

Send tax notice to:

ANDRE SMITH, JR.
116 SAINTFIELD LANE
BIRMINGHAM, AL 35242

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

STATE OF ALABAMA
Shelby COUNTY

2013085



20130320000116210 1/4 \$91.00
Shelby Cnty Judge of Probate, AL
03/20/2013 02:53:39 PM FILED/CERT

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of One Hundred Seventy Thousand and 00/100 Dollars (\$170,000.00) in hand paid to the undersigned, BENJAMIN SHANE NAISH and JENNIFER B. NAISH, Husband and Wife(hereinafter referred to as "Grantors") by ANDRE SMITH, JR. and TALITTLA EUBANKS SMITH (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 69-B, ACCORDING TO THE RESUBDIVISION OF LOT 69 OF STONEGATE REALTY, PHASE 3, AS RECORDED IN MAP BOOK 33, PAGE 122, RECORDED AS MAP BOOK 36, PAGE 13, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

SUBJECT PROPERTY IS A VACANT LOT.

Shelby County, AL 03/20/2013
State of Alabama
Deed Tax:\$70.00

SUBJECT TO:


1. TAXES FOR THE YEAR BEGINNING OCTOBER 1, 2012 WHICH CONSTITUTES A LIEN BUT ARE NOT YET DUE AND PAYABLE UNTIL OCTOBER 1, 2013.
2. RIGHTS OR CLAIMS OF PARTIES IN POSSESSION NOT SHOWN BY PUBLIC RECORDS.
3. EASEMENTS OR CLAIMS THEREOF, WHICH ARE NOT SHOWN BY PUBLIC RECORDS.
4. ANY ENCROACHMENT, ENCUMBRANCE, VIOLATION, VARIATION, OR ADVERSE CIRCUMSTANCE AFFECTING THE TITLE THAT WOULD BE DISCLOSED BY AN ACCURATE AND COMPLETE LAND SURVEY.
5. DEFECTS, LIENS, ENCUMBRANCES, ADVERSE CLAIMS OR OTHER MATTERS, IF ANY.
6. 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 REATING THERETO, TOGETHER WITH ANY RELEASE OF LIABILITY FOR INJURY OR DAMAGE TO PERSONS OR PROPERTY AS A RESULT OF THE EXERCISE OF SUCH RIGHTS.
7. RESTRICTIONS, COVENANTS AND CONDITIONS AS SET OUT IN INSTRUMENT RECORDED IN INSTRUMENT NO. 2001-5954 AS AMENDED AND RESTATED IN INSTRUMENT NO. 2001-12016; INSTRUMENT NO. 2001-5954; INSTRUMENT NO. 2001-12016 AND INSTRUMENT NO. 2003-11166 TOGETHER WITH ARTICLES OF INCORPORATION OF STONEGATE FARMS PROPERTY OWNERS ASSOCIATION, INC. RECORDED IN INSTRUMENT NO. 2001-5955.

8. SUCH STATE OF FACTS AS SHOWN ON THE PLAT RECORDED IN MAP BOOK 33, PAGE 122.
9. EASEMENTS TO ALABAMA POWER CO. AS RECORDED IN DEED BOOK 176, PG 381; DEED BOOK 185, PG 475; REAL BOOK 15, PG 899; DEED BOOK 148, PG 18; DEED BOOK 182, PG 326; DEED BOOK 184, PG 172; DEED BOOK 128, PG 307; DEED BOOK 240, PG 444; DEED BOOK 321, PG 269; DEEDD BOOK 331, PG 840; DEED BOOK 310, PG 991, DEED BOOK 242, PG 148; DEED BOOK 180, PG 35 AND INSTRUMENT NO. 2002-8798.
10. AGREEMENT AS SET OUT IN INSTRUMENT NO. 1993-8112.
11. TERMS, CONDITIONS, RESERVATIONS AND RESTRICTIONS AS RECORDED IN INSTRUMENT NO. 1993-8110.
12. EASEMENT AND USE RESTRICTIONS AGREEMENT AS RECORDED IN INSTRUMENT NO. 2001-02969.
13. RESTRICTIONS, LIMITATIONS AND CONDITIONS AS SET OUT IN MAP BOOK 27, PAGE 133; MAP BOOK 29, PAGE 4 A & B, MAP BOOK 31, PAGE 28 A & B AND MAP BOOK 33, PAGE 122.
14. OPTION AGREEMENT AS RECORDED IN INSTRUMENT NO. 2001-02970.
15. RIGHT OF WAY TO THE WTER WORKS AND SEWER BOARD OF THE CITY OF BIRMINGHAM AS RECORDED IN INSTRUMENT NO. 20020718000335510 AND INSTRUMENT NO. 20030731000494840, IN THE OFFICE OF THE JUDGE OF PROBATE OF SHELBY COUNTY, ALABAMA.
16. RESTRICTIVE COVENANTS AND GRANT OF LAND EASEMENT IN FAVOR OF ALABAMA POWER COMPANY AS RECORDED IN INST. NO. 20021119000577440; INSTRUMENT NO. 2002-18715; INSTRUMENT NO. 20040102000000750 AND INSTRUMENT NO. 200208210003989600.
17. EASEMENT AND RIGHT OF WAY TO ALABAMA POWER COMPANY AS RECORDED IN INSTRUMENT NO. 2005020400057460 AND INSTRUMENT NO. 20051031000564900 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
18. UNDERGROUND TRANSMISSION LINE TO ALABAMA POWER COMPANY AS RECORDED IN INSTRUMENT NO. 2002-18715.
19. RIPARIAN AND OTHER RIGHTS CREATED BY THE FACT THAT SUBJECT PROPERTY LIES ADJACENT TO A LAKE.
20. RIGHTS OF OTHERS TO USE OF LAKE.

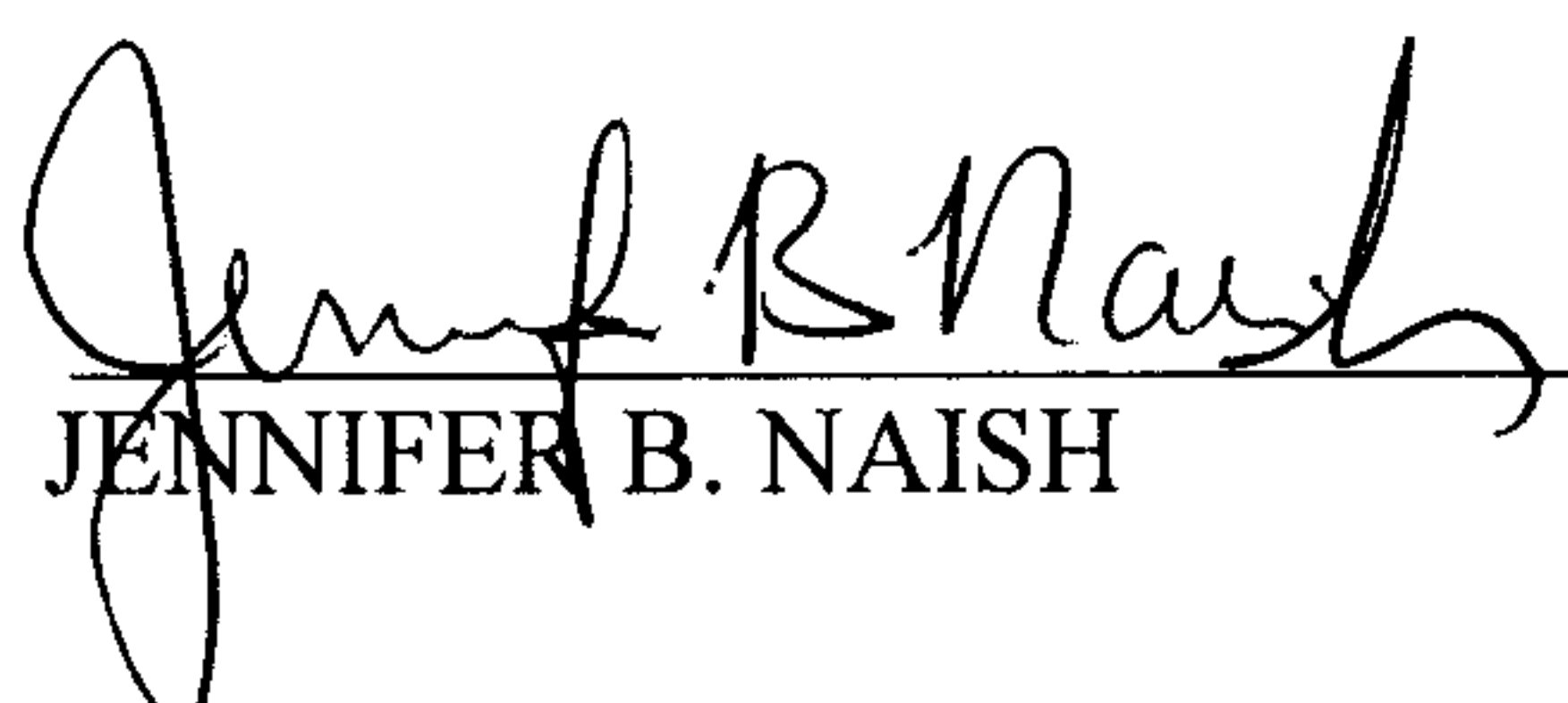
\$100,000.00 OF THE CONSIDERATION AS WAS PAID FROM THE PROCEEDS OF A MORTGAGE LOAN.

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 6th day of March, 2013.


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 Shelby Cnty Judge of Probate, AL
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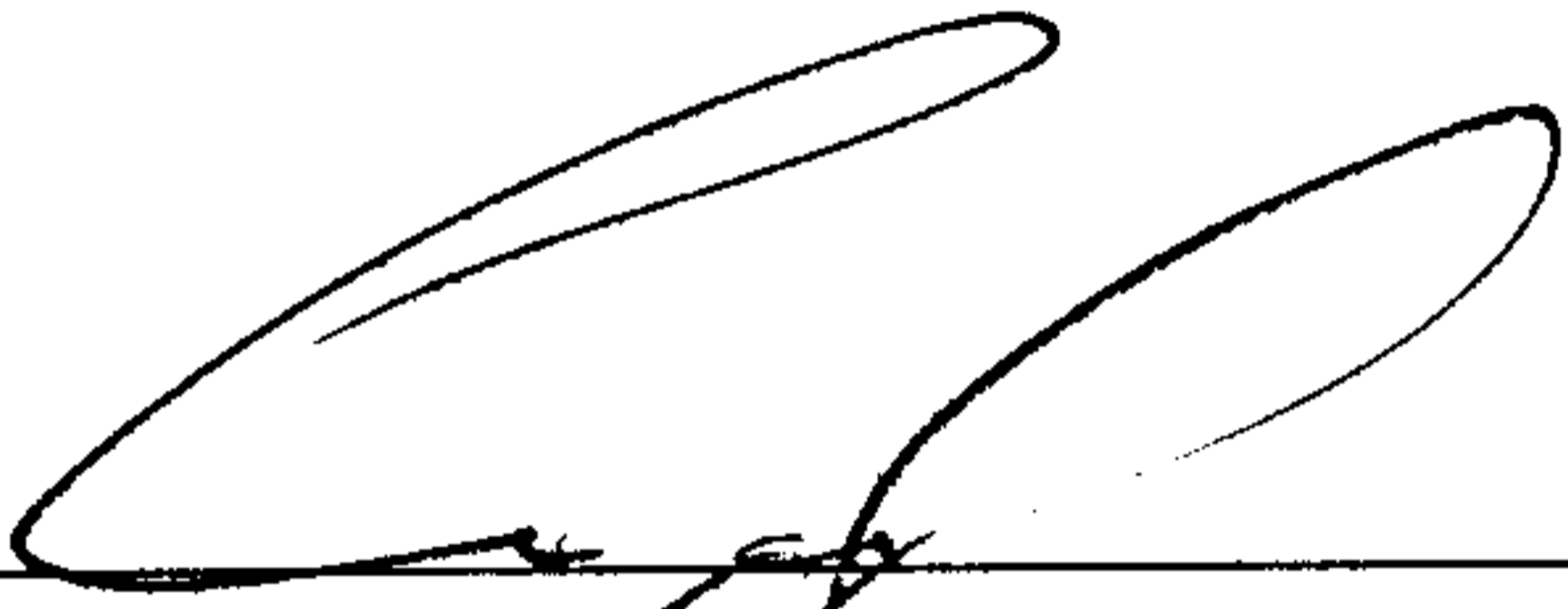

 BENJAMIN SHANE NAISH


 JENNIFER B. NAISH


STATE OF ALABAMA
COUNTY OF SHELBY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that BENJAMIN SHANE NAISH and JENNIFER B. NAISH, whose names are signed to the foregoing instrument, and who are known to me, acknowledged before me on this day, that, being informed of the contents of the said instrument, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 6th day of March, 2013.



Notary Public
Print Name: Charles D Stewart, Jr.
Commission Expires:
4-30-16


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Shelby Cnty Judge of Probate, AL
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Real Estate Sales Validation Form

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

Grantor's Name Benjamin Naish
Mailing Address 313 Cedar Hill Dr
Birmingham AL 35242

Grantee's Name Andre Smith, Jr.
Mailing Address 46 Saintfield Ln
Birmingham
AL 35242

Property Address Lot 69-B
Birmingham
AL
35242

Date of Sale 3-6-13
Total Purchase Price \$ 170,000.
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).

Date 3/6/13

Print Andre Smith, Jr

Unattested
 (verified by)

Sign _____
(Grantor/Grantee/Owner/Agent) circle one

STATE OF ALABAMA

Form RT-1

SWORN TO AND SUBSCRIBED BEFORE ME ON THIS 6 DAY OF March,
20 13.

COUNTY OF SHELBY



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NOTARY PUBLIC