

Send tax notice to:

NICHOLAS GAXIOLA  
1024 SANDHURST CIR  
BIRMINGHAM, AL, 35242-2489

This instrument prepared by:  
CHARLES D. STEWART, JR.  
Attorney at Law  
4898 Valleydale Road, Suite A-2  
Birmingham, Alabama 35242

STATE OF ALABAMA  
SHELBY COUNTY

2010185

**WARRANTY DEED**

Shelby County, AL 06/04/2010

State of Alabama

Deed Tax : \$36.50

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of Three Hundred Sixty-One Thousand and 00/100 Dollars (\$361,000.00) in hand paid to the undersigned, TIMOTHY R. McNAIR and KELLY H. McNAIR, Husband and Wife (hereinafter referred to as "Grantors") by NICHOLAS GAXIOLA and LORA P. GAXIOLA (hereinafter referred to as Grantees"), the receipt and sufficiency of which are hereby acknowledged, Grantor does, by these presents, grant, bargain, sell, and convey unto Grantees, as joint tenants with right of survivorship, the following described real estate situated in Shelby County, Alabama, to-wit:

LOT 1433, ACCORDING TO THE MAP OF HIGHLAND LAKES, 14TH SECTOR, AN EDDLEMAN COMMUNITY, AS RECORDED IN MAP BOOK 30, PAGE 74 A&B, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA. TOGETHER WITH NONEXCLUSIVE EASEMENT TO USE THE PRIVATE ROADWAYS, COMMON AREA ALL AS MORE PARTICULARLY DESCRIBED IN THE DECLARATION OF EASEMENTS AND MASTER PROTECTIVE COVENANTS FOR HIGHLAND LAKES, A RESIDENTIAL SUBDIVISION, RECORDED AS INSTRUMENT NO. 1994-07111 AND AMENDED IN INSTRUMENT NO. 1996-17543 AND AMENDED IN INSTRUMENT NO. 1999-31095, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA, AND THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR HIGHLAND LAKES, A RESIDENTIAL SUBDIVISION, 14TH SECTOR, RECORDED AS INSTRUMENT NO. 20021101000539740, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA (WHICH, TOGETHER WITH ALL AMENDMENTS THERETO, IS HEREINAFTER COLLECTIVELY REFERRED TO AS, THE "DECLARATION").

SUBJECT TO:



1. Taxes for the year beginning October 1, 2009 which constitutes a lien but are not yet due and payable until October 1, 2010.
2. Such state of facts as shown on the plat of Highland lakes, 14<sup>th</sup> Sector, an Eddleman Community, as recorded in Map Book 30, page 74 A&B, in the Probate Office of Shelby County, Alabama.
3. Declaration of Easements and Master Protective Covenants for Highland Lakes, a Residential Subdivision, recorded as Instrument No. 1994-07111 and amended in Instrument No. 1996-17543 and amended in Instrument No. 1999-31095, in the Probate Office of Shelby County, Alabama.
4. Declaration of Covenants, Conditions and Restrictions for Highland Lakes, a Residential Subdivision, 14<sup>th</sup> Sector, recorded as Instrument No. 20021101000539740, in the Probate Office of Shelby County, Alabama.
5. Restrictive Covenants and Grant of Easement for underground facilities to Alabama Power Company, recorded as Instrument No. 20040910000505480, in the Probate Office of Shelby County, Alabama.
6. Articles of Incorporation of the Highland Lakes Residential Association, Inc.

\$324,900.00 OF THE CONSIDERATION AS WAS PAID FROM THE PROCEEDS OF A MORTGAGE LOAN.

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

The Grantor does for itself, its successors and assigns, covenant with the Grantee, its successors and assigns, that it is lawfully seized in fee simple of said premises; that they are free from all encumbrances, except as shown 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 the Grantees, their heirs, executors, administrators and assigns forever against the lawful claims of all persons.

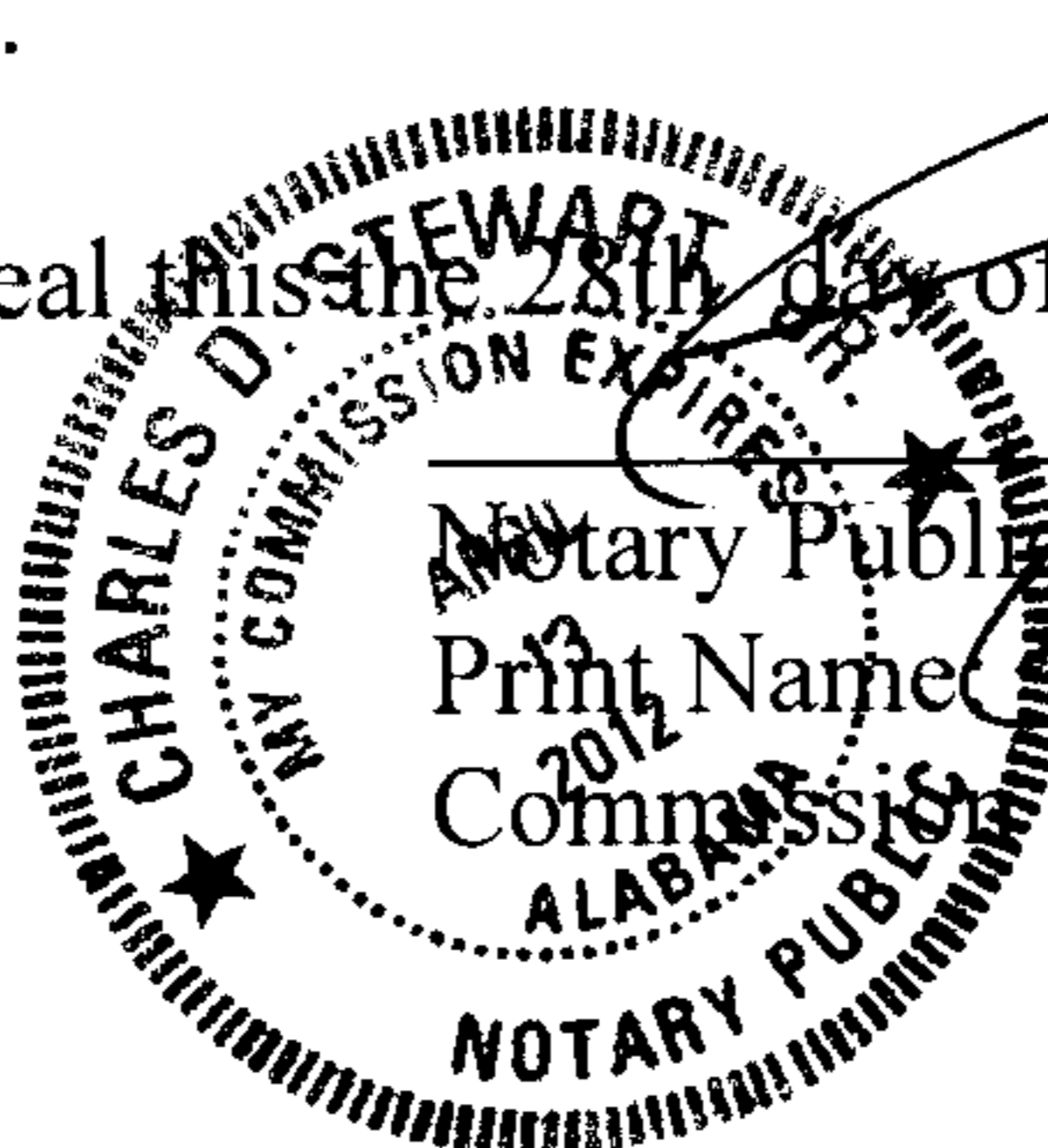
IN WITNESS WHEREOF, said Grantor, has hereunto set his/her hand and seal this the 28th day of May, 2010.

  
TIMOTHY R. McNAIR  
  
KELLY H. McNAIR

STATE OF ALABAMA  
COUNTY OF SHELBY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that TIMOTHY R. McNAIR and KELLY H. McNAIR, whose name 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 said instrument, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 28th day of May, 2010.

  
Charles D. Stewart, Jr.  
4-13-12