

Send tax notice to:


CAROLYN P. YORK
28128 PORTOBELLO ROAD
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

2013141

WARRANTY DEED


20130506000186010 1/5 \$269.00
Shelby Cnty Judge of Probate, AL
05/06/2013 02:02:59 PM FILED/CERT

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of Two Hundred Forty-Five Thousand and 00/100 Dollars (\$245,000.00) in hand paid to the undersigned, ASHLEY E. IVATT AND TIMOTHY JAMES IVATT, Wife and Husband and TOMMY J. HORTON, Married Not Joined By Spouse (hereinafter referred to as "Grantors") by CAROLYN P. YORK (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, the following described real estate situated in Shelby County, Alabama, to-wit:

SEE ATTACHED EXHIBIT A - LEGAL DESCRIPTION

**SUBJECT PROPERTY DOES NOT CONSTITUTE THE HOMESTEAD OF
TOMMY J. HORTON.**

SUBJECT TO:

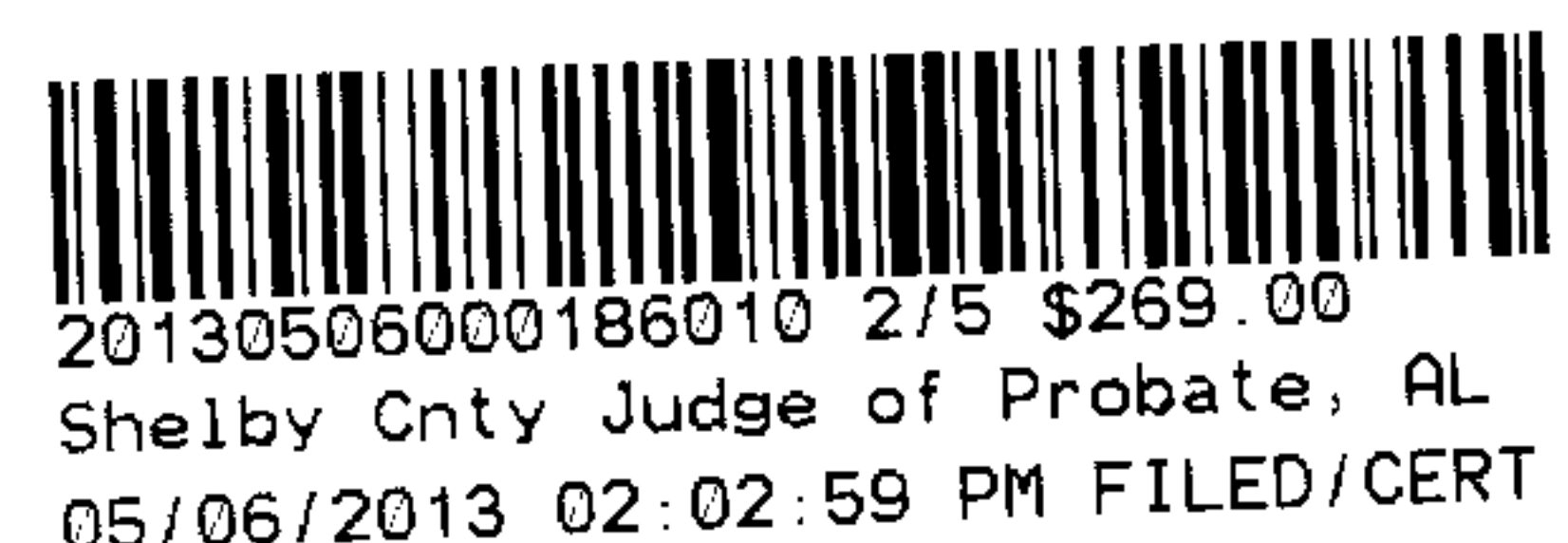
1. TAXES FOR THE YEAR BEGINNING OCTOBER 1, 2012 WHICH CONSTITUTES A LIEN BUT ARE NOT YET DUE AND PAYABLE UNTIL OCTOBER 1, 2013.
2. TAXES OR ASSESSMENTS THAT ARE NOT SHOWN AS EXISTING LIENS BY THE RECORDS OF ANY TAXING AUTHORITY THAT LEVIES TAXES OR ASSESSMENTS ON REAL PROPERTY OR BY PUBLIC RECORDS.
3. ANY FACTS, RIGHTS, INTERESTS, OR CLAIMS THAT ARE NOT SHOWN BY PUBLIC RECORDS , BUT THAT COULD BE ASCERTAINED BY AN INSPECTION OF THE LAND OR THAT MAY BE ASSERTED BY PERSONS IN POSSESSION OF THE LAND.
4. EASEMENTS, LIENS, OR ENCUMBRANCES, OR CLAIMS THEREOF, NOT SHOWN BY PUBLIC RECORDS.
5. ANY ENCROACHMENT, ENCUMBRANCE, VIOLATION, VARIATION OR ADVERSE CIRCUMSTANCE AFFECTING THE TITLE THAT WOULD BE DISCLOSED BY AN ACCURATE AND COMPLETE LAND SURVEY.
6. ANY MINERAL OR MINERAL RIGHTS LEASED, GRANTED OR RETAINED BY CURRENT OR PRIOR OWNERS.
7. EASEMENTS AND BUILDING LINES AS SHOWN ON RECORDED MAP, INCLUDING BUT NOT LIMITED TO ANY NOTES, CONDITIONS AND RESTRICTIONS.
8. RIGHT OF WAY GRANTED TO ALABAMA POWER COMPANY BY INSTRUMENT RECORDED IN DEED BOOK 126, PAGE 187, DEED BOOK 185, PAGE 120, REAL 105, PAGE 861 AND REAL 167, PAGE 335.
9. ROADWAY EASEMENT AGREEMENT AS RECORDED IN INSTRUMENT #20051024000550530 AND INSTRUMENT

Shelby County, AL 05/06/2013
State of Alabama
Deed Tax: \$245.00

- #20061024000523450, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
10. EASEMENT FOR GRADING AND SLOPE MAINTENANCE RECORDED IN INSTRUMENT #20060817000404390 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
 11. EASEMENT TO BELLSOUTH, AS RECORDED IN INSTRUMENT #20060920000466950 AND INSTRUMENT #20070125000038780 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
 12. EASEMENT TO ALABAMA POWER CO. RECORDED IN INSTRUMENT #20061212000601050, INSTRUMENT #20061212000601060, INSTRUMENT #20060828000422250, INSTRUMENT #20061212000601460, INSTRUMENT #20070517000230870 AND INSTRUMENT #20070517000231070, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
 13. DECLARATION OF CONDOMINIUM OF EDENTON.
 14. ARTICLES OF INCORPORATION OF EDENTON RESIDENTIAL OWNERS ASSOCIATION, INC.
 15. TITLE TO ALL MINERALS WITHIN AND UNDERLYING THE PROPERTY, TOGETHER WITH ALL MINING RIGHTS AND OTHER RIGHTS, PRIVILEGES, IMMUNITIES AND RELEASE OF DAMAGES RELATING THERETO, AS RECORDED IN REAL 41, PAGE 83 AND DEED BOOK 176, PAGE 186, AND ANY DAMAGES RELATING TO THE EXERCISE OF SUCH RIGHTS OR THE EXTRACTION OF SUCH MINERALS.
 16. RESTRICTIONS APPEARING OF RECORD IN REAL 54, PAGE 199, BUT DELETING ANY RESTRICTIONS BASED ON RACE, COLOR, CREED OR NATIONAL ORIGIN.
 17. ASSIGNMENT AND CONVEYANCE WITH DEVELOPMENT AGREEMENTS AND RESTRICTIVE COVENANTS BY AND BETWEEN CAHABA LAND ASSOCIATES LLC AND CAHABA BEACH INVESTMENTS LLC AS RECORDED IN INSTRUMENT #20051024000550520.
 18. RIGHTS OR OTHERS IN AND TO THE NON-EXCLUSIVE EASEMENT AS SET OUT IN EASEMENT AGREEMENT IN INSTRUMENT #20051024000550530.
 19. EXCLUSIVE ACCESS AND EASEMENT AGREEMENT GRANTED TO ALEXANDER JONES IN INSTRUMENT #20080616000243110, IN THE OFFICE OF THE JUDGE OF PROBATE OF SHELBY COUNTY, ALABAMA.
 20. RIGHTS OF OWNERS OF PROPERTY ADJOINING PROPERTY IN AND TO THE JOINT OR COMMON RIGHTS IN BUILDING SITUATED ON SAID LOTS, SUCH RIGHTS INCLUDE BUT ARE NOT LIMITED TO ROOF, FOUNDATION, PARTY WALLS, WALKWAY AND ENTRANCE.
 21. RIGHTS OF OTHERS IN AND TO THE NON-EXCLUSIVE EASEMENT AS SET OUT IN EASEMENT AGREEMENT IN INST. #20051024000550530.
 22. SANITARY SEWER EASEMENT TO SWWC UTILITIES AS RECORDED IN INSTRUMENT #20090126000023560.

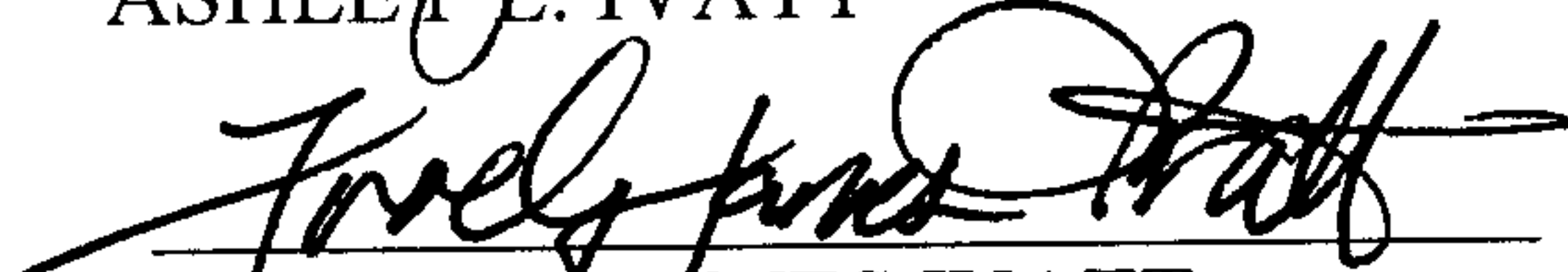
\$-0- OF THE CONSIDERATION AS WAS PAID FROM THE PROCEEDS OF A MORTGAGE LOAN.

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 Grantee, 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 5th day of April, 2013.


ASHLEY E. IVATT


TIMOTHY JAMES IVATT


TOMMY J. HORTON

STATE OF ALABAMA
COUNTY OF SHELBY

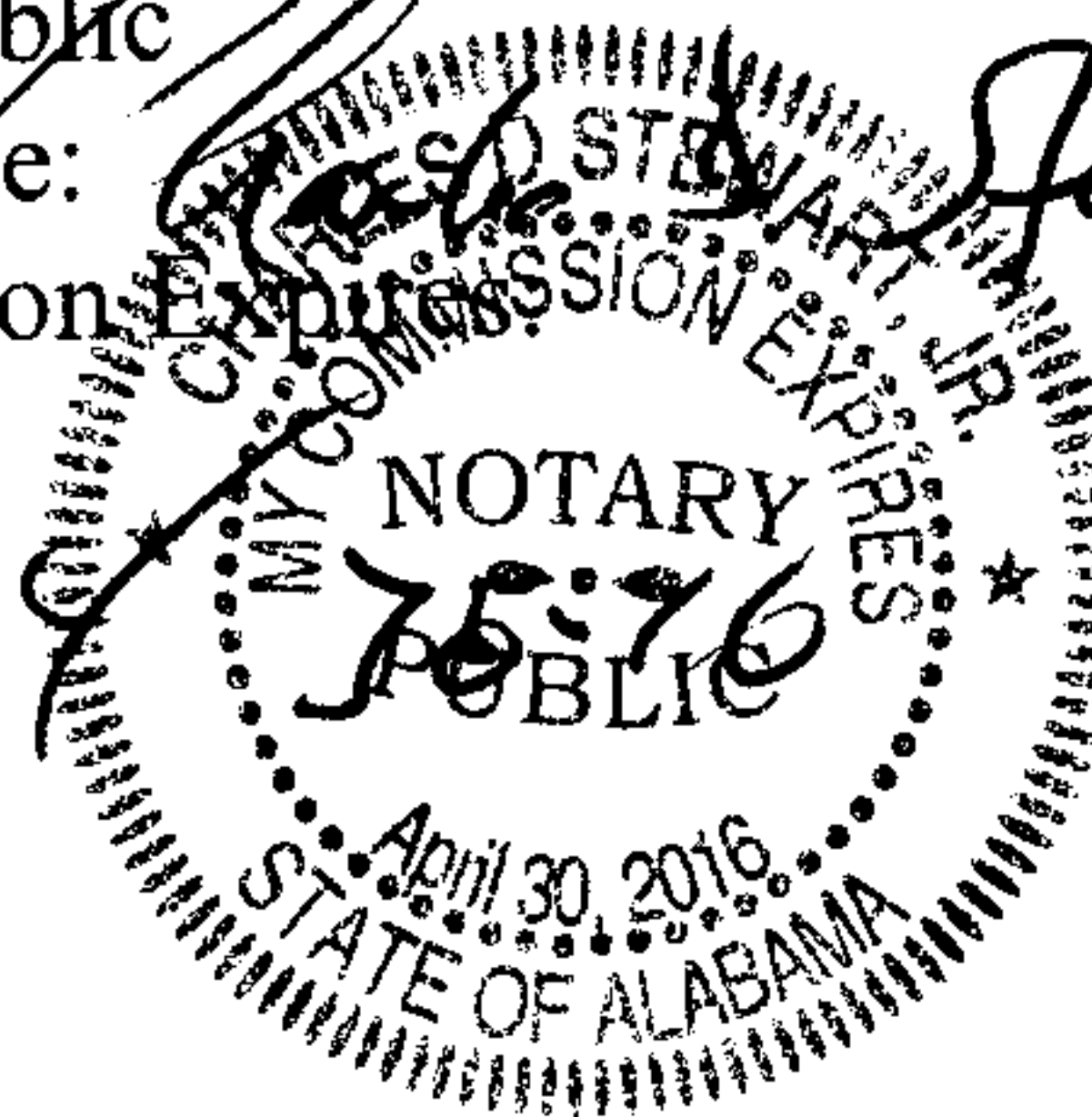
I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that ASHLEY E. IVATT and TIMOTHY JAMES IVATT and TOMMY J. HORTON, whose names are signed to the foregoing instrument, and who is known to me, acknowledged before me on this day, that, being informed of the contents of the said instrument, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 5th day of April, 2013.


Notary Public

Print Name:

Commission Expires



20130506000186010 3/5 \$269.00
Shelby Cnty Judge of Probate, AL
05/06/2013 02:02:59 PM FILED/CERT

EXHIBIT "A"

Legal Description:

Unit 128, Building 28 In Edenton, a Condominium, as established by that certain Declaration of Condominium, which Is recorded in Instrument 20070420000184480, In the Probate Office of Shelby County, Alabama, First Amendment to Declaration of Condominium of Edenton as recorded In Instrument 20070508000215560, 2nd Amendment to the Declaration of Condominium of Edenton as recorded In Instrument 20070522000237580, 3rd Amendment to the Declaration of Condominium of Edenton 85 recorded In instrument 20070606000263790, and the 4th Amendment to the Declaration of Condominium of Edenton as recorded in instrument 20070626000297920, 5th Amendment to the Declaration of Condominium of Edenton as recorded in Instrument 20070817000390000, 6th Amendment to the Declaration of Condominium of Edenton as recorded In Instrument 20071214000565780, 7th Amendment to the Declaration of Condominium of Edenton as recorded In Instrument 20080131000039690, 8th Amendment to the Declaration of Condominium of Edenton as recorded In Instrument 20080411000148760, 9th amendment to the Declaration of Condominium of Edenton as recorded In Instrument 20080514000196360, 10th Amendment to Declaration of Condominium of Edenton as recorded in Instrument 20080814000326660, 11th Amendment to Declaration of Condominium of Edenton as recorded in Instrument 20081223000473570, 12th Amendment to Declaration of Condominium of Edenton us recorded in Instrument 20090107000004030; 13th Amendment to Declaration of Condominium of Edenton as recorded in Instrument 20090415000138180, and any amendments thereto, to which Declaration of Condominium a plan is attached as Exhibit "C" thereto, and as recorded in the Condominium Plat of Edenton, a Condominium, In Map Book 38, page 77, 1st Amended Condominium Plat of Edenton, a condominium as recorded In Map Book 39, Page 4, and the 2nd Amended Condominium Plat of Edenton, a Condominium as recorded in Map Book 39, Page 79, 3rd Amended Condominium Plat of Edenton, a condominium as recorded in Map Book 39, Page 137, 4th Amended Condominium Plat of Edenton, a condominium as recorded in Map Book 40, Page 54, and any future amendments thereto, Articles of Incorporation of Edenton Residential Owners Association Inc as recorded In Instrument 20070425000639250, In the Office of the Judge of Probate of Shelby County, Alabama, and to which said Declaration of Condominium the By-Laws of Edenton Residential Owners Association Inc., are attached as Exhibit "B" thereto, together with an undivided interest in the Common Elements assigned to said Unit, by said Declaration of Condominium set out In Exhibit "D". Together with rights in and to that certain Non-Exclusive Roadway Easement as set out In Instrument 20051024000550530, In the Office of the Judge of Probate of Shelby County, Alabama.



20130506000186010 4/5 \$269.00
Shelby Cnty Judge of Probate, AL
05/06/2013 02:02:59 PM FILED/CERT

Real Estate Sales Validation Form

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

Grantor's Name
Mailing Address

Nelly E. Swatt

Grantee's Name

Mailing Address

Carolyn P. York
28/28 Parkbello Rd.
Birmingham
AL 35242

Property Address

28/28 Parkbello Rd.
Birmingham
AL
35242

Date of Sale

Total Purchase Price \$

or

Actual Value \$

or

Assessor's Market Value \$

4-5-13
245,000.

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 4-5-13

Print

Carolyn P. York

Unattested

Sign

Carolyn P. York

(verified by)

(Grantor/Grantee/Owner/Agent) circle one

STATE OF ALABAMA

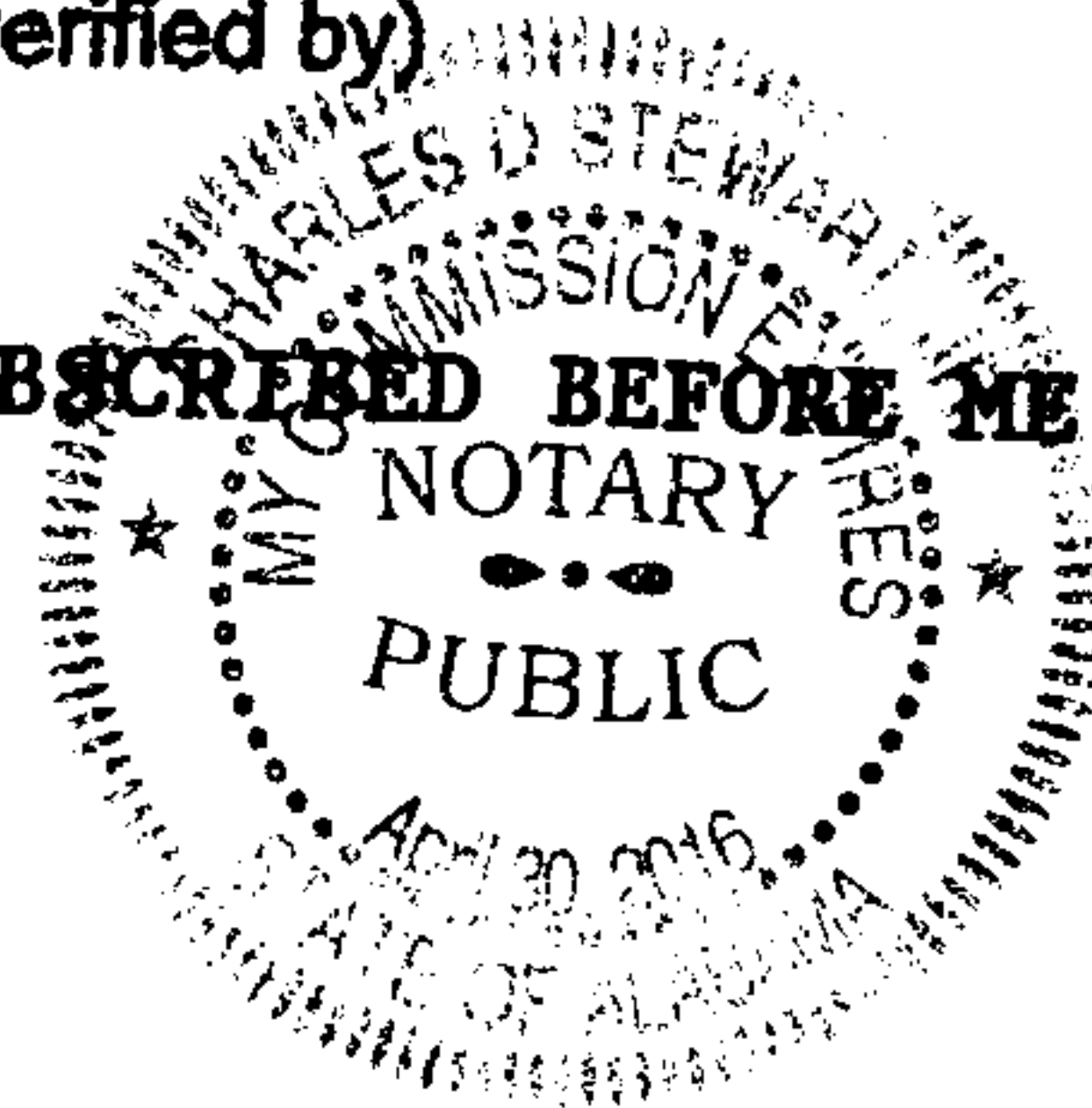
SWORN TO AND SUBSCRIBED BEFORE ME ON THIS

2013.

COUNTY OF SHELBY

DAY OF

Form RT-1



5 April

NOTARY PUBLIC



20130506000186010 5/5 \$269.00
Shelby Cnty Judge of Probate, AL
05/06/2013 02:02:59 PM FILED/CERT