

THIS INSTRUMENT PREPARED BY  
BARGE WAGGONER SUMNER & CANNON, INC.  
3535 GRANDVIEW PARKWAY, SUITE 500  
BIRMINGHAM, AL 35243

STATE OF ALABAMA

COUNTY OF SHELBY


PROJECT NO. CMAQ-5915(250)

CPMS PROJ. NO. 100063241

TRACT NO. 1

DATE: 8/17/2018

**FEE SIMPLE  
WARRANTY DEED**

  
20190805000279490 1/7 \$34.00  
Shelby Cnty Judge of Probate, AL  
08/05/2019 09:38:56 AM FILED/CERT

**KNOW ALL MEN BY THESE PRESENTS**, that for and in consideration of the sum of Seventy Three Thousand One Hundred Eighty and no/100----- dollar(s), cash in hand paid to the undersigned by the State of Alabama Department of Transportation, the receipt of which is hereby acknowledged, I (we), the undersigned grantor(s), James B. Kovakas, unmarried have this day bargained and sold, and by these presents do hereby grant, bargain, sell and convey unto the State of Alabama the following described property:

**A part of the NW ¼ of NE ¼, Section 7, Township 20 South, Range 2 West, identified as Tract No. 1 on Project No. CMAQ-5915(250) in Shelby County, Alabama and being more fully described as follows:**

**Parcel 1 of 1:**

Commence at an Iron Rebar Found on the existing Right-of-Way line of State Park Road in the Northwest Quarter of the Northeast Quarter of Section 7, Township 20 South, Range 2 West, Shelby County, Alabama, a point 33.42 feet left of State Park Road at Station 109+87.73;

Thence N 71°29'06.80" E and along the existing Right-of-Way line of State Park Road a distance of 32.62 feet to a point 0.80 feet left of State Park Road at Station 109+87.89 (**POINT OF BEGINNING**);

Thence N 71°29'06.80" E and along the existing Right-of-Way line of State Park Road a distance of 45.80 feet to a point 45.00 feet right of State Park Road at Station 109+88.10;

Thence S 18°14'45.50" E a distance of 134.76 feet to a point 45.00 feet right of State Park Road at Station 108+53.34;

Thence along an arc 230.87 feet to the left, having a radius of 478.00 feet, the chord of which is S 32°04'56.61" E for a distance of 228.63 feet, to a point 45.00 feet right of State Park Road at Station 106+00.74;

Thence along an arc 8.88 feet to the left, having a radius of 200.00 feet, the chord of which is S 47°11'29.22" E for a distance of 8.88 feet, to a point 45.00 feet right of State Park Road at Station 105+89.86 and on the Grantor's property line;

Thence S 1°26'32.12" E and along the Grantor's property line a distance of 26.79 feet to a point 24.64 feet right of State Park Road at Station 105+69.53;

Thence S 0°00'12.71" E and along the Grantor's property line a distance of 32.46 feet to a point 2.13 feet left of State Park Road at Station 105+50.23;

Thence along the Grantor's property line and along an arc 300.51 feet to the right, having a radius of 524.72 feet, the chord of which is N 35°04'48.37" W for a distance of 296.42 feet, to a point 0.22 feet right of State Park Road at Station 108+50.81;

Thence N 18°40'24.37" W and along the Grantor's property line a distance of 137.08 feet to a point 0.80 feet left of State Park Road at Station 109+87.89 **(POINT OF BEGINNING)**;

The above described parcel contains  $\pm$  0.418 acres (18204.63 sq. ft.);

And as shown on the right of way map of record in the State of Alabama Department of Transportation a copy of which is also deposited in the office of the Judge of Probate as an aid to persons and entities interested therein and as shown on the Property Sketch attached hereto and made a part hereof.


This deed is subject to the attached variance granted by the Pelham Zoning Board of Adjustments on July 22, 2019, which shall attach to and run with the Grantor's remaining land as described by Exhibit "A"

**TO HAVE AND TO HOLD**, unto the State of Alabama, its successors and assigns in fee simple forever.

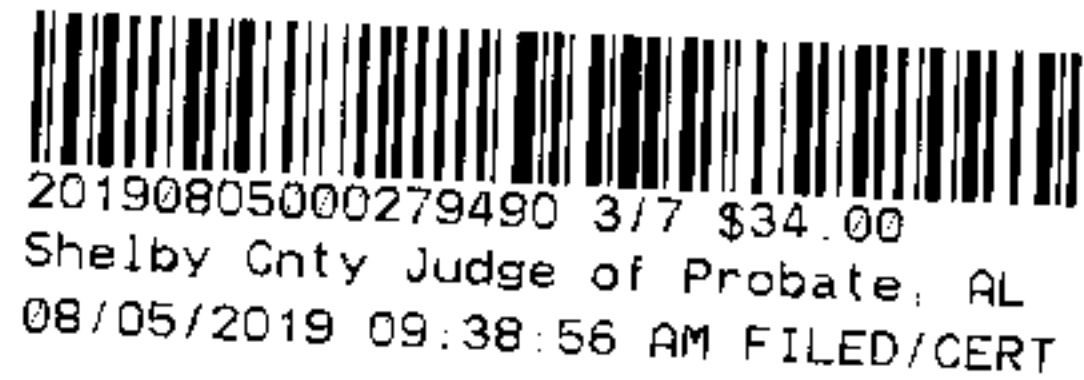
**AND FOR THE CONSIDERATION AFORESAID**, I (we) do for myself (ourselves), for my (our) heirs, executors administrators, successors, and assigns covenant to and with the State of Alabama that I (we) am (are) lawfully seized and possessed in fee simple of said tract or parcel of land hereinabove described; that I (we) have a good and lawful right to sell and convey the same as aforesaid; that the same is free of all encumbrances, liens, and claims, except the lien for advalorem taxes which attached on October 1, last past, and which is to be paid by the grantor; and that I (we) will forever warrant and defend the title thereto against the lawful claims of all persons whomsoever.

**THE GRANTOR(S) HEREIN FURTHER COVENANT(S) AND AGREE(S)**, that the purchase price above-stated is in full compensation to him-her (them) for this conveyance, and hereby release the State of Alabama and all or its employees and officers from any and all damages to his/her (their) remaining property contiguous to the property hereby conveyed arising out of the location, construction, improvement, landscaping, maintenance or repair of any public road or highway that may be so located on the property herein conveyed.

**IN WITNESS WHEREOF**, I (we) have hereunto set my (our) hand(s) and seal this the 2nd day of August, 20 19.

  
James B. Kovakas

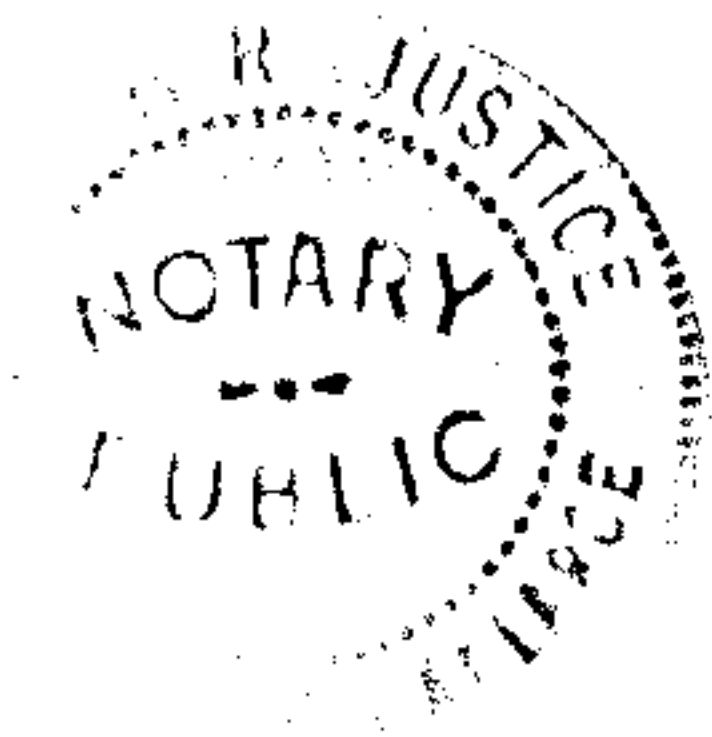
ACKNOWLEDGMENT



STATE OF ALABAMA )  
COUNTY OF SHELBY )

I, the undersigned authority, a Notary Public, in and for said County in said State, hereby certify that James B. Kovakas, whose name (s) 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 this conveyance, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 2nd day of August 20 19.



William R. Jester  
NOTARY PUBLIC

My Commission Expires 9-11-19

ACKNOWLEDGMENT FOR CORPORATION

STATE OF ALABAMA

\_\_\_\_\_ County

I, \_\_\_\_\_, a \_\_\_\_\_ in and for said County, in said State, hereby certify that \_\_\_\_\_ whose name as \_\_\_\_\_ of the \_\_\_\_\_ Company, a corporation, 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 this conveyance, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 20\_\_\_\_.

\_\_\_\_\_  
Official Title \_\_\_\_\_

to	STATE OF ALABAMA	WARRANTY DEED	STATE OF ALABAMA	County of _____ I, _____ Judge of Probate in and for said County, Hereby certify that the within Conveyance was filed in my office at _____ o'clock _____ M., on the _____ day of _____, 20____, and duly recorded in Deed Record _____ page _____ Dated _____ day of _____ 20____.	Judge of Probate _____ County, Alabama.
----	------------------	---------------	------------------	--	--



MICHAEL J BODEN JR  
MB 31. PG 57

JAMES B KOVAKAS  
NO RECORDING  
INFORMATION FOUND

JAMES B KOVAKAS  
NO RECORDING  
INFORMATION FOUND

JIMMY OLEN HUMPHRIES  
C/O JIMMY O JR &  
NICOLE L HUMPHRIES  
DB 116, PG 446  
DB 247, PG 182

RIES  
NICOLE L HUMPHRIES

CAROLYN H EVANS  
C/O REM LLC  
DB 296, PG 549  
RB 068, PG 538

NUMBER	CHORD DIRECTION	CHORD LENGTH	ARC LENGTH	RADIUS
C1	S32°04' 56.61" E	228.63'	230.87'	478.00'
C2	S47°11' 29.22" E	8.88'	8.88'	200.00'
C3	N35°04' 48.37" W	296.42'	300.51'	524.72'

REMAINDER: 0.99

3<sup>rd</sup> form

20190805000279490 5/7 \$34.00  
Shelby Cnty Judge of Probate, AL  
08/05/2019 09:38:56 AM FILED/CERT



**Council Members**

Rick Hayes  
Ron Scott  
Beth McMillan  
Maurice Mercer  
Mildred Lanier

**Mayor**  
Gary W. Waters

**City Manager**  
Gretchen DiFante

**City Clerk/Treasurer**  
Tom Seale, MMC, CMRO

**ZONING BOARD OF ADJUSTMENT MEETING**

July 22, 2019

Meeting called to order by Chairman Joe O'Brien at 7:40 A.M.

Members present were: Joe O'Brien, Danny Hayes, Mike Harris, Mike Kelley and Joe Schifano. Building Official Bob Miller, Battalion Chief Steve Holler, and Public Works Director David Willingham was also present.

The following request was presented:

**Variance request:** The City of Pelham is partnering with Shelby County, OMSP, and ALDOT to make improvements to State Park Road from SR-119 to the Park entrance. Additional right-of-way is needed from a total of eight (8) parcels of land along the route. All acquisitions have been settled except for Tract 1 (this tract). The current deed for this parcel describes the boundary which coincides with the centerline of State Park Road as it exists today. After the ROW is acquired from Tract 1, the ROW line will be 45' east of the centerline of roadway. The property owner is asking that the building line setback for any future development be measured from the centerline of roadway (where it would be before the ROW purchase) rather than measured from the new property/ROW line after this purchase.

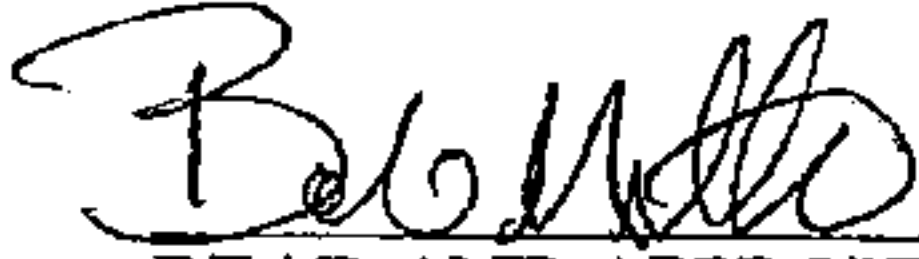
**Location:** State Park Road from SR-119 to the Oak Mountain State Park entrance

**Applicant:** Jim Kovakas

Joe Schifano made the motion to grant the variance as having the future set back line start at the center set back. Mike Harris seconded the motion and all approved. Variance was granted.


With no other business to come before the board Joe O'Brien asked for a motion to adjourn. Danny Hayes made the motion to adjourn. Mike Kelley seconded the motion.

The meeting was adjourned at 7:49 AM.



READ AND APPROVED / Bob Miller, Building Official

Respectfully submitted,  
Kelsey Cunningham  
Secretary

  
20190805000279490 6/7 \$34.00  
Shelby Cnty Judge of Probate, AL  
08/05/2019 09:38:56 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 : James B. Kovakas

Grantee's Name: Shelby County, Alabama

Mailing Address: 204 East College Street  
Birmingham, AL 35236

Mailing Address: 280 McDow Road  
Columbiana, AL 35051

Property Address: Oak Mtn.State Park Rd.  
Pelham, AL

Date of Sale 8-2-19  
Total Purchase Price \$ 73,180.00

or

Actual Value \$ \_\_\_\_\_

or

Assessor's 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 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 8-2-2019

Sign James B. Kovakas  
(Grantor/Grantee/Owner/Agent) circle one

Print James B. Kovakas

☐ Unattested

\_\_\_\_\_  
(Verified by)

