

THIS INSTRUMENT WAS PREPARED BY:

Clinton H. Ritchie, Jr., Attorney at Law
1356 Hueytown Road
Hueytown, AL 35023

SEND TAX NOTICE TO:

James E. Cunningham
2441 Vestavia Dr.
Birmingham, AL 35216

STATE OF ALABAMA)
COUNTY OF SHELBY)

GENERAL WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS: That, for and in consideration of Seventy-One Thousand Five Hundred and 00/100 Dollars (\$71,500.00), and other good and valuable consideration, this day in hand paid to the undersigned Grantor, **Joan Brake, a widowed woman**, (hereinafter referred to as Grantor), the receipt whereof is hereby acknowledged, the Grantor whether one or more does hereby give, grant, bargain, sell and convey unto the Grantee, **James E. Cunningham, a married man**, (hereinafter referred to as Grantee), his/her heirs and assigns, the following described Real Estate, lying and being in the County of Shelby, State of Alabama, to-wit:

Unit 105-C, Building 1, in The Gables, a Condominium, a condominium located in Shelby County, Alabama, as established by Declaration of Condominium and By-Laws thereto as recorded in Real Volume 10, Page 177 and amended in Real Volume 27, Page 773, Real Volume 50, Page 327, Real Volume 50, Page 340 and re-recorded in Real 50, Page 942, Real 165, Page 578, and amended in Real 59, Page 19 and further amended by Corporate Volume 30, Page 407, and in Real 96, Page 855 and Real 97, Page 937 and By-Laws as shown in Real Volume 27, Page 733 and then amended in Real Volume 50, Page 325, further amended by Real 189, Page 222, Real 222, Page 691, and Real 238, Page 241 together with an undivided interest in the common elements as set forth in the aforesaid mentioned Declaration, said Unit being more particularly described in the floor plans and architectural drawings of The Gables Condominium as recorded in Map Book 9, Pages 41 thru 44 and amended in Map Book 9, Page 135, Map Book 10, Page 49 and further amended by Map Book 12, Page 50, in the Probate Office of Shelby County, Alabama.

SUBJECT TO:

1. Taxes and assessments for the year 2013 and subsequent years, which are not yet due and payable.
2. Easements, restrictions and rights-of-way of record, if any.
3. Covenants, conditions, mineral rights and restrictions of record, if any.
4. Easements and building lines as shown on recorded map(s), including but not limited to any notes, conditions, and restrictions.
5. 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 Volume 4, Page 464 and Volume 127, Page 140, and any damages relating to the exercise of such rights or the extraction of such minerals.
6. Agreement with Blue-Cross-Blue Shield as recorded in Misc. Book 19, Page 690.



20130530000220350 1/4 \$92.50
Shelby Cnty Judge of Probate, AL
05/30/2013 01:23:48 PM FILED/CERT

7. Right of Way granted to Alabama Power Company by instrument(s) recorded in Volume 347, Page 472.
8. Restrictions appearing of record in Deed Book 331, Page 757, but deleting any restrictions based on race, color, creed or national origin.
9. Land use agreement between Harbert-Equitable Joint Venture and Blue Cross and Blue Shield of Alabama, as recorded in Misc. Book 19, Page 690.
10. Permit to Alabama Power Company as recorded in Real Record 32, Page 924 and Real Book 220, Page 457.
11. Sewer easement as described in Real Record 97, Page 535.
12. Easement to South Central Bell, as recorded in Real Record 87, Page 189.
13. Terms, provision, covenants, conditions, restrictions, easements, charges, assessments and liens (provision, if any, based on race, color, religion, or national origin are omitted) provided in Covenants Conditions and Restriction Recorded in Misc. Book 13, Page 50; amendment #1 in Misc. Book 13, Page 189; and amendment #2 in Misc. Book 19, Page 633; Declaration of Condominium of The Gables, a Condominium, dated November 27, 1984, recorded in Real Record 10, Page 177; amended in Real Volume 30, Page 407; amended in Real Volume 50, Page 327; Real Volume 50, Page 340; re-recorded in Real Volume 50, Page 942, amended in Real Volume 59, Page 19; further amended by Corporate Volume 30, Page 407; Articles of Incorporation of The Gables Condominium Association, Inc., as recorded in Corporate Volume 26, Page 922; further amended in Real Volume 165, Page 578; Real Volume 189, Page 222; By-Laws of said association as recorded in Real Volume 10, Page 177, amended in Corporate Volume 27, Page 733; amended in Real volume 50, Page 325; amended in Real Volume 222, Page 691; amended in Instrument No. 20051101000566510 and Instrument No. 20060413000171390.

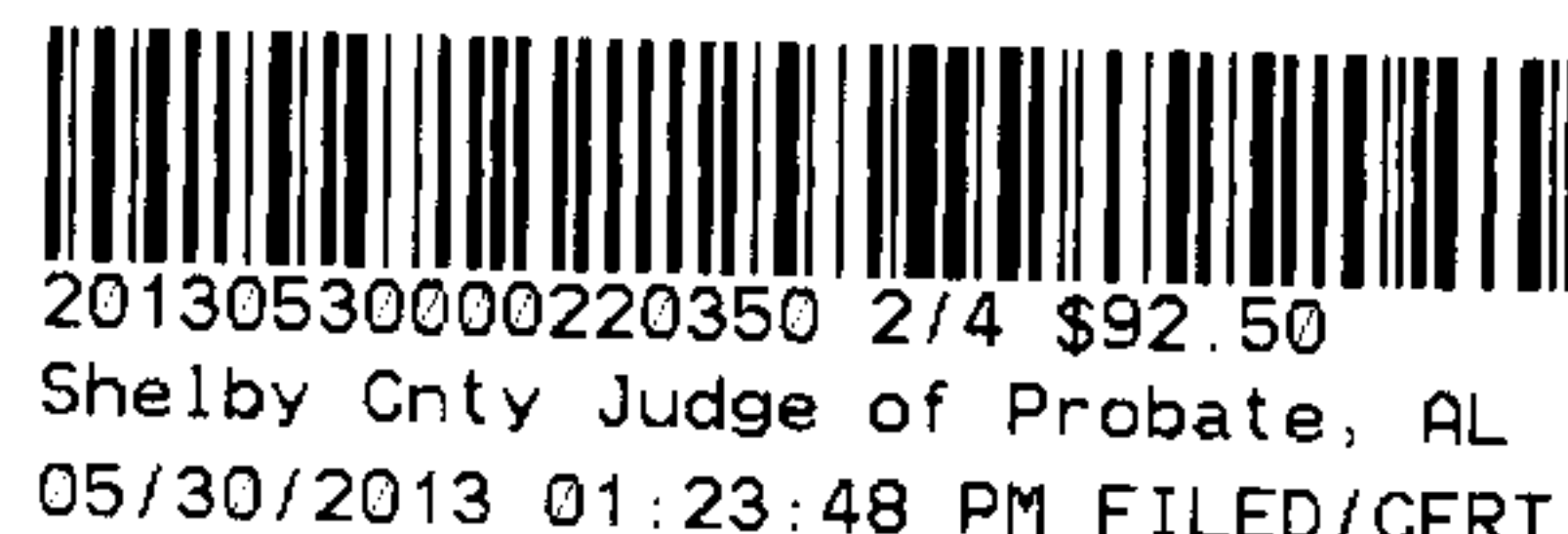
NOTE: Kenneth Brake, the grantee of a life estate conveyed in that instrument number 1999-09664 and recorded in the Office of the Judge of Probate of Shelby County, Alabama, died on or about June 22, 2012.

NOTE: Joan Brake, the other grantee of a life estate conveyed in that instrument number 1999-09664 and recorded in the Office of the Judge of Probate of Shelby County, Alabama, who is the Grantor herein, hereby relinquishes any and all rights Grantor has or may have had in said life estate and convey an unencumbered fee simple interest in the property described hereinabove as part of this transfer. All owners of the fee interest in said property have quitclaimed their interests to the Grantor herein, Joan Brake, by quitclaim deeds filed in the Office of the Judge of Probate of Shelby County, Alabama, immediately prior to the recording of this deed.

NOTE: Joan Brake is one and the same person as Joan Winifred Selby Brake.


NOTE: Kenneth Brake is one and the same person as Kenneth Winston Walter Brake.

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 Grantee, his/her heirs and assigns forever.



And said Grantor, for said Grantor, her heirs, successors, executors and administrators, covenants with Grantee, and with her heirs and assigns, that Grantor is 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 said County; and that Grantor will, and her heirs, executors and administrators shall, warrant and defend the same to said Grantee, and her heirs and assigns, forever against the lawful claims of all persons.

IN WITNESS WHEREOF, said Grantor has hereunto set her hand and seal this day, **May 10, 2013**.



Joan Brake

STATE OF ALABAMA)
COUNTY OF SHELBY)


I, the undersigned, a Notary Public, in and for said County and State, hereby certify that **Joan Brake** personally appeared before me and, being known to me, acknowledged before me on this day that, being informed of the contents of the foregoing conveyance, signed same the day the same bears date voluntarily or by free act.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this day, **May 10, 2013**.



NOTARY PUBLIC
My Commission Expires:

CLINTON H. RITCHIE, JR.
Notary Public, State of Alabama
Alabama State At Large
My Commission Expires
June 28, 2016


20130530000220350 3/4 \$92.50
Shelby Cnty Judge of Probate, AL
05/30/2013 01:23:48 PM FILED/CERT

Shelby County, AL 05/30/2013
State of Alabama
Deed Tax: \$71.50

Real Estate Sales Validation Form

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

Grantor's Name Joan Brake

Mailing Address 105 Gables Dr.
Hoover, AL 35244

Property Address 105 Gables Dr.
Hoover, AL 35244

Grantee's Name James E. Cunningham

Mailing Address 2441 Vestavia Dr.
Birmingham, AL 35216

Date of Sale May 10, 2013
Total Purchase Price \$ 71,500.00


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


20130530000220350 4/4 \$92.50
Shelby Cnty Judge of Probate, AL
05/30/2013 01:23:48 PM FILED/CERT

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 5-10-2013

Print Joan Brake

☐ Unattested _____
verified by Sign Joan Brake
(Grantor/Grantee/Owner/Agent) circle one