

Send tax notice to:

RALPH J. RICCARDI, JR.
2032 SPRINGHILL CT
BIRMINGHAM, AL, 35242

STATE OF ALABAMA
Shelby COUNTY

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

2010388

WARRANTY DEED

Shelby County, AL 10/05/2010

State of Alabama

Deed Tax : \$400.00

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of Six Hundred Fifty Thousand and 00/100 Dollars (\$650,000.00) in hand paid to the undersigned, LAWRENCE J. KAUCHECK and ANNA MARIE KAUCHECK, husband and wife (hereinafter referred to as "Grantors") by RALPH J. RICCARDI, JR. and JANET A. RICCARDI (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 3209, according to the Map of Highland Lakes, an Eddleman Community, 32nd Sector, as recorded in Map Book 35, page 23, in the Probate Office of Shelby County, Alabama; being situated in 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 Inst. #1994-07111 and amended in Inst. #1996-17543, and further amended in Inst. #1999-31095, in the Probate Office of Shelby County, Alabama, and the Declaration of Covenants, Conditions and Restrictions for Highland Lakes, a Residential Subdivision, 32nd Sector recorded as Inst. #20050609000280550, 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. Utility easements as shown by recorded plat, including a 7.5 foot easement along the Southerly side and 10 foot along rear.
3. Declaration of Easements and Master Protective Covenants for Highland Lakes, a Residential Subdivision which provides, among other things, for an Association to be formed to assess and maintain the private roadways, etc. of the development; all of said covenants, restrictions and conditions being set out in Inst. #1994-07111, amended in Inst. #1996-17543 and further amended in Inst. #1999-31095, in said Probate Office of Shelby County, Alabama, along with Articles of Inc. of Highland Lakes Residential Association, Inc. as recorded in Inst. #9402/3947, in the Office of the Judge of Probate of Jefferson County, Alabama.
4. Lake easement agreement executed by Highland Lakes Properties, Ltd. and Highland Lakes Dev. Ltd. providing for easements, use by others and maintenance of lake property described within Inst. #1993-15705.
5. Easement for ingress and egress to serve Highland Lakes Development executed by Highland Lakes Development, Ltd. to Highland Lakes Properties, Ltd., recorded as Inst. #1993-15704 in said Probate Office.
6. Declaration of Covenants, Conditions and Restrictions for Highland Lakes, a Residential Subdivision, Thirty Second Sector, as recorded as Inst. #20050609000280550, in said Probate Office.
7. Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto, including rights set out in Deed Book 81, page 417, in Probate Office.
8. Restrictions, limitations and conditions as set out in Map Book 35, page 23, in said Probate Office.

9. Subject to the provision of Sections 2.3 and 2.6 of the Declaration, the property shall be subject to the following minimum setbacks:
 - a. **Front setback: as per plot plan which must be approved by the ARC;**
 - b. **Rear setback: as per plot plan which must be approved by the ARC;**
 - c. **Side setback: as per plot plan which must be approved by the ARC;**
10. Right(s)-of-Way(s) granted to Alabama Power Company as set out in Deed Book 111, page 408, Deed Book 109, page 70, Deed Book 149, page 380, Deed book 173, page 364, Deed Book 276, page 670, Deed Book 134, page 408, Deed Book 133, page 212, Deed Book 133, page 210, Real Volume 31, page 355 and Inst. #1994-1186, in the Probate Office.
11. Right(s)-of-Way(s) granted to Shelby County for road as set out in Deed Book 196, page 246, in the Probate Office.
12. Scenic View Easement as reserved in Article III Paragraph 3.3 in the Declaration of Covenants, Conditions and Restrictions for Highland Lakes, a Residential Subdivision, 32nd Sector, recorded as Inst. #20050609000280550.
13. Hold harmless and Storm Water Run-Off Agreements as set out in Deed recorded in Inst. #20050713000351860, in the Probate Office of Shelby County, Alabama.

\$250,000.00 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 29th day of September, 2010.


LAWRENCE J. KAUCHECK

ANNA MARIE KAUCHECK

STATE OF ALABAMA
COUNTY OF SHELBY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that LAWRENCE J. KAUCHECK and ANNA MARIE KAUCHECK, 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 29th day of September, 2010.

