



20110811000236370 1/2 \$16.00  
Shelby Cnty Judge of Probate, AL  
08/11/2011 02:26:32 PM FILED/CERT

This instrument was prepared by:  
Clayton T. Sweeney, Attorney  
2700 Highway 280 East, Suite 160  
Birmingham, AL 35223

Send Tax Notice To:  
Michael D. Mitchell and Heather F. Mitchell  
1031 Baldwin Lane  
Birmingham, AL 35242

STATE OF ALABAMA

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COUNTY OF SHELBY

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# STATUTORY JOINT SURVIVORSHIP DEED

**KNOW ALL MEN BY THESE PRESENTS:** That, for and in consideration of **Six Hundred Forty-Eight Thousand Nine Hundred and 00/100 (\$648,900.00)**, and other good and valuable consideration, this day in hand paid to the undersigned **Precision Homebuilders, Inc., an Alabama corporation**, (hereinafter referred to as GRANTOR), in hand paid by the GRANTEES herein, the receipt whereof is hereby acknowledged, the GRANTOR does hereby give, grant, bargain, sell and convey unto the GRANTEES, **Michael D. Mitchell and Heather F. Mitchell**, (hereinafter referred to as GRANTEES), for and during their joint lives and upon the death of either, then to the survivor of them in fee simple, together with every contingent remainder and right of reversion, the following described Real Estate, lying and being in the County of **Shelby**, State of Alabama, to-wit:

**Lot 2831, according to the Survey of Highland Lakes, 28th Sector, an Eddleman Community, as recorded in Map Book 34, Page 30, 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 Instrument #1994-07111 and amended in Instrument #1996-17543 and further amended in Instrument #1999-31095 in the Probate Office of Shelby County, Alabama, and the Declaration of Covenants, Conditions and Restrictions for Highland Lakes, a Residential Subdivision, 28th Sector, recorded as Instrument #20041109000615190 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) Ad valorem taxes for 2011 and subsequent years not yet due and payable until October 1, 2011.
- 2) Existing covenants and restrictions, easements, building lines and limitations of record.
- 3) Public utility easement as shown by recorded plat, including any tree bufferline as shown on recorded plat.
- 4) 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 Instrument No. 1994-07111, amended in Instrument No. 1996-17543 and further amended in Instrument No. 1999-31095 in said Probate Office, along with Articles of Incorporation of Highland Lakes Residential Association, Inc. as recorded in Instrument No. 9402/3947 in said Probate Office.
- 5) Declaration of Covenants, Conditions and Restrictions for Highland Lakes, a Residential Subdivision, 28<sup>th</sup> Sector, as recorded in Instrument No. 20041109000615190 in said Probate Office.
- 6) Subdivision restrictions, limitations and conditions as set out in Map Book 34, Page 30 in said Probate Office.
- 7) Title to all oil, gas and minerals within and underlying the premises, together with all oil and mining rights and other rights, privileges and immunities relating thereto, together with any release of liability for injury or damage to persons or property as a result of the exercise of such rights as recorded in Deed Book 28, Page 237 and Instrument No. 1999-40620 in said Probate Office.
- 8) 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) As per plot plan which must be approved by the ARC.
- 9) Lake easement agreement executed by Highland Lakes Properties, Ltd. and Highland Lakes Development, Ltd., providing for easements, use by others, and maintenance of Lake property as shown by instrument recorded in Instrument No. 1993-15705.

SECRET



- 10) Easement(s) for ingress and egress to serve Highland Lakes Development executed by Highland Lakes Development, Ltd. to Highland Lakes Properties, Ltd., recorded as Instrument No. 1993-15704 in said Probate Office.
- 11) Cable Agreement as set out in Instrument No. 1997-19422 in said Probate Office.
- 12) Release of damages as recorded in Instrument No. 1999-40620 in said Probate Office.
- 13) Conditions, restrictions and limitations as set out in Instrument No. 20040823000471380 in said Probate Office.
- 14) Right of way to Shelby County as recorded in Deed Book 95, Page 503 and Deed Book 196, Page 246 in said Probate Office.
- 15) Right of way to Alabama Power Company as recorded 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 Book 31, Page 355 and Instrument No. 1994-1186 in said Probate Office.
- 16) 30 foot easement and tree buffer along rear lot line as per plat.
- 17) Riparian and other rights created by the fact that subject property lies adjacent to Highland Lakes.
- 18) 7.5 easement along Southern lot line as per plat.

All of the consideration was paid from the proceeds of a mortgage loan closed simultaneously herewith.

TO HAVE AND TO HOLD, the tract or parcel of land above described together with all and singular the rights, privileges, tenements, appurtenances, and improvements unto the said GRANTEES, for and during their joint lives and upon the death of either of them, then to the survivor of them in fee simple, and to the heirs and assigns of such survivor, forever.

IN WITNESS WHEREOF, said GRANTOR has hereunto set its hand and seal this the 1st day of August, 2011.

**Precision Homebuilders, Inc.**  
an Alabama corporation


  
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Sam L. Baker, President

STATE OF ALABAMA                     )  
  :  
COUNTY OF JEFFERSON            )

I, the undersigned, a Notary Public, in and for said County and State, hereby certify that Sam L. Baker, whose name as President of Precision Homebuilders, Inc., an Alabama corporation, 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 Instrument, he as such Officer and with full authority, signed the same voluntarily for and as the act of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this the 1st day of August, 2011.

  
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NOTARY PUBLIC  
My Commission Expires: 6/5/2015

  
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CLAYTON I. SWEENEY  
NOTARY PUBLIC