

This instrument was prepared without benefit of title evidence or survey by:

William R. Justice
P.O. Box 587, Columbiana, Alabama 35051

STATUTORY WARRANTY DEED

STATE OF ALABAMA

SHELBY COUNTY KNOW ALL MEN BY THESE PRESENTS,

That in consideration of the distribution of the estate of Kenneth O. Wyatt, Sr., deceased, in accordance with his will probated in Case No. PR-2021-000687 in the Probate Court of Shelby County, Alabama, the undersigned Kimberly Ann Wyatt and Kaye Phillips Childree, personal representatives of said estate (herein referred to as GRANTOR, whether one or more) pursuant to the provisions in said will and in accordance with the power given to them in said will do grant, bargain, sell and convey to Kimberly Ann Wyatt, individually, and Kaye Phillips Childree, individually, in equal shares as tenants in common (herein referred to as GRANTEE) the following described real estate situated in Shelby County, Alabama to-wit:

PARCEL 1 – 89 ROSA DRIVE HARPERSVILLE, AL 35078

A parcel of land in the NE 1/4 of the NE 1/4 of Section 32, Township 19 South, Range 2 East, being more particularly described as follows:

Commence at the NE corner of Section 32, Township 19 South, Range 2 East, Shelby County, Alabama; thence run S 00° 09' 52" E for a distance of 41.36 feet to a found 1/2" rebar capped "SWH" on the southerly right of way margin of Cotton Gin Road (aka Shelby County Highway No. 434), said point being the point of beginning of the property herein described; thence leaving said right of way, run S 00° 12' 52" E for a distance of 375.81 feet to a set 5/8" rebar capped "Clinkscapes"; thence run N 89° 46' 18" W for a distance of 428.46' to a set 5/8" rebar capped "Clinkscapes" on the easterly right of way margin of Primrose Lane; thence run along said right of way N 36° 27' 19" E for a distance of 60.13 feet to a set 5/8" rebar capped "Clinkscapes"; thence continue along said right of way N 31° 56' 26" E for a distance of 9.63 feet to a set 5/8" rebar capped "Clinkscapes"; thence leaving said right of way, run S 89° 46' 18" E for a distance of 129.70 feet to a set 5/8" rebar capped "Clinkscapes"; thence run N 12° 35' 19" E for a distance of 103.71 feet to a set 5/8" rebar capped "Clinkscapes"; thence run N 01° 14' 58" W for a distance of 148.68 feet to a set 5/8" rebar capped "Clinkscapes" on the centerline of Rosa Drive (a private drive); thence run along said centerline N 02° 35' 54" E for a distance of 98.88 feet to a set 5/8" rebar capped "Clinkscapes" on the southerly right of way margin of Cotton Gin Road (aka Shelby County Highway No. 434); thence leaving said Rosa Drive, continue along said right of way S 75° 57' 14" E for a distance of 11.87 feet to a set 5/8" rebar capped "Clinkscapes"; thence continue along said right of way S 79° 25' 37" E for a distance of 59.88 feet to a set 5/8" rebar capped "Clinkscapes"; thence continue along said right of way S 82° 23' 15" E for a distance of 57.88 feet to a set 5/8" rebar capped "Clinkscapes"; thence continue along said right of way S 85° 04' 58" E for a distance of 105.32 feet to the point of beginning. Said parcel being 2.35 acres, more or less.

INGRESS & EGRESS EASEMENT ROSA DRIVE – A PRIVATE DRIVE



20230117000013560 2/4 \$33.00
Shelby Cnty Judge of Probate, AL
01/17/2023 01:08:41 PM FILED/CERT

A 30 foot ingress and egress easement along Rosa Drive, being more particularly described as follows:

Commence at the NE corner of Section 32, Township 19 South, Range 2 East, Shelby County, Alabama; thence run S 00° 09' 52" E for a distance of 41.36 feet to a found 1/2" rebar capped "SWH" on the southerly right of way margin of Cotton Gin Road (aka Shelby County Highway No. 434); thence run along said right of way for the following calls: thence run N 85° 04' 58" W for a distance of 105.32 feet to a set 5/8" rebar capped "Clinkscales"; thence run N 82° 23' 15" W for a distance of 57.88 feet to a set 5/8" rebar capped "Clinkscales"; thence run N 79° 25' 37" W for a distance of 59.88 feet to a set 5/8" rebar capped "Clinkscales"; thence run N 75° 57' 14" W for a distance of 11.87 feet to a set 5/8" rebar capped "Clinkscales", said point being the point of beginning of a 30 foot ingress and egress easement along Rosa Drive (a private drive), lying 15 feet on either side of the following described centerline; thence run along said centerline S 02° 35' 54" W for a distance of 98.88 feet to a set 5/8" rebar capped "Clinkscales", said point being the point of curvature for a curve to the left, having a radius of 49.36 feet, a delta angle of 93° 47' 33", a chord distance of 72.08 feet, and a chord bearing S 44° 17' 53" E; thence run along the arc of said curve and centerline for a distance of 80.81 feet to the point of termination of said easement.

Subject to the rights of others to use Rosa Drive. Also subject to easements, covenants, restrictions, rights of way, and encumbrances of record.


Kenneth O. Wyatt, Sr. was the surviving grantee named in deeds recorded as Instrument # 20021216000626810 and Instrument # 20100505000140850, both in the Probate Office of Shelby County, Alabama. The other grantee in those deeds, Martha Wyatt, died on July 4, 2010, while married to Kenneth O. Wyatt, Sr.

Subject to the following condition: For a period of 20 years following the death of Kenneth O. Wyatt, Sr., all of the joint owners must consent in order to sell all or any portion of the above described property to a third party.

TO HAVE AND TO HOLD to the said GRANTEE, her heirs and assigns forever.

IN WITNESS WHEREOF, GRANTOR has hereunto set her hand and seal this 20th day of

Dec., 2022.


Kimberly Ann Wyatt as personal representative


Kaye Phillips Childree as personal representative

[notary acknowledgments on following page]



20230117000013560 3/4 \$33.00
Shelby Cnty Judge of Probate, AL
01/17/2023 01:08:41 PM FILED/CERT

STATE OF ALABAMA
COUNTY OF SHELBY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Kimberly Ann Wyatt, whose name as personal representative of the estate of Kenneth O. Wyatt, Sr., deceased, 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, she as such personal representative executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 20 day of Dec., 2022.

Kell Foster
Notary Public

My commission expires: 01-26-2025

STATE OF ALABAMA
COUNTY OF SHELBY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Kaye Phillips Childree, whose name as personal representative of the estate of Kenneth O. Wyatt, Sr., deceased, 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, she as such personal representative executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 20 day of Dec., 2022.

Kell Foster
Notary Public

My commission expires: 01-26-2025

Real Estate Sales Validation Form

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

20230117000013560 4/4 \$33.00
Shelby Cnty Judge of Probate, AL
01/17/2023 01:08:41 PM FILED/CERT

Grantor's Name Estate of Kenneth O. Wyatt
Mailing Address 89 Rosa Drive
Harpersville, AL 35078

Grantee's Name see deed
Mailing Address 24 Rosa Drive
Harpersville, AL 35078

Property Address 89 Rosa Drive
Harpersville, AL 35078

Date of Sale 12/20/2022
Total Purchase Price \$

or
Actual Value \$ 159,430

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 ☐ Appraisal
☐ Sales Contract ☒ Other assessor's current market value
☐ Closing Statement

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 12-20-2022

Print Kimberly Ann Wyatt

☐ Unattested

(verified by)

Sign

Kimberly Ann Wyatt

(Grantor/Grantee/Owner/Agent) circle one

Form RT-1