

2163765BALDWIN COUNTY, ALABAMA
HARRY D'OLIVE, JR. PROBATE JUDGE
Filed/cert. 12/30/2024 01:10 PM
Deed Tax \$734.00
Total: \$753.00 3 Pages**REAL ESTATE VALIDATION FORM**

The following information is provided pursuant to Alabama Code §40-22-1, and is verified by the signature of Grantor below:

Grantor's Name: The City of Foley**Grantee's Name:** Baldwin Cold Logistics, LLC**Mailing Address:** 407 E. Laurel Avenue
Foley, Alabama 36535**Mailing Address:**26800 Perdido Beach
Blvd.
Unit 61014
Orange Beach AL 36561
12-30-24**Property Address:** See legal descriptions below.**Date of Sale:****Purchase Price:** \$734,000.00THE STATE OF ALABAMA
COUNTY OF BALDWIN**WARRANTY DEED**

73758

KNOW ALL MEN BY THESE PRESENT, that the **CITY OF FOLEY, ALABAMA** an Alabama municipal corporation existing under the laws of the State of Alabama (hereinafter called "Grantor"), for and in consideration of the sum of SEVEN HUNDRED THIRTY FOUR THOUSAND and ZERO DOLLARS (\$734,000.00) and other valuable consideration, the receipt of which is hereby acknowledged to have been paid to Grantor by **BALDWIN COLD LOGISTICS, LLC**, an Alabama limited liability company (hereinafter called "Grantee") does hereby GRANT, BARGAIN, SELL and CONVEY unto the said Grantee, its successor or assigns, subject to the provisions hereinafter contained, the following real properties situated in the County of Baldwin, State of Alabama, described as follows, to-wit:

PARCELA:

Lot 6, of the Replat of Lots 5 and 6 of the Resubdivision of Lots 3, 4A, 4B, and 4C, Foley Beach Express Industrial Park (Slide 2254-D) and of Lots 2A and 2B of the Resubdivision of Lot 2, Foley Beach Express Industrial Park, Unit 7 (Slide 2491-D), said replat being recorded on Slide 2820-A, in the Office of the Judge of Probate of Baldwin County, Alabama.

PARCEL B:

Lot 2B, of the Replat of Lots 5 and 6 of the Resubdivision of Lots 3, 4A, 4B, and 4C, Foley Beach Express Industrial Park (Slide 2254-D) and of Lots 2A and 2B of the Resubdivision of Lot 2,

Foley Beach Express Industrial Park, Unit 7 (Slide 2491-D), said replat being recorded on Slide 2820-A, in the Office of the Judge of Probate of Baldwin County, Alabama.

The tax parcel numbers for the subject real properties are: 54-07-35-0-000-001.012 and 54-07-35-0-000-001.018.

This conveyance is made subject to the following:

The parcels herein conveyed shall be held, administered and developed by the Grantee pursuant to the terms and conditions of that certain Development Agreement of even date herewith by and among the parties hereto. Grantee acknowledges that Grantor relied on Grantee's promise to perform under the terms of the Development Agreement as additional consideration for value in exchange for the subject real properties.

The subject real properties shall be used and occupied for the following permitted uses only (subject to applicable zoning or other laws, regulations and ordinances):

- (a) cold storage facility; or
- (b) flex office space facility.

AND, excepting any and all easements, setback line requirements, reservations and restrictions which are of public record in the Office of the Judge of Probate of Baldwin County, Alabama, to any present encroachments thereon, if any, and to the lien of real property taxes hereinafter falling due.

TOGETHER with all and singular, the rights, privileges, benefits, improvements, tenements, and appurtenances thereunto belonging or in anywise appertaining.

TO HAVE AND TO HOLD unto the said Grantee, and any successors or assigns, in fee simple **AS LONG AS** the Grantee performs under the terms of the Development Agreement between Grantor and Grantee. Failure by the Grantee to fulfill the terms of the Development Agreement after this conveyance unconditionally allows the Grantor a Right of Reentry and, upon reentry by the Grantor, Grantee will thereby forfeit any and all interest in the subject real properties and any improvements thereon.

And the Grantor does hereby covenant and warrant with and unto the said Grantee, and to their successors and assigns, that the CITY OF FOLEY, ALABAMA is seized of an indefeasible estate in fee simple in and to all of the properties hereinabove conveyed; that the same is free from all liens and encumbrances; that the CITY OF FOLEY, ALABAMA its successors or assigns, shall forever warrant and defend the same unto the said Grantee and unto their successors or assigns, forever against the lawful claims of all persons.

All recordings referenced herein to the records of the Office of the Judge of Probate of Baldwin, County, Alabama, unless otherwise specified.

[SIGNATURE PAGE TO FOLLOW]

IN WITNESS WHEREOF, the City of Foley, Alabama, an Alabama municipal corporation, has caused this instrument to be executed in its name and its seal to be hereto affixed, on this the 27th day of December, 2024.

GRANTOR:

THE CITY OF FOLEY, ALABAMA,
An Alabama municipal corporation

[Signature]
By: Ralph A. Hellmich
Its: Mayor



ATTEST:

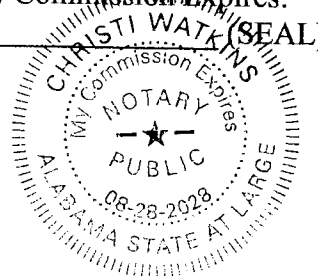
[Signature]
By: Kathryn Taylor
Its: City Clerk

STATE OF ALABAMA
COUNTY OF BALDWIN

I, the undersigned Notary Public, in and for said County in said State, hereby certify that Ralph A. Hellmich and Kathryn Taylor whose names as Mayor and City Clerk respectively, of the City of Foley, Alabama, are signed to the foregoing instrument and who are known to me, acknowledged before me on this day that, being informed of the contents of this instrument, they, as such officers and with full authority, executed the same voluntarily for and as the act of said municipal corporation on the day the same bears date.

Given under my hand and seal this the 27th day of December, 2024.

[Signature]
NOTARY PUBLIC
My Commission Expires: 08-28-2028



THIS INSTRUMENT PREPARED BY:

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