

20131122000458980 1/6 \$113.00  
Shelby Cnty Judge of Probate, AL  
11/22/2013 12:27:03 PM FILED/CERT

THIS INSTRUMENT WAS PREPARED BY:  
FOSTER D. KEY, ATTORNEY AT LAW  
POST OFFICE BOX 360345  
BIRMINGHAM, ALABAMA 35236  
(205) 987-2211

PLEASE SEND TAX NOTICE TO:  
IRA Innovations, LLC FBO Jimmie L. Rochester, II, IRA  
P. O. BOX 360750  
BIRMINGHAM, ALABAMA 35236

### WARRANTY DEED

STATE OF ALABAMA     )  
SHELBY COUNTY         )

KNOW ALL MEN BY THESE PRESENTS, that in consideration of EIGHTY THOUSAND SEVEN HUNDRED TWENTY AND NO/100 DOLLARS (\$80,720.00) to the undersigned GRANTORS in hand paid by the GRANTEE herein, the receipt whereof is acknowledged we, Theron O. Cox and Jane F. Cox as Trustees of The Theron O. Cox Revocable Trust, u/a dated June 28, 2004 as amended July 14, 2009 and Teresa Cox Kirkwood, a married woman, individually, and Theron O. Cox, a married man, individually, (herein referred to as GRANTORS), do grant, bargain, sell and convey unto IRA Innovations, LLC FBO Jimmie L. Rochester, II, IRA, (herein referred to as GRANTEE), the following described real estate situated in SHELBY COUNTY, ALABAMA, to-wit:

#### PARCEL I:

A parcel of land located in the West ½ of the West ½ of Section 34, Township 24 North, Range 15 East, Shelby County, Alabama, being North of Waxahatchee Creek and lands above the 397 foot contour line, being described more particularly as:

Commence at the Northeast corner of the Northwest ¼ of the Northwest ¼ of Section 34, Township 24 North, Range 15 East, said point being a ¼ inch rebar; thence South 89 degrees 09 minutes 45 seconds West along the North line of said Section 34 for 288.74 feet to a 5/8 inch rebar and cap, "CA 845 LS". said point being the Point of Beginning; thence continue along the same course for 345.46 feet to a ½ inch rebar and disk; thence South 87 degrees 40 minutes 58 seconds West for 619.7 feet, more or less, to the 397 foot contour line along the North bank of Waxahatchee Creek; thence, leaving said North section line, in a southerly direction along the said 397 foot contour line for 66.5 feet, more or less; thence in an southeasterly direction along the said 397 foot contour line for 1480.3 feet, more or less; thence in an easterly direction along the said 397 foot contour line for 37.4 feet, more or less; thence in a southeasterly direction along the said 397 foot contour line for 123.1 feet, more or less; thence , leaving the said 397 foot contour line, North 30 degrees 29 minutes 32 seconds East for 989.0 feet, more or less, to a 5/8" rebar and cap, "CA 845 LS"; thence North 01 degree 12 minutes 22 seconds West for 768.65 feet to the said Point of beginning.

#### ALSO:

Two 60' ingress, egress and utility easements situated in the SW ¼ of Section 27, Township 24 North, Range 15 East, Shelby County, Alabama, being more particularly described as follows:

EASEMENT: Begin at the SW corner of the SE ¼ of the SW ¼ of Section 27, Township 24 North, Range 15 East, Shelby County, Alabama, said point also being the POINT OF BEGINNING of the southern line of a 60' ingress, egress and utility easement lying 60' to the North of and parallel to



described southern line; thence East along the South line of said ¼-1/4 section to the southwesterly right of way line of Shelby County Hwy 47 and the END of said easement.

EASEMENT B: Begin at the SW corner of the SE ¼ of the SW 1/4 of Section 27, Township 24 North, Range 15 East, Shelby County, Alabama, said point also being the POINT OF BEGINNING of the southern line of a 60' ingress, egress and utility easement lying 60' to the North of and parallel to described southern line; thence West along the South line of the SW ¼ of the SW ¼ of Section 27, Township 24 North, Range 15 East for a distance of 80' to the END of said easement.

ALSO CONVEYED IS A 25' ACCESS EASEMENT DESCRIBED AS FOLLOWS:

A 25' access easement shown on survey of Solid Civil Design described as follows: A parcel of land located in the West ½ of the West 1/2 of Section 34, Township 24 North, Range 15 East, Shelby County, Alabama, being a 25 foot access easement along an existing dirt road, being more particularly described as: Begin at the Northeast corner of the Northwest ¼ of the Northwest ¼ of Section 34, Township 24 North, Range 15 East, said point being a ¼ inch rebar, said point being the Point of Beginning; thence South 89 degrees 09 minutes 45 seconds West along the North line of said Section 34 for 56.54 feet; thence leaving said North section line, South 62 degrees 55 minutes 18 seconds West for 92.76 feet; thence South 89 degrees 30 minutes 56 seconds West for 330.95 feet; thence South 39 degrees 59 minutes 44 seconds West for 319.68 feet; thence North 66 degrees 37 minutes 13 seconds West for 219.45 feet; thence North 63 degrees 53 minutes 55 seconds West for 348.01 feet; thence North 31 degrees 18 minutes 39 seconds West for 20.73 feet to the North section line of said section; thence along said North section line, South 87 degrees 40 minutes 58 seconds West for 28.58 feet; thence, leaving said North section line, South 31 degrees 18 minutes 39 seconds East for 41.89 feet; thence South 63 degrees 54 minutes 11 seconds East for 356.51 feet; thence South 66 degrees 37 minutes 13 seconds East for 238.08 feet; thence North 39 degrees 59 minutes 44 seconds East for 326.78 feet; thence North 89 degrees 30 minutes 56 seconds East for 325.33 feet; thence North 62 degrees 55 minutes 18 seconds East for 149.38 feet to the said Point of beginning.

SUBJECT TO:

1. Taxes for the year 2014, which are a lien but not yet due and payable until October 1, 2014.
2. Building line(s), rights of way, easements, restrictions, reservations and conditions, if any, affecting the land.
3. Restrictive Covenants, If any.
4. Riparian and other rights created by the fact that the land fronts on Lay Lake
5. Right of way Easement and Restrictions granted to Theron O. Cox by the Westervelt Company, Inc. by instrument recorded in Inst. No. 20130130000040070.
6. Flood Rights granted to Alabama Power Company as to water elevation levels
7. Flood rights to Alabama Power Company as established in Deed Book 243, Page 246 and Deed Book 242, Page 369.
8. Subject to rights reserved in contract dated July 20, 2013 between buyer and seller herein.
9. Terms and conditions contained in easement deed in Inst. No. 2013013000004007, Probate Office, Shelby County, Alabama.
10. Seller reserves the right to use the current access off County Road 47 and reserves a 25' deeded easement along the north line of the 22.4 acres being sold.

THE HEREINABOVE DESCRIBED PROPERTY DOES NOT CONSTITUTE A PART OF THE HOMESTEADS OF THE HEREINABOVE NAMED GRANTORS AND THEIR SPOUSES.

THERON COX and THERON O. COX is one and the same person.

TO HAVE AND TO HOLD Unto the said GRANTEE, its heirs and assigns forever.

And we do, for ourselves and for our heirs, executors, and administrators covenant with the said GRANTEE, its heirs and assigns, that we are lawfully seized in fee simple of said premises; that they are free from all encumbrances unless otherwise noted above; that we have a good right to sell and convey the same as aforesaid; that we will and our heirs, executors and administrators shall warrant and defend the same to the said GRANTEE, its heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, we have hereunto set our hands and seals, this 7<sup>th</sup> day of NOVEMBER, 2013.

*Theron O. Cox, Trustee* (L.S.)  
Theron O. Cox, as Trustee of The Theron O. Cox  
Revocable Trust, u/a dated June 28, 2004 as  
amended July 14, 2009

*Jane F. Cox, trustee* (L.S.)  
Jane F. Cox, as Trustee of The Theron O. Cox  
Revocable Trust, u/a dated June 28, 2004 as  
amended July 14, 2009.

*Teresa Cox Kirkwood* (L.S.)  
Teresa Cox Kirkwood, individually

*Theron O. Cox* (L.S.)  
Theron O. Cox, individually

STATE OF MAINE  
COUNTY OF *Cumberland*

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Theron O. Cox whose name as Trustees of The Theron O. Cox Revocable Trust, u/a dated June 28, 2004 as amended July 14, 2009, is signed to the foregoing conveyance, and who is known to



me, acknowledged before me on this day, that being informed of the contents of the conveyance he, as such Trustee and with full authority, has executed the same voluntarily on the day the same bears date on behalf of The Theron O. Cox Revocable Trust, u/a dated June 28, 2004 as amended July 14, 2009.

Given under my hand and official seal this 6<sup>th</sup> day of NOVEMBER, 2013.

Andrea J. Martin  
Notary Public

My Commission Expires:           

**ANDREA J. MARTIN**  
**NOTARY PUBLIC, MAINE**  
**MY COMMISSION EXPIRES**  
**APRIL 19, 2017**

STATE OF MAINE  
COUNTY OF Cumberland

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Jane F. Cox whose name as Trustees of The Theron O. Cox Revocable Trust, u/a dated June 28, 2004 as amended July 14, 2009, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day, that being informed of the contents of the conveyance she, as such Trustee and with full authority, has executed the same voluntarily on the day the same bears date on behalf of The Theron O. Cox Revocable Trust, u/a dated June 28, 2004 as amended July 14, 2009.

Given under my hand and official seal this 6<sup>th</sup> day of NOVEMBER, 2013.

Andrea J. Martin  
Notary Public

My Commission Expires:           

**ANDREA J. MARTIN**  
**NOTARY PUBLIC, MAINE**  
**MY COMMISSION EXPIRES**  
**APRIL 19, 2017**

STATE OF MAINE  
COUNTY OF Cumberland

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Theron O. Cox, a married man, individually, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day, that being informed of the contents of the conveyance he has executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 6<sup>th</sup> day of NOVEMBER, 2013.

Andrea J. Martin  
Notary Public

My Commission Expires:           

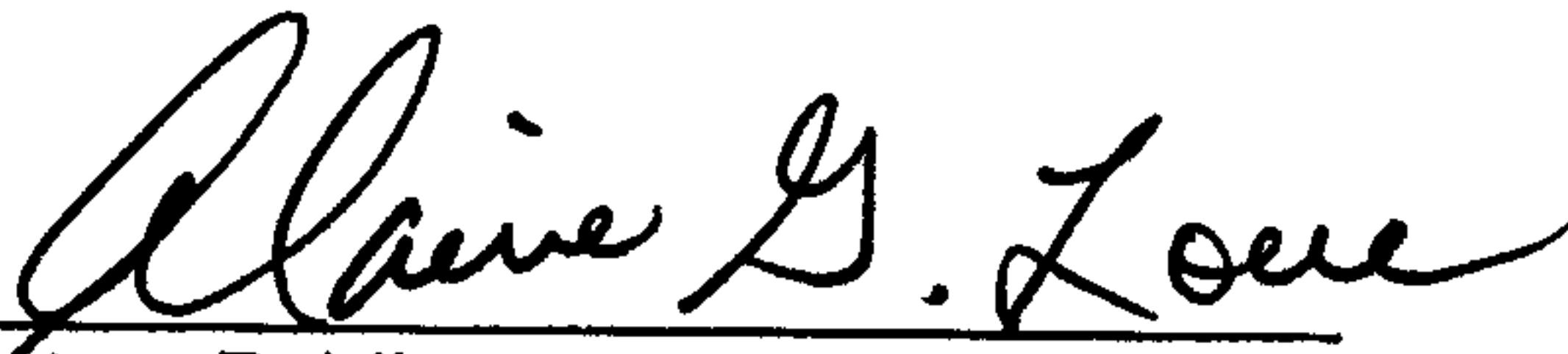
**ANDREA J. MARTIN**  
**NOTARY PUBLIC, MAINE**  
**MY COMMISSION EXPIRES**  
**APRIL 19, 2017**



STATE OF ALABAMA  
COUNTY OF SHELBY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Teresa Cox Kirkwood, a married woman, individually, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day, that being informed of the contents of the conveyance she has executed the same voluntarily on the day the same bears date.

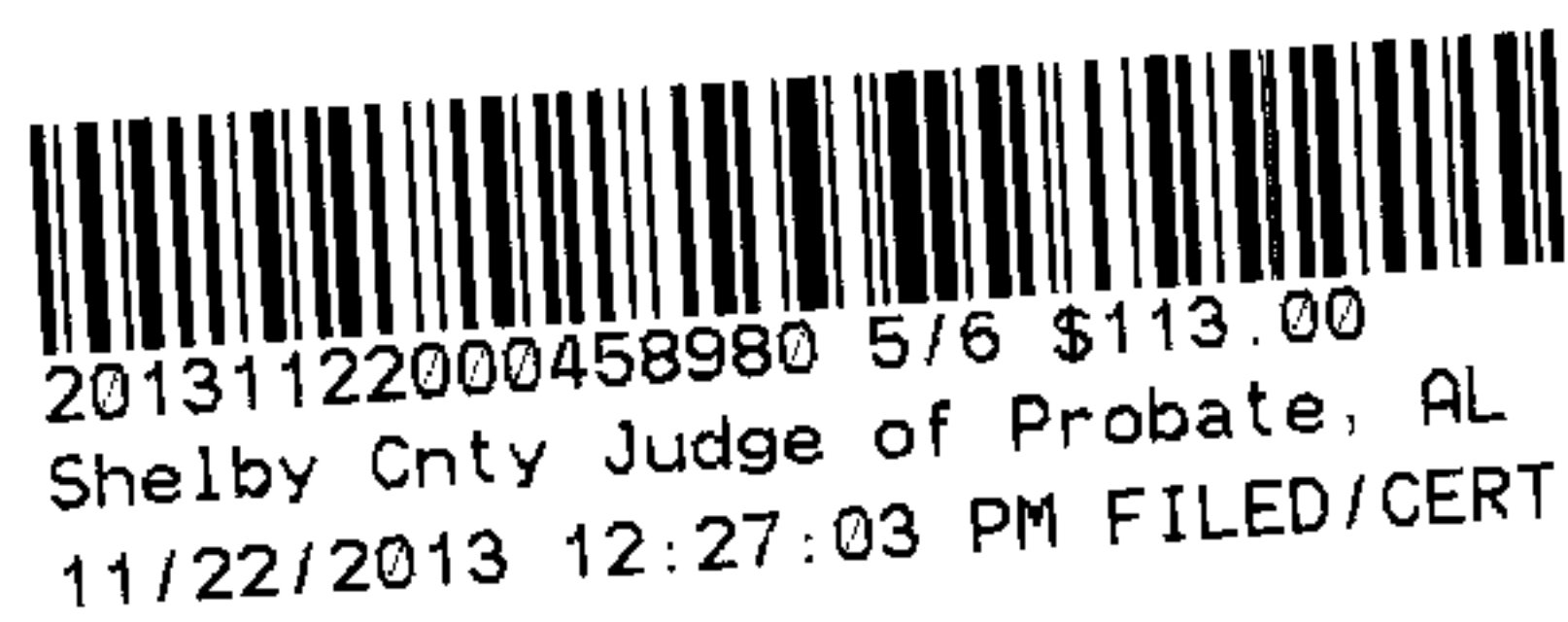
Given under my hand and official seal this 7<sup>th</sup> day of NOVEMBER, 2013.



Notary Public

My Commission Expires: \_\_\_\_\_

NOTARY PUBLIC STATE OF ALABAMA AT LARGE  
MY COMMISSION EXPIRES: Oct 31, 2015  
BONDED THRU NOTARY PUBLIC UNDERWRITERS



**Grantor's Name:**

Theron O. Cox and Jane F. Cox as Trustees of The Theron O. Cox Revocable Trust, u/a dated June 28, 2004 as amended July 14, 2009 and Teresa Cox Kirkwood, a married woman, individually, Theron O. Cox, a married man, individually

**Mailing Address:**

1205 Grace Street  
Homewood, AL 35209

**Property Address:**

22.4 acres of vacant land off of Co. Rd 47  
Shelby, AL 35143

☐ Bill of Sale  
☐ Sales Contract  
☒ Closing Statement

**Grantee's name:**

IRA Innovations, LLC FBO Jimmie L. Rochester, II, IRA

**Mailing Address:**

P. O. Box 360750  
Birmingham, AL 35236

Date of Sale: NOVEMBER 7, 2013

Total Purchase Price: \$80,720.00

or

Actual Value

or

Assessor's Market Value

☐ Front of Foreclosure Deed  
☐ Appraisal  
☐ Other \_\_\_\_\_



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