

This Instrument Prepared By:

C. Ryan Sparks, Attorney
2635 Valleydale Road, Suite 200
Birmingham, Alabama 35244
DIRECT: 205-215-8433

Send Tax Notice To Grantees Address:

Newton J. Duke and Francis C. Duke
1207 2nd Street NE
Alabaster, Alabama 35007

WARRANTY DEED WITH RIGHT OF SURVIVORSHIP

**STATE OF ALABAMA
COUNTY OF SHELBY**

KNOW ALL MEN BY THESE PRESENTS,

On this August 10, 2012, That for and in consideration of **ONE HUNDRED TWENTY NINE THOUSAND NINE HUNDRED AND N0/100 (\$129,900.00) DOLLARS**, and other good and valuable consideration, this day in hand paid to the undersigned GRANTOR **COTTER PROPERTIES, LLC, AN ALABAMA LIMITED LIABILITY COMPANY**, (herein 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, **NEWTON J. DUKE and FRANCIS C. DUKE**, (herein 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, all of the Grantors' interest in the following-described Real Estate situated in, **SHELBY COUNTY, ALABAMA**, to wit:

Lot 7, in Block 3, according to the Map of Cedar Grove Estates, First Addition, as shown by map recorded in the Probate Office of Shelby County, Alabama, in Map Book 3, Page 131, which map was amended by plat recorded in Map Book 4, Page 22, in said Probate Office.

Subject to:

1. General and special taxes or assessments for the year 2011 and subsequent years not yet due and payable.
2. Municipal improvements, taxes, assessments, and fire district dues against subject property, if any.
3. Mineral and mining rights not owned by Grantors.
4. Any applicable zoning ordinances.
5. Easements, encroachments, building set back lines, rights-of-ways as shown of record by recorded plat or other recorded instrument, including any amendments thereto.
6. All matters, facts, easements, restrictions, assessments, covenants, agreements and all other terms and provisions in Map Book 3, Page 131 and amended Map Book 4, Page 22.

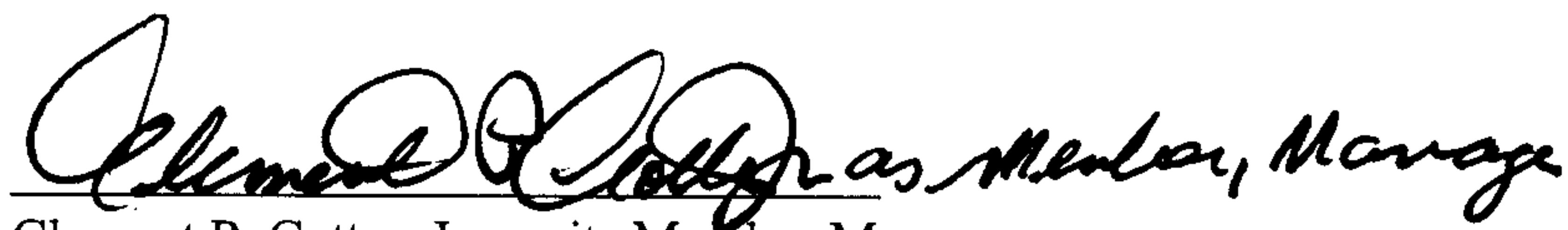
TO HAVE AND TO HOLD, the tract or parcel of land above described together with all and singular the rights, privileges, tenements, appurtenances, and improvements unto the said Grantees, for and during their joint lives as joint tenants and upon the death of either of them, then to the survivorship of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

AND SAID GRANTORS, for said GRANTORS', GRANTORS' heirs, successors, executors and administrators, covenants with GRANTEES, and with GRANTEES' heirs and assigns, that GRANTORS are lawfully seized in fee simple of the said Real Estate; that said Real Estate is free and clear from all liens and encumbrances, except as hereinabove set forth, and except for taxes due for the current and subsequent years, and except for any restrictions pertaining to the Real Estate of record in the Probate Office of **SHELBY COUNTY**; and that GRANTORS will, and GRANTORS' heirs, executors and administrators shall, warrant and defend the same to said GRANTEES, and GRANTEES' heirs and assigns, forever against the lawful claims of all persons.

IN WITNESS WHEREOF, the said Grantor has hereunto set his/her hands and seal on this day of August 10, 2012.

GRANTOR:

Cotter Properties, LLC, an Alabama limited liability company



Clement P. Cotter, Jr., as its Member Manager

**STATE OF ALABAMA
COUNTY OF SHELBY**

I, the undersigned Notary Public, in and for said State and County, do hereby certify that **Clement P. Cotter, Jr.**, whose name as Member Manager of **Cotter Properties, LLC** is signed to the above and foregoing instrument, and who is known to me, acknowledged before me on this day, that, being informed of the contents of said instrument, he, as such Member Manager and with full authority, executed the same voluntarily for and as the act of said limited liability company on the day the same bears date.

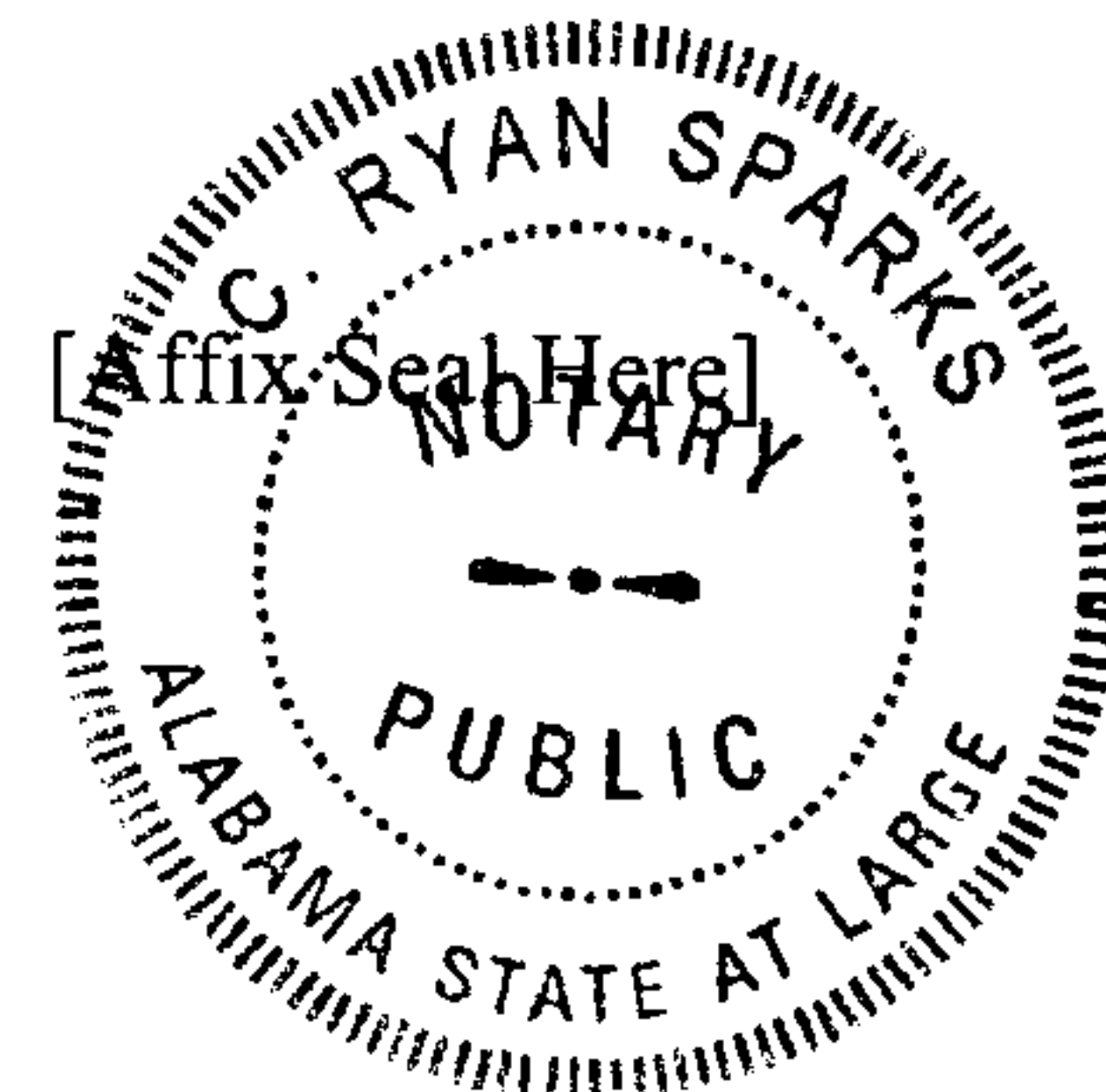
IN WITNESS WHEREOF, the said Grantor has hereunto set its hands and seals on this day of August 10, 2012.


C. Ryan Sparks, Notary Public

My Commission Expires: December 14, 2015



20120810000295340 2/3 \$148.00
Shelby Cnty Judge of Probate, AL
08/10/2012 11:29:34 AM FILED/CERT



Shelby County, AL 08/10/2012
State of Alabama
Deed Tax: \$130.00

Real Estate Sales Validation Form

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

Grantor's Name Cotter Properties LLC
Mailing Address 1207 2ND STREET NE
ALABASTER AL 35007

Grantee's Name Newton J Duke
Mailing Address Francis C Duke
1207 2nd Street NE
ALABASTER AL 35007

Property Address 1207 2nd Street NE
ALABASTER AL 35007

Date of Sale 8/10/12

Total Purchase Price \$ 129,900

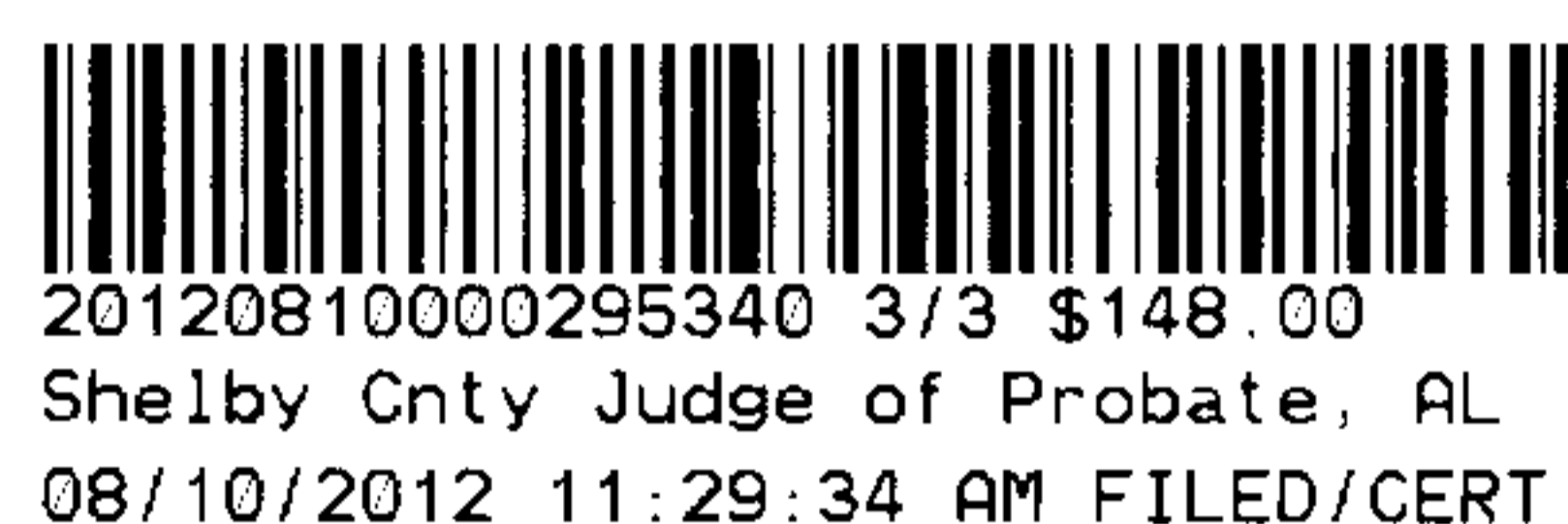
or
Actual Value \$ _____

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).
Grantees: Newton J Duke, Carolyn Duke
Grantor: Cotter Properties LLC

Date 8/10/12

Print Newton J Duke Carolyn Duke

Unattested [Signature]
(verified by)

Sign [Signature]
(Grantor/Grantee/Owner/Agent) circle one