

Send tax notice to:

LESTER HARRIS  
180 HIGHLAND VIEW DRIVE  
BIRMINGHAM, ALABAMA, 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

2012069

**WARRANTY DEED**

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of Eight Hundred Seventy-Nine Thousand and 00/100 Dollars (\$879,000.00) in hand paid to the undersigned, MARK S. SHOEMAKER, A SINGLE INDIVIDUAL (hereinafter referred to as "Grantors") by LESTER HARRIS and ERIC HUDNALL (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 417, ACCORDING TO THE MAP OF HIGHLAND LAKES, 4TH SECTOR, PHASE 1, AN EDDLEMAN COMMUNITY, AS RECORDED IN MAP BOOK 19, PAGE 79 A & B, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA; BEING SITUATED IN SHELBY COUNTY, ALABAMA.

TOGETHER WITH NONEXCLUSIVE EASEMENT TO USE THE PRIVATE ROADWAYS, COMMON AREAS, ALL AS MORE PARTICULARLY DESCRIBED IN THE DECLARATION OF EASEMENT AND MASTER PROTECTIVE COVENANTS FOR HIGHLAND LAKES, A RESIDENTIAL SUBDIVISION, RECORDED AS INSTRUMENT NO. 1994-07111 AND AMENDED IN INSTRUMENT NO. 1996-17543 AND INSTRUMENT NO. 1999-31095 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA. AND THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR HIGHLAND LAKES, A RESIDENTIAL SUBDIVISION, 4TH SECTOR, RECORDED AS INSTRUMENT NO. 1995-1906 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, 2011 WHICH CONSTITUTES A LIEN BUT ARE NOT YET DUE AND PAYABLE UNTIL OCTOBER 1, 2012.
2. RESTRICTIONS, COVENANTS AND CONDITIONS AS SET OUT N INSTRUMENT NO. 1994-7111 AND AMENDED INSTRUMENT NO. 1996-17543; INSTRUMENT NO. 1998-29633; INSTRUMENT NO. 1998-31695; INSTRUMENT NO. 1998-29631 AND INSTRUMENT NO. 1998-29632.
3. UNDERGROUND EASEMENT TO ALABAMA POWER COMPANY AS RECORDED IN INSTRUMENT NO. 1997-19422.
4. CABLE AGREEMENT AS SET OUT IN INSTRUMENT RECORDED IN INSTRUMENT NO. 1997-33476.
5. RESTRICTIONS, LIMITATIONS AND CONDITIONS AS SET OUT IN MAP BOOK 24, PAGE 60.
6. 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 DESCRIBED WITHIN INSTRUMENT NO. 1993-015705

Shelby County, AL 03/13/2012  
State of Alabama  
Deed Tax: \$879.00

  
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Shelby Cnty Judge of Probate, AL  
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7. EASEMENT FOR INGRESS AND EGRESS TO SERVE HIGHLAND LAKES DEVELOPMENT EXECUTED BY HIGHLAND LAKES DEVELOPMENT, LTD. TO HIGHLAND LAKES PROPERTIES, LTD. RECORDED AS INSTRUMENT NO. 1993-15074.
8. RIPARIAN AND OTHER RIGHTS CREATED BY THE FACT THAT SUBJECT PROPERTY LIES ADJACENT TO HIGHLAND LAKES.
9. RIGHT OF WAY TO SHELBY COUNTY AS RECORDED IN DEED BOOK 95, PAGE 503, IN THE OFFICE OF THE JUDGE OF PROBATE OF SHELBY COUNTY, ALABAMA.
10. RIGHT OF WAY TO WATER WORKS AND SEWER BOARD OF THE CITY OF BIRMINGHAM AS RECORDED IN INSTRUMENT NO. 1996-25667, IN THE OFFICE OF THE JUDGE OF PROBATE OF SHELBY COUNTY, ALABAMA.
11. RELEASE OF DAMAGES, RESTRICTIONS, MODIFICATIONS, COVENANTS, CONDITIONS, RIGHTS, PRIVILEGES, IMMUNITIES, AND LIMITATIONS AS APPLICABLE, AS SET OUT IN, AND AS REFERENCED IN DEED(S) RECORDED IN INSTRUMENT NO. 2000-3070 IN THE PROBATE OFFICE.
12. RIGHT OF WAY TO ALABAMA POWER COMPANY AS RECORDED IN BOOK 111, PAGE 408; BOOK 109, PAGE 70; BOOK 149, PAGE 380; BOOK 173, PAGE 364, BOOK 276, PAGE 670; BOOK 134, PAGE 408; BOOK 133, PAGE 212; BOOK 133, PAGE 210 & 212; REAL VOLUME 31, PAGE 355 AND INSTRUMENT NO. 1994-1186, IN THE OFFICE OF THE JUDGE OF PROBATE OF SHELBY COUNTY, ALABAMA.
13. SUBJECT TO THE PROVISION OF SECTIONS 2.3 AND 2.6 OF THE DECLARATION, THE PROPERTY SHALL BE SUBJECT OF THE FOLLOWING MINIMUM SETBACKS: FRONT, REAR AND SIDE SETBACK; AS PER PLOT PLAN, WHICH MUST BE APPROVED BY THE ARC.
14. CONDITIONS, COVENANTS, AGREEMENTS AND RELEASE OF DAMAGES AS SET FORTH IN INSTRUMENT RECORDED IN INSTRUMENT NO. 1999-01533.

\$0.00 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 21st day of February, 2012.

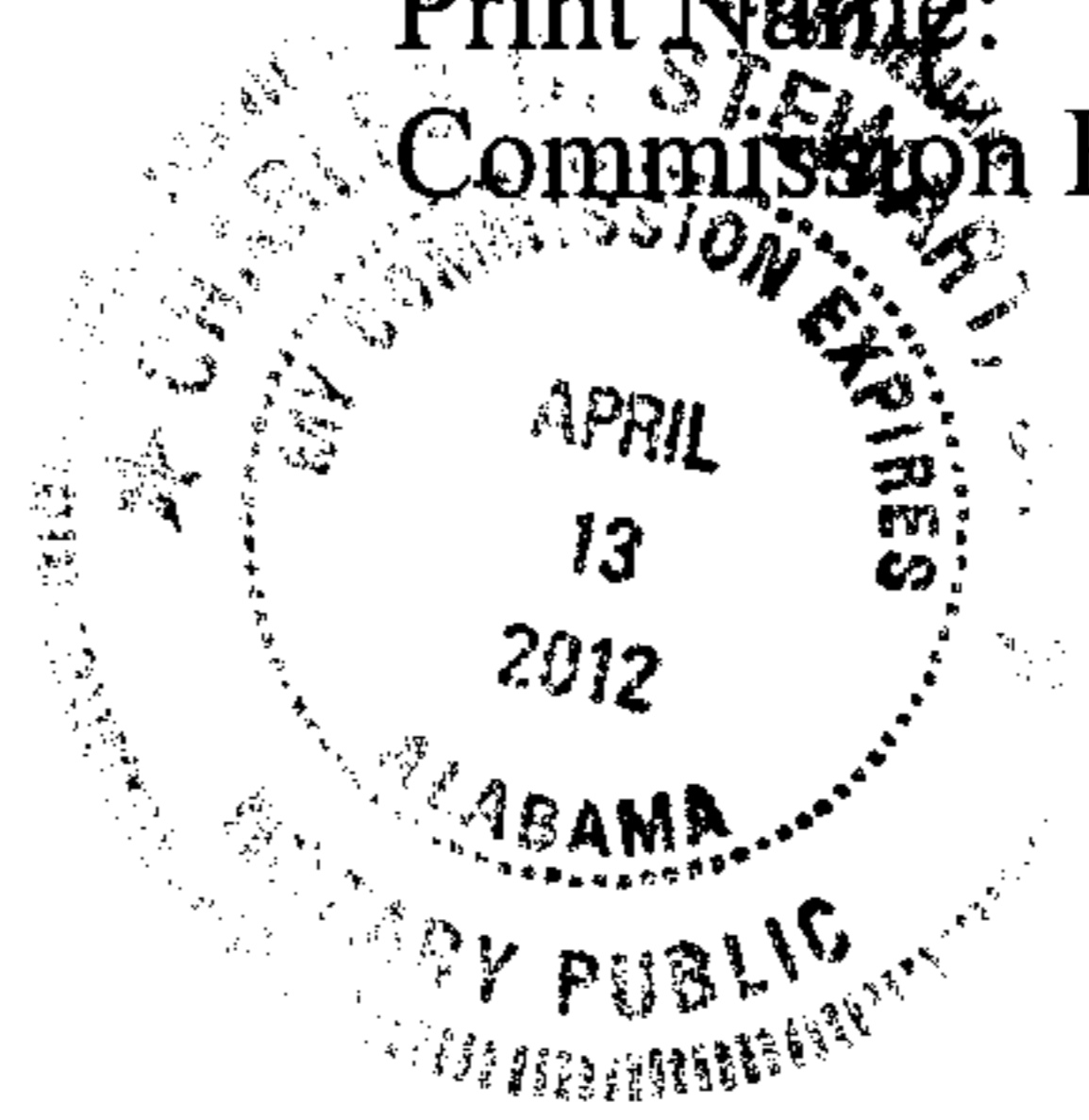
  
MARK S. SHOEMAKER


STATE OF ALABAMA  
COUNTY OF SHELBY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that MARK S. SHOEMAKER, 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 21st day of February, 2012.

Notary Public  
Print Name: *Charles D. Stawert J*  
Commission Expires: *4-13-14*



  
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