



CHAIN OF TITLE SEARCH REPORT 1940 TO CURRENT

**Order Number:
2022-34572 COT**

**AFX Reference Number:
79-313131-47**

**Subject Property:
FOREST HILLS VILLAGE
2615 TEMPEST DRIVE SOUTHWEST
BIRMINGHAM, AL 35211**

**Effective:
10/24/2022**

**Completed:
10/26/2022**

AFX RESEARCH, LLC

A Quarter-Century of Title Document Research Expertise

999 Monterey St. Suite 380, San Luis Obispo, CA 93401

(877) 848-5337 / www.afxllc.com

HISTORICAL CHAIN OF TITLE SEARCH REPORT

(pg. 2 of 4)

Order #: 2022-34572 COT | Reference #: 79-313131-47 | Completed: 10/26/2022 | Effective: 10/24/2022

TITLE TO THE ESTATE OR INTEREST COVERED BY THIS REPORT APPEARS TO BE VESTED IN:

FOREST HILLS PARTNERS LLLP

THE FOLLOWING IS THE CURRENT PROPERTY LEGAL DESCRIPTION (see attached deed for full legal description):

P O B INTER OF E LINE OF 20TH ST SW & N LINE OF SE 1/4 SEC 20 T 18 S R 3 W TH S 620 FT S ALG 20TH ST SW TO PROPOSED MALL ST TH E 783 FT S TH NE 666 FT S TH NLY 105 FT S TH N 30 FT S TO N LINE OF SE 1/4 TH W 1215 FT S ALG N LINE OF SE 1/4 TO POB

ASSESSOR'S PARCEL NUMBER(s):

**29-00-20-4-001-001.000
405239**

PUBLIC RECORDS WERE SEARCHED AT THE **JEFFERSON COUNTY ASSESSOR'S OFFICE** AND THE **JEFFERSON COUNTY RECORDER'S OFFICE** BACK TO **JANUARY 1, 1940**. THE FOLLOWING CONVEYANCES WERE FOUND OF RECORD:

DEED CHAIN

Instrument 1. WARRANTY DEED

Date Recorded: 01/05/2022

Instrument: 2022001230

Grantor(s): FOREST HILLS VILLAGE INVESTORS LLC

Grantee(s): FOREST HILLS PARTNERS LLLP

Instrument 2. WARRANTY DEED

Date Recorded: 10/07/2016

Instrument: 2016105155

Dated: 10/05/2016

Grantor(s): PRC FOREST HILLS

Grantee(s): FOREST HILLS VILLAGE INVESTORS LLC

Instrument 3. FORECLOSURE DEED

Date Recorded: 07/29/2010

Instrument: 20100613654

Dated: 07/29/2010

Grantor(s): KWMB INVESTMENTS

Grantee(s): PRC FOREST HILLS

Instrument 4. WARRANTY DEED

Date Recorded: 02/29/2008

Instrument: 2008036197

Dated: 02/08/2008

Grantor(s): JACKSON HEIGHTS

Grantee(s): KWMB INVESTMENTS



HISTORICAL CHAIN OF TITLE SEARCH REPORT

(pg. 3 of 4)

Order #: 2022-34572 COT | Reference #: 79-313131-47 | Completed: 10/26/2022 | Effective: 10/24/2022

DEED CHAIN (con't...)

Instrument 5. **WARRANTY DEED**

Date Recorded: 03/17/1981 Book/Page: 2036/139
Dated: 11/04/1977
Grantor(s): CITIZEN'S HOUSING CORP.
Grantee(s): JACKSON HEIGHTS

Instrument 6. **WARRANTY DEED**

Date Recorded: 12/27/1968 Book/Page: 487/526
Dated: 12/21/1968
Grantor(s): CENTER INVESTMENT CO. (CHARLES NASH, OWNER)
Grantee(s): CITIZENS HOUSING CORP.

Instrument 7. **WARRANTY DEED**

Date Recorded: 06/08/1966 Book/Page: 232/20
Dated: 05/17/1966
Grantor(s): VIRGINIA SKINNER, ET ALS (HEIRS OF BESSIE NABERS)
Grantee(s): CHARLES NASH AND LUCY NASH (OWNER OF CENTER INVESTMENT CO.)

Instrument 8. **WARRANTY DEED**

Date Recorded: 03/20/1928 Book/Page: 1945/187
Dated: 03/20/1928
Grantor(s): FANNY MCCARY ET ALS
Grantee(s): BESSIE NABERS
Notes: THIS IS THE OLDEST DEED OF RECORD FOUND WITHIN SCOPE OF SEARCH.

LEASES

NO LEASES FOUND.

MISCELLANEOUS INSTRUMENTS

NO MISCELLANEOUS INSTRUMENTS FOUND.



HISTORICAL CHAIN OF TITLE SEARCH REPORT

(pg. 4 of 4)

Order #: 2022-34572 COT | Reference #: 79-313131-47 | Completed: 10/26/2022 | Effective: 10/24/2022

THANK YOU FOR YOUR ORDER

For questions, please contact our office at 1-877-848-5337.

Order Number:
2022-34572 COT

AFX Reference Number:
79-313131-47

Our Chain of Title report tracks a line of successive owners on a particular parcel of real property, going back to a specific point in time. The COT report links the recorded transactions which pass title from one person (and/or entity) to another, essentially providing a summary of a property's historical ownership.

Our professional network of trained researchers follow established industry protocols and use client-supplied property information to complete this Chain of Title report. The report includes:

- Historical property transfer information (i.e. grantor, grantee, recording dates)
- Copy of the most recently recorded deed

DISCLAIMER

This report was prepared for the intended use of AFX Research, LLC (AFX) and client, exclusively. This report is not a guarantee of title, nor a commitment to insure, nor a policy of title insurance. No warranty, expressed or implied, is made whatsoever in connection with this report. AFX Research, LLC specifically disclaims the making of any such warranties, including without limitation, merchantability or fitness for a particular use or purpose. The information contained in this report is retrieved as it is recorded from the various agencies that make it available. The total liability is limited to the fee paid for this report.



AFX RESEARCH, LLC
999 Monterey St. Suite 380, San Luis Obispo, CA 93401
Ph: (877) 848-5337 Fax: (800) 201-0620
<https://www.afxllc.com>

Send Tax Notice To:
Forest Hills Partners, LLLP
5200 W. Century Boulevard, Suite 256
Los Angeles, CA 90045
Attn.: Joshua Latter

449. \$9,350,000 1/22 **STATUTORY WARRANTY DEED**

STATE OF ALABAMA)
COUNTY OF JEFFERSON)

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of Ten and No/100 Dollars (\$10.00) to the undersigned grantor, in hand paid by the grantee herein, and other good and valuable consideration, the receipt whereof is acknowledged, unto Forest Hills Village Investors, LLC, an Alabama limited liability company (herein referred to as "Grantor"), grants, bargains, sells, conveys and warrants, subject to the matters set forth on Exhibit "B" attached hereto, unto Forest Hills Partners, LLLP, an Alabama limited liability limited partnership (herein referred to as "Grantee"), the real estate situated in Jefferson County, State of Alabama described on Exhibit A hereto, together with all improvements, structures, and fixtures thereon, and all valid tenements, easements, rights-of-way and appurtenances thereto, if any (the "Property").

TO HAVE AND TO HOLD to the Grantee, its successors and assigns forever.

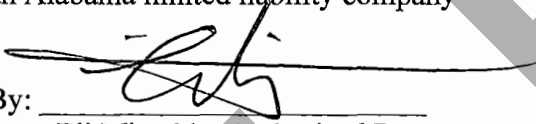
And Grantor does for itself, its successors and assigns, covenant with Grantee, its heirs and assigns, that it is lawfully seized in fee simple of said premises, that they are free from all encumbrances, unless otherwise noted above; that it has a good right to sell and convey the same as aforesaid; and that it will, and its successors and assigns shall, warrant and defend the same to Grantee, its heirs, executors and assigns forever, against the lawful claims of all persons by, through or under Grantor, but not otherwise.

(Signature Page to Follow)

IN WITNESS WHEREOF, Grantor has hereunto caused this conveyance to be executed effective as of December 28, 2021.

GRANTOR:

Forest Hills Village Investors, LLC
an Alabama limited liability company

By: 
Eli Mizrahie, Authorized Person

SAMPLE

State of California
County of Los Angeles

On 27th December, 2021 before me, J. Braden, Notary Public, personally appeared
El: J. Mizrahi, who proved to me on the basis of satisfactory evidence to be the person
whose name is subscribed to the within instrument and acknowledged to me that he executed the
same in his authorized capacity, and that by his signature on the instrument, the person or the entity
upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the
foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature:  (Seal)



This instrument prepared by:
Michael E. Gillman
Attorney at law
1601 Elm Street, Suite 4600
Dallas, TX 75201

Exhibit A

A parcel of land being part of Lots 19, 20, 21 and 22, Nabors Estate, as recorded in Map Book 30, page 46 in the Office of the Judge of Probate, Jefferson County, Alabama, being further described as follows:

Commence at the Northwest corner of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 20, Township 18 South, Range 3 West, run thence in a Southerly direction along the West line of said quarter-quarter section for a distance of 626.05 feet (deed and measured); thence turn an angle to the left of $87^{\circ}15'$, deed ($87^{\circ}14'32''$, measured) and in an Easterly direction for a distance of 778.39 feet, deed (778.46 measured); thence turn an angle to the left of $49^{\circ}58'11''$, deed ($50^{\circ}02'39''$ measured) and in a Northeasterly direction for a distance of 659.48 feet, deed (659.31', measured) to the point of beginning of a curve to the left (said curve having a central angle of $106^{\circ}44'44''$ and a radius of 60 feet); thence along the arc of said curve for a distance of 111.78 feet; thence turn an angle to the right of $10^{\circ}39'03''$ (said angle being measured from the chord of last described course to the proceeding course) and run in a Northerly direction for a distance of 27.25 feet, deed and measured, to a point on the North line of the Northeast Quarter of the Southeast Quarter of Section 20, Township 18 South, Range 3 West; thence turn an angle to the left of $87^{\circ}20'$, deed and measured, and run in a Westerly direction along the North line of said quarter-quarter section for a distance of 1209.06 feet, deed (1,208.44, measured) to the point of beginning.

Situated in Jefferson County, Alabama,
Birmingham Division.

Exhibit B
Permitted Exceptions

1. All taxes for the year 2022 and subsequent years, not yet due and payable.
2. Right of way granted to Jefferson County by instrument dated July 27, 1970 and recorded on August 25, 1970 in Real 640, Page 177 and shown on the ALTA/ACSM Survey prepared by Daniel E. Resser, Registered Land Surveyor No. 12158 for Resser Surveying & Mapping, LLC, last revised December 21, 2021. hereinafter referred to as the Survey.
3. Right of way granted Jefferson County by instrument dated March 1, 1972 and recorded on August 9, 1972 in Real 854, Page 345., and shown on the Survey.
4. Conveyance of water works system to the Water Works Board of the City of Birmingham by instrument dated September 20, 1972 and recorded on November 19, 1972 in Real 891, Page 881
5. Cable Television Service Agreement by and between Birmingham Cable Communications, Inc.. and Jackson Heights Apartments, Ltd. dated June 25, 1981 and recorded on July 24, 1981 in Real 2086 Page 946.
6. Rights in connection with the installation of utilities in favor of Nell McCary in Warranty Deed dated February 20, 1967 and recorded on February 20, 1967 in Real 300, Page 737 and shown on the Survey.
7. Rights in connection with the installation of utilities in favor of Nell McCary in Warranty Deed dated February 20, 1967 and recorded on February 20, 1967 in Real 300, Page 739.
8. Right-of-Way Deed (Sewer) from Forest Hills Village Investors, LLC to Jefferson County dated March 2, 2020 and recorded on May 20, 2020 in Instrument #2020051340, and shown on the Survey.
9. Easement granted Spectrum Southeast, LLC by instrument dated November 13, 2020 and recorded on November 5, 2021 in Instrument #2021127909

23127045v3

Real Estate Sales Validation Form

This Document must be filed in accordance with Code of Alabama 1975, Section 40-22-1

Grantor's Name Forest Hills Village Investors, LLC, an Alabama limited liability company

Grantee's Name Forest Hills Partners, LLLP, an Alabama limited liability partnership

Mailing Address _____

Mailing Address 2615 Tempest Drive SW
Birmingham, AL 35211

Property Address 2615 Tempest Drive SW
Birmingham, AL 35211

Date of Sale _____
Total Purchase Price \$11,000,000.00
or _____

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

If the conveyance document presented for recordation contains all of the required information referenced above, the filing of this form is not require

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 12/22/2021

Print Eli J. MIRRAHIE

Unattested

Jill Braden
(verified by)
Jill Braden

Sign _____
(Grantor/Grantee/owner/agent) circle one