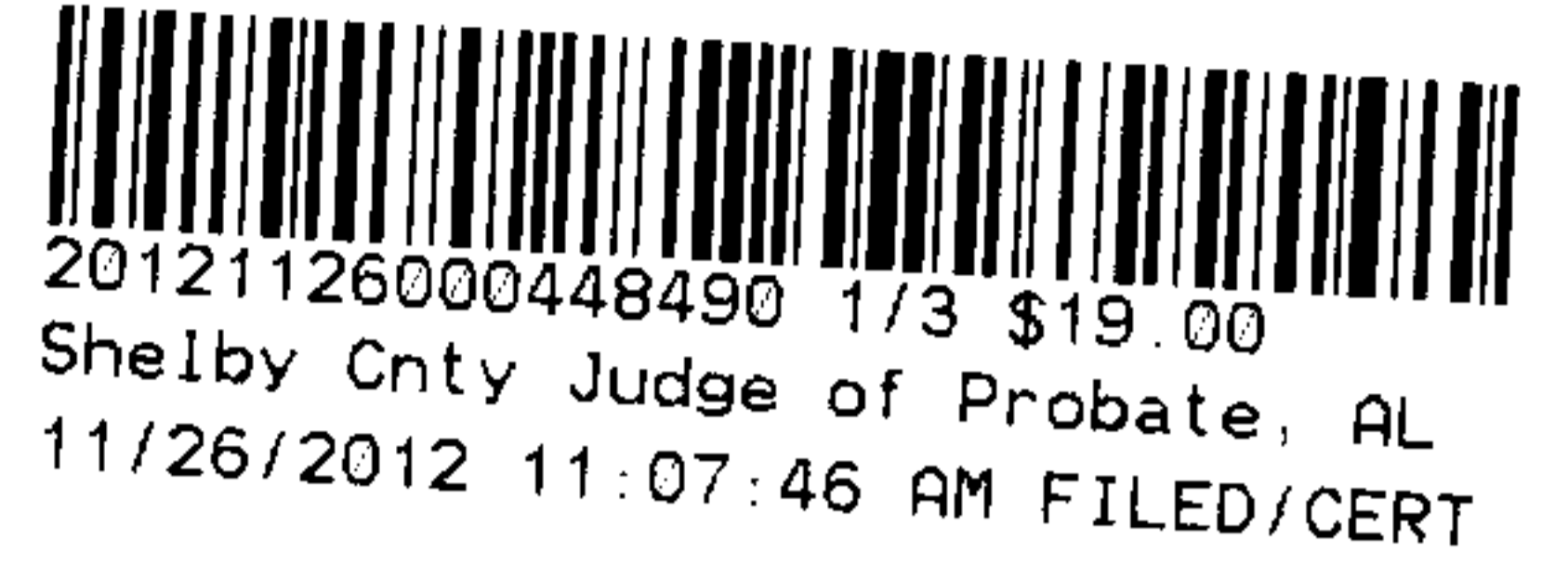


**THIS INSTRUMENT WAS PREPARED WITHOUT BENEFIT OF TITLE.**  
**LEGAL DESCRIPTION WAS PROVIDED BY GRANTEE.**

This instrument was prepared by:  
**Mike T. Atchison**  
Attorney At Law, Inc.  
P O Box 822  
Columbiana, AL 35051

Send Tax Notice to:  
**John C. Culotta**

**WARRANTY DEED**



STATE OF ALABAMA)  
COUNTY OF SHELBY)

KNOW ALL MEN BY THESE PRESENTS, That in consideration of **EIGHTY EIGHT THOUSAND NINE HUNDRED DOLLARS and zero cents (\$88,900.00)**, and other good and valuable considerations to the undersigned grantor, in hand paid by grantee herein, the receipt whereof is acknowledged, I or we, **Charles Culotta and wife, Paula Culotta** (herein referred to as *Grantors*), grant, bargain, sell and convey unto, **John C. Culotta** (herein referred to as *Grantee*), the following described real estate, situated in: SHELBY County, Alabama, to-wit:

*See attached Exhibit A for Legal Description.*

**SUBJECT TO:**

1. Ad valorem taxes due and payable October 1, 2012.
2. Easements, restrictions, rights of way, and permits of record.

This property constitutes no part of the homestead of the Grantors.

*\$88,900<sup>00</sup> of the purchase price was paid from proceeds of a mortgage loan closed*  
**TO HAVE AND TO HOLD** to the said grantee, his, her or their heirs and assigns forever. *Simultaneously herewith*

And I (we) do for myself (ourselves) and for my (our) heirs, executors, and administrators covenant with the said Grantees, their heirs and assigns, and I am (we are) lawfully seized in fee simple of said premises, that they are free from all encumbrances unless otherwise noted above, that I (we) have a good right to sell and convey the same as aforesaid, that I (we) will, and my (our) heirs, executors and administrators shall, warrant and defend the same to the said Grantees, heirs, executors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 13<sup>th</sup> day of November, 2012.

Charles Culotta

Paula Culotta

STATE OF ALABAMA)  
COUNTY OF SHELBY)

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that **Charles Culotta and Paula Culotta**, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 13 day of November, 2012.


Notary Public  
My Commission Expires: 4-9-13

EXHIBIT A  
LEGAL DESCRIPTION

UNIT 406, IN HORIZON, A CONDOMINIUM, AS ESTABLISHED BY THAT CERTAIN DECLARATION OF CONDOMINIUM OF HORIZON, A CONDOMINIUM, WHICH IS RECORDED IN INSTRUMENT 2001-40927, TO WHICH DECLARATION OF CONDOMINIUM A PLAN IS ATTACHED AS EXHIBIT "a" THERETO, AND RECORDED IN THE RECORD PLAT OF HORIZON, A CONDOMINIUM BEING FILED FOR RECORD IN MAP BOOK 28 , PAGE 141, IN THE PROBATE OFFICE OF SHELBY COUNTY ALABAMA, AND TO WHICH SAID DECLARATION OF CONDOMINIUM THE BY-LAWS OF THE HORIZON CONDOMINIUM ASSOCIATION, INC. IS ATTACHED AS EXHIBIT "D", TOGETHER WITH THE ARTICLES OF INCORPORATION FOR HORIZON CONDOMINIUM ASSOCIATION, INC. AS RECORDED IN INSTRUMENT 2001-40923, TOGETHER WITH AN UNDIVIDED INTEREST IN THE COMMON ELEMENTS ASSIGNED TO SAID UNIT, AS SHOWN IN EXHIBIT "C" OF SAID DECARATION OF CONDOMINIUM OF HORIZON, A CONDOMINIUM.

SUBJECT TO:

1. TAXES FOR THE YEAR BEGINNING OCTOBER 1, 2011 WHICH CONSTITUTES A LIEN BUT ARE NOT DUE AND PAYABLE UNTIL OCTOBER 1, 2012.
2. DEFECTS, LIENS, ENCUMBRANCES, ADVERSE CLAIMS OR OTHER MATTERS.
3. RIGHTS OR CLAIMS OF PARTIES IN POSSESSION NOT SHOWN BY PUBLIC RECORDS.
4. RIGHTS OR CLAIMS OF PARTIES IN POSSESSION NOT SHOWN BY PUBLIC RECORDS.
5. ANY LIEN, OR RIGHT TO A LIEN, FOR SERVICES, LABOR, OR MATERIAL HERETOFORE OR HEREAFTER FURNISHED, IMPOSED BY LAW AND NOT SHOWN BY PUBLIC RECORDS.
6. SUCH STATE OF FACTS AS SHOWN ON RECORDED SUBDIVISION PLAT.
7. ANY PRIOR RESERVATION OR CONVEYANCE, TOGETHER WITH RELEASE OF DAMAGES OR MINERALS OF EVERY KIND AND CHARACTER.
8. RIGHT OF WAY GRANTED BY DANIEL U.S. PROPERTIES, LTD. TO ALABAMA POWER COMPANY.
9. MINERAL AND MINING RIGHTS AND RIGHTS INCIDENT HTERETO RECORDED IN DEED BOOK 32, PAGE 48.
10. THE RIGHTS OF TENANTS ONLY, IN POSSESSION UNDER RESIDENTIAL LEASES, WITH NO OUTSTANDING OPTIONS TO PURCHASER OR RIGHTS OF FIRST REFUSAL.
11. TERMS AND PROVISIONS OF QUITCLAIM DEED WITH RESERVATION OF RIGHTS BETWEEN DANIEL U.S. PROPERTIES LIMITED PARTNERSHIP II AND DANIEL PROPERTIES XV LIMITED PARTNERSHIP.
12. COVENANTS, CONDITIONS, RESTRICTIONS, RESERVATIONS, EASEMENTS, LIENS FOR ASSESSMENTS, OPTIONS, POWERS OF ATTORNEY AND LIMITATIONS.
13. STORM SEWER AND DRAINAGE EASEMENT BETWEEN DANIEL U.S. PROPERTIES LTD. AND DANIEL PROPERTIES XV.
14. SEWER LINE EASEMENT AND CONNECTION AGREEMENT BETWEEN DANIEL U.S. PROPERTIES LTD AND DANIEL PROPERTIES XV, RECORDED IN REAL RECORD 43, PAGE 611.
15. QUITCLAIM DEED WITH RESERVATION OF RIGHTS DATED 1/31/94.
16. ARTICLES OF INCORPORATION FOR HORIZON CONDOMINIUM ASSOCIATION, INC.

  
20121126000448490 2/3 \$19.00  
Shelby Cnty Judge of Probate, AL  
11/26/2012 11:07:46 AM FILED/CERT

**Real Estate Sales Validation Form**

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

Grantor's Name Charles Cuiotta  
Mailing Address 4061 Morning Sun Dr  
Birmingham AL  
35242

Grantee's Name John C. Cuiotta  
Mailing Address 406 Morning Sun Dr  
\* Birmingham AL  
35242

Property Address  
\* 406 Morning Sun Dr  
B'ham AL  
35242

Date of Sale 11-13-12  
Total Purchase Price \$ 88,900.00  
Or  
Actual Value \$ \_\_\_\_\_  
Or  
Assessors Market Value \$ \_\_\_\_\_

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 required

**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 recording.

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 evidence 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 estimated 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, Section 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, Section 40-22-1 (h).

Date \_\_\_\_\_

Print Charles Cuiotta

\_\_\_\_\_  
Unattested  
(verified by)

Sign *Charles Cuiotta*  
(Grantor/Grantee/Owner/Agent) circle one

  
20121126000448490 3/3 \$19.00  
Shelby Cnty Judge of Probate, AL  
11/26/2012 11:07:46 AM FILED/CERT