject property.
9. We require satisfactory proof that subject property is not located in a municipality which charges assessments, or in a fire district which assesses dues. If so located, we require satisfactory proof that all assessments and/or dues are paid current.
10. Due to the subject property being commercial property we require a sworn statement from both the Seller(s) and Purchaser(s) that there is no unpaid or disputed real estate commission, all compensation due or to become due under any listing, agency or other brokerage agreement has been paid or has been waived in writing by the potential lien claimant, and there has been no written notice received concerning any unpaid real estate commission which could give rise to a Broker's Lien under Act #98-160, Regular Session, 1998, Alabama Legislature (Sec 35-11-450 et seq. Code of Ala., 1975).
11. As to MWT Land, LLC we must be furnished a Manager's Certificate or Resolution certifying the following:
 - a. Articles of Organization or Certificate of Formation.
 - b. Written Operating Agreement or Company Agreement and all Amendments thereto.
 - c. Current Membership Roster.
 - d. Certificate of Good Standing from the Department of Revenue, State of Alabama.
12. We will require a proper resolution of the directors of Volunteers of America, Southeast authorizing the sale of subject property, and certificate of good standing.
13. All Papers are to be filed for record in the Office of the Judge of Probate of Shelby County, Alabama.

NOTE: Advalorem taxes for the tax year **2014** are PAID IN FULL under:

Parcel # 36-2-03-5-001.000	-----	(Lot 1)
Parcel # 36-2-03-5-002.000	-----	(Lot 2)
Parcel # 36-2-03-5-003.000	-----	(Lot 3)
Parcel # 36-2-03-5-004.000	-----	(Lot 4)
Parcel # 36-2-03-5-005.000	-----	(Lot 5)
Parcel # 36-2-03-5-006.000	-----	(Lot 6)
Parcel # 36-2-03-5-007.000	-----	(Lot 7)
Parcel # 36-2-03-5-008.000	-----	(Lot 8)

First American Title Insurance Company

COMMITMENT

SCHEDULE B - PART 1 REQUIREMENTS CONTINUED

Issuing Office File No.: T-96389

Parcel # 36-2-03-5-013.000	-----	(Lot 13)
Parcel # 36-2-03-5-014.000	-----	(Lot 14)
Parcel # 36-2-03-5-016.000	-----	(Lot 16)
Parcel # 36-2-03-5-017.000	-----	(Lot 17)
Parcel # 36-2-03-5-019.000	-----	(Lot 19)
Parcel # 36-2-03-5-020.000	-----	(Lot 20)
Parcel # 36-2-03-5-021.000	-----	(Lot 21)
Parcel # 36-2-03-5-022.000	-----	(Lot 22)
Parcel # 36-2-03-5-023.000	-----	(Lot 23)
Parcel # 36-2-03-5-024.000	-----	(Lot 24)
Parcel # 36-2-03-5-026.000	-----	(Lot 26)
Parcel # 36-2-03-5-027.000	-----	(Lot 27)
Parcel # 36-2-03-5-028.000	-----	(Lot 28)
Parcel # 36-2-03-5-029.000	-----	(Lot 29)
Parcel # 36-2-03-5-030.000	-----	(Lot 30)
Parcel # 36-2-03-5-031.000	-----	(Lot 31)
Parcel # 36-2-03-5-032.000	-----	(Lot 32)
Parcel # 36-2-03-5-033.000	-----	(Lot 33)
Parcel # 36-2-03-5-034.000	-----	(Lot 34)
Parcel # 36-2-03-5-035.000	-----	(Lot 35)
Parcel # 36-2-03-5-036.000	-----	(Lot 36)
Parcel # 36-2-03-5-037.000	-----	(Lot 37)
Parcel # 36-2-03-5-038.000	-----	(Lot 38)
Parcel # 36-2-03-5-039.000	-----	(Lot 39)
Parcel # 36-2-03-5-040.000	-----	(Lot 40)
Parcel # 36-2-03-5-041.000	-----	(Lot 41)
Parcel # 36-2-03-5-042.000	-----	(Lot 42)
Parcel # 36-2-03-5-043.000	-----	(Lot 43)
Parcel # 36-2-03-5-044.000	-----	(Lot 44)

First American Title Insurance Company

COMMITMENT

SCHEDULE B - PART 1 REQUIREMENTS CONTINUED

Issuing Office File No.: **T-96389**

Parcel # 36-2-03-5-045.000	-----	(Lot 45)
Parcel # 36-2-03-5-047.000	-----	(Lot 47)
Parcel # 36-2-03-5-048.000	-----	(Lot 48)
Parcel # 36-2-03-5-050.000	-----	(Lot 50)
Parcel # 36-2-03-5-051.000	-----	(Lot 51)
Parcel # 36-2-03-5-052.000	-----	(Lot 52)
Parcel # 36-2-03-5-053.000	-----	(Lot 53)
Parcel # 36-2-03-5-054.000	-----	(Lot 54)
Parcel # 36-2-03-5-055.000	-----	(Lot 55)
Parcel # 36-2-03-5-056.000	-----	(Lot 56)
Parcel # 36-2-03-5-057.000	-----	(Lot 57)
Parcel # 36-2-03-5-058.000	-----	(Lot 58)
Parcel # 36-2-03-5-059.000	-----	(Lot 59)
Parcel # 36-2-03-5-060.000	-----	(Lot 60)
Parcel # 36-2-03-5-061.000	-----	(Lot 61)
Parcel # 36-2-03-5-062.000	-----	(Lot 62)
Parcel # 36-2-03-5-063.000	-----	(Lot 63)
Parcel # 36-2-03-5-064.000	-----	(Lot 64)
Parcel # 36-2-03-5-065.000	-----	(Lot 65)
Parcel # 36-2-03-5-999.999	-----	(common area)

The above tax information is provided for informational purposes only. Tax information has been based on the present assessment rolls, but is subject to any changes or future adjustments that may be made by the Tax Assessor or by the County's Board of Equalization. No liability is assumed for the accuracy of the amount of taxes paid or for any changes imposed by said county authority.

14. Advalorem taxes for the tax year **2014** TO BE PAID IN FULL under:

Parcel # **36-2-03-3-005-009.000**

Parcel # **36-2-03-3-005-010.000**

Parcel # **36-2-03-3-005-011.000**

Parcel # **36-2-03-3-005-015.000**

First American Title Insurance Company

COMMITMENT

SCHEDULE B - PART 1 REQUIREMENTS CONTINUED

Issuing Office File No.: **T-96389**

Parcel # **36-2-03-3-005-018.000**

Parcel # **36-2-03-3-005-025.000**

Parcel # **36-2-03-3-005-046.000**

Parcel # **36-2-03-3-005-049.000**

Parcel # **36-2-03-3-005-066.000**

NOTE: The above tax information is provided for informational purposes only. Tax information has been based on the present assessment rolls, but is subject to any changes or future adjustments that may be made by the Tax Assessor or by the County's Board of Equalization. No liability is assumed for the accuracy of the amount of taxes paid or for any changes imposed by said county authority.

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COMMITMENT

SCHEDULE B - PART 2

EXCEPTIONS

Issuing Office File No.: **T-96389**

Part I Schedule B of the policy or policies to be issued will contain exceptions to the following matters unless the same are disposed of to the satisfaction of the Company:

1. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Any facts, rights, interests, or claims that are not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.
3. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.
5. Any mining or mineral rights leased, granted or retained by current or prior owners.
6. Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
7. Taxes or assessments for **2015** and subsequent years not yet due and payable.
8. Easements, restrictions and setback lines as shown on recorded map.
9. Right of way granted to Alabama Power Company as set out in instrument(s) recorded in Volume 141, Page 325 and Volume 165, Page 539.
10. Easement granted to BellSouth Telecommunications, Inc. d/b/a AT&T Alabama as recorded in Instrument #20070817000388930.
11. Less and except any part of subject property lying within the right of way of a public road.

First American Title Insurance Company

COMMITMENT

SCHEDULE C

LEGAL DESCRIPTION

Issuing Office File No.: T-96389

PARCEL I:

Lots 1 through 8, 13, 14, 16, 17, 19 through 24, 26 through 45, 47, 48, 50 through 65, according to the Survey of Cambridge Park Subdivision, as recorded in Map Book 39, Page 12, in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

PARCEL II:

Lots 9 through 12, 15, 18, 25, 46, 49 and 66, according to the Survey of Cambridge Park Subdivision, as recorded in Map Book 39, Page 12, in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

PARCEL III:

TRACT I:

Parcel A

A parcel of land located in the Southwest $\frac{1}{4}$ of Section 3, Township 24 North, Range 12 East, Shelby County, Alabama, being more particularly described as follows:

Commence at an iron pin found at the Northwesterly most corner of Lot 8 of Canterbury Estates First Addition as recorded in Map Book 16, Page 67, in the Office of the Judge of Probate, Shelby County, Alabama; thence run Southeasterly along the West boundary of said Canterbury Estates First Addition 613.10 feet to break point on Lot 4 of said subdivision and the point of beginning, an iron pin with yellow plastic cap set; thence turn a left interior angle of 49 degrees 10 minutes 04 seconds from the previous course and run Northwesterly for a distance of 429.43 feet to a $\frac{1}{2}$ " iron pin with yellow plastic cap set at the intersection with a wire fence; thence turn a right interior angle of 102 degrees 42 minutes 57 seconds and run Southwesterly along and with said wire fence for a distance of 347.00 feet to a 1" crimped iron pipe found on the Northeasterly edge of a Right of Way for a public road; thence turn a right interior angle of 64 degrees 04 minutes 34 seconds and run Southeasterly for a distance of 500.16 feet to a $\frac{1}{2}$ inch iron pin found; thence turn a right interior angle of 108 degrees 01 minutes 20 seconds and run Northeasterly for a distance of 225.00 feet to the point of beginning, making a closing right interior angle of 85 degrees 11 minutes 09 seconds.

First American Title Insurance Company

COMMITMENT

SCHEDULE C

(continued)

Issuing Office File No.: T-96389

Parcel B

A parcel of land located in the Southwest $\frac{1}{4}$ of Section 3, Township 24 North, Range 12 East, Shelby County, Alabama, being more particularly described as follows:

Begin at an iron pin found at the Northwesterly most corner of Lot 8 of Canterbury Estates First Addition as recorded in Map Book 16, Page 67, in the Office of the Judge of Probate, Shelby County, Alabama; thence run Southeasterly along the West boundary of said Canterbury Estates First Addition 613.10 feet to break point on Lot 4 of said subdivision and the point of beginning, an iron pin with yellow plastic cap set; thence turn a left interior angle of 49 degrees 10 minutes 04 seconds and run Northwesterly for a distance of 429.43 feet to a $\frac{1}{2}$ " iron pin with yellow plastic cap set at the intersection with a wire fence; thence turn a left interior angle of 77 degrees 17 minutes 03 seconds and run Northeasterly along and with said wire fence for a distance of 327.21 feet to an iron pin found; thence turn a left interior angle of 209 degrees 26 minutes 04 seconds and run Northeasterly for a distance of 151.09 feet to the point of beginning, making a closing left interior angle of 24 degrees 06 minutes 49 seconds.

Utility Easement

The above parcels are subject to a utility easement 30 feet in width situated on the property. Said easement runs along the Southwesterly end boundary of Stratford Road and along the Southwesterly boundary of Lot 4 in Canterbury Estates First Addition as recorded in Map Book 16, Page 67, in the Office of the Judge of Probate, Shelby County, Alabama.

Also a non-exclusive right of way, described as follows:

A parcel of land located in the Southwest $\frac{1}{4}$ of Section 3, Township 24 North, Range 12 East, Shelby County, Alabama. Commence at the Northwesterly most corner of Lot 8 of Canterbury Estates, First Addition, as recorded in Map Book 16, Page 67, in the Office of the Judge of Probate, Shelby County, Alabama; thence run Southeasterly along the West boundary of said Canterbury Estates, First Addition, 613.10 feet to break point on Lot 4 of said subdivision; thence turn right 45 degrees 38 minutes 47 seconds leaving said subdivision boundary in a Southwesterly direction 225.00 feet; thence turn right 71 degrees 58 minutes 40 seconds and run Northwesterly 213.33 feet to the point of beginning of a 60' Right of Way; thence continue along last course 286.83 feet to a point on an existing 60' Right of Way; thence turn left 64 degrees 04 minutes 34 seconds and run Southwesterly along the end of said existing Right of Way 62.59 feet; thence turn left 106 degrees 33 minutes 14 seconds and run Southeasterly 22.78 feet; thence turn left 9 degrees 23 minutes 02 seconds and run Southeasterly 281.34 feet; thence turn 99 degrees 49 minutes 19 seconds and run 50.89 feet to the point of beginning.

First American Title Insurance Company

COMMITMENT

SCHEDULE C

(continued)

Issuing Office File No.: T-96389

TRACT II:

A parcel of land in the West ½ of the Southwest ¼ of Section 3, Township 24 North, Range 12 East, Shelby County, Alabama, more particularly described as follows:

Commence at the Southwest corner of Section 3, Township 24 North, Range 12 East, Shelby County, Alabama and run thence Northerly the West line of said Section 3, 329.73 feet to a rebar corner; thence turn 29 degrees 21 minutes 41 seconds left and run Northwesterly 205.28 feet to a rebar corner; thence turn 37 degrees 31 minutes 35 seconds right and run Northerly 93.00 feet to a rebar corner and the point of beginning of the parcel being described; thence continue along last described course 192.00 feet to a rebar corner; thence turn 19 degrees 00 minutes 51 seconds right and run Northeasterly 617.93 feet to a rebar corner; thence turn 16 degrees 06 minutes 58 seconds right and run Northeasterly 736.80 feet to a rebar corner; thence turn 29 degrees 26 minutes 04 seconds left and run 151.09 feet to a rebar corner; thence turn 155 degrees 53 minutes 11 seconds right and run 613.10 feet to a rebar corner; thence turn 34 degrees 43 minutes 43 seconds left and run 351.94 feet to a rebar corner; thence turn 91 degrees 32 minutes 12 seconds right and run 417.63 feet to a rebar corner; thence turn 26 degrees 05 minutes 03 seconds right and 949.10 feet to the point of beginning; being situated in Shelby County, Alabama.

Less and Except:

Parcel A

A parcel of land located in the Southwest ¼ of Section 3, Township 24 North, Range 12 East, Shelby County, Alabama, being more particularly described as follows:

Commence at an iron pin found at the Northwesterly most corner of Lot 8 of Canterbury Estates First Addition as recorded in Map Book 16, Page 67, in the Office of the Judge of Probate, Shelby County, Alabama; thence run Southeasterly along the West boundary of said Canterbury Estates First Addition 613.10 feet to break point on Lot 4 of said subdivision and the point of beginning, an iron pin with yellow plastic cap set; thence turn a left interior angle of 49 degrees 10 minutes 04 seconds from the previous course and run Northwesterly for a distance of 429.43 feet to a ½" iron pin with yellow plastic cap set at the intersection with a wire fence; thence turn a right interior angle of 102 degrees 42 minutes 57 seconds and run Southwesterly along and with said wire fence for a distance of 347.00 feet to a 1" crimped iron pipe found on the Northeasterly edge of a Right of Way for a public road; thence turn a right interior angle of 64 degrees 04 minutes 34 seconds and run Southeasterly for a distance of 500.16 feet to a ½ inch iron pin found; thence turn a right interior angle of 108 degrees 01 minutes 20 seconds and run Northeasterly for a distance of 225.00 feet to the point of beginning, making a closing right interior angle of 85 degrees 11 minutes 09 seconds.

First American Title Insurance Company

COMMITMENT

SCHEDULE C

(continued)

Issuing Office File No.: T-96389

Parcel B

A parcel of land located in the Southwest $\frac{1}{4}$ of Section 3, Township 24 North, Range 12 East, Shelby County, Alabama, being more particularly described as follows:

Begin at an iron pin found at the Northwesterly most corner of Lot 8 of Canterbury Estates First Addition as recorded in Map Book 16, Page 67, in the Office of the Judge of Probate, Shelby County, Alabama; thence run Southeasterly along the West boundary of said Canterbury Estates First Addition 613.10 feet to break point on Lot 4 of said subdivision and the point of beginning, an iron pin with yellow plastic cap set; thence turn a left interior angle of 49 degrees 10 minutes 04 seconds and run Northwesterly for a distance of 429.43 feet to a $\frac{1}{2}$ " iron pin with yellow plastic cap set at the intersection with a wire fence; thence turn a left interior angle of 77 degrees 17 minutes 03 seconds and run Northeasterly along and with said wire fence for a distance of 327.21 feet to an iron pin found; thence turn a left interior angle of 209 degrees 26 minutes 04 seconds and run Northeasterly for a distance of 151.09 feet to the point of beginning, making a closing left interior angle of 24 degrees 06 minutes 49 seconds.

Utility Easement

The above parcels are subject to a utility easement 30 feet in width situated on the property. Said easement runs along the Southwesterly end boundary of Stratford Road and along the Southwesterly boundary of Lot 4 in Canterbury Estates First Addition as recorded in Map Book 16, Page 67, in the Office of the Judge of Probate, Shelby County, Alabama.

Also a non-exclusive right of way, described as follows:

A parcel of land located in the Southwest $\frac{1}{4}$ of Section 3, Township 24 North, Range 12 East, Shelby County, Alabama. Commence at the Northwesterly most corner of Lot 8 of Canterbury Estates, First Addition, as recorded in Map Book 16, Page 67, in the Office of the Judge of Probate, Shelby County, Alabama; thence run Southeasterly along the West boundary of said Canterbury Estates, First Addition, 613.10 feet to break point on Lot 4 of said subdivision; thence turn right 45 degrees 38 minutes 47 seconds leaving said subdivision boundary in a Southwesterly direction 225.00 feet; thence turn right 71 degrees 58 minutes 40 seconds and run Northwesterly 213.33 feet to the point of beginning of a 60' Right of Way; thence continue along last course 286.83 feet to a point on an existing 60' Right of Way; thence turn left 64 degrees 04 minutes 34 seconds and run Southwesterly along the end of said existing Right of Way 62.59 feet; thence turn left 106 degrees 33 minutes 14 seconds and run Southeasterly 22.78 feet; thence turn left 9 degrees 23 minutes 02 seconds and run Southeasterly 281.34 feet; thence turn 99 degrees 49 minutes 19 seconds and run 50.89 feet to the point of beginning.

FATIC-210X

ALTA Commitment (6-17-06)

First American Title Insurance Company

COMMITMENT

SCHEDULE C

(continued)

Issuing Office File No.: **T-96389**

Less an Except:

Lots 1 – 66, (inclusive), Cambridge Park Subdivision as recorded in Map Book 39, Page 12, in the Office of Judge of Probate of Shelby County, Alabama.

Less and except any public roads.

All being situated in Shelby County, Alabama.