

Warranty Deed

STATE OF ALABAMA

CITY OF BIRMINGHAM, COUNTY OF
SHELBY

JOINTLY FOR LIFE
WITH REMAINDER TO SURVIVOR

Know all Men by these Presents: That, in consideration of Three Hundred Sixty Seven Thousand Five Hundred and No/100ths Dollars (\$367,500.00) and other good and valuable consideration to them in hand paid by the Grantees herein, the receipt of which is hereby acknowledged, **CHRISTOPHER C. TOPAZI AND DEBORAH A. TOPAZI, Husband and Wife** (herein referred to as "Grantors") do by these presents grant, bargain, sell and convey unto **WILLIAM A. HALLENBERG AND JULIE C. HALLENBERG** (herein referred to as "Grantees") for and during their joint lives and, upon the death of either of them, then to the survivor, in fee simple, and to the heirs and assigns of such survivor forever, together with every contingent remainder and right of reversion, the following described real estate situated in Shelby County, Alabama, to-wit:

Lot 2852, according to the Survey of Highland Lakes, 28th Sector, an Eddleman Community, as recorded in Map Book 34, page 30, in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

Together with nonexclusive easement to use the private roadways, Common Area all as more particularly described in the Declaration of Easements and Master Protective Covenants for Highland Lakes, a Residential Subdivision, recorded as Inst. No. 1994-7111 and amended in Inst. NO. 1996-17543, and further amended in Inst. No. 1999-31095, in the Probate Office of Shelby County, Alabama, and the Declaration of Covenants, Conditions and Restrictions for Highland Lakes, a Residential Subdivision, 28th Sector, recorded as Inst. No. 20041109000615190, in the Probate Office of Shelby County, Alabama (which, together with all amendments thereto, is hereinafter collectively referred to as, the "Declaration").

This conveyance is subject to subdivision restrictions, utility, drainage and sewer easements, and minimum setback lines, if any, applicable to the aforesaid property appearing of record in the Office of the Judge of Probate of Birmingham, Shelby County, Alabama. This conveyance is also subject to any prior reservation, severance or conveyance of minerals or mineral rights, taxes and assessments for the year 2014 and all subsequent years, and the following:

1. Utility easements as shown by recorded plat, including, part of a 10 foot easement in the easterly corner.
2. Declaration of Easements and Master Protective Covenants for Highland Lakes, a Residential Subdivision, as set out in Inst. #1994-07111, amended in Inst. #1996-17543, Inst. #1999-31095, in the probate office of Shelby County, Alabama, with Articles of Incorporation of Highland Lakes Residential Association, Inc., as recorded in Inst. #9402/3947, in the probate office of Jefferson County, Alabama.
3. Declaration of Covenants, Conditions and Restrictions for Highland Lakes, 29th Sector, as recorded in Inst. #20041109000615190, in said probate office.
4. Restrictions, limitations and conditions as set out in Plat Book 34, page 30, in the Probate Office of Shelby Alabama.
5. Lake easement agreement as set out in Inst. #1993-15705, in the probate office of Shelby County, Alabama.
6. Easement(s) granted for ingress and egress to serve Highland Lakes Development executed by Highland Lakes Development, Ltd, as set out in Inst. #1993-15704, in the Probate Office.
7. Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto, including rights set out in Deed Book 28, page 237 and Inst. #1999-40620, in Probate Office.
8. Subdivision restrictions shown on recorded plat in Map Book 35, page 23, providing for construction of single family residence only.
9. Utility easements as shown by recorded plat, including, 30 foot Tree Buffer along rear.
10. Right(s)-of-Way(s) granted to Alabama Power Company, as set out in Book 111, page 408, Book 109, page 70, Book 149, page 380, Book 173, page 364, Book 276, page 670, Book 134, page 408, Book 133, page 212, Book 133, page 210, Real 31, page 355 and Inst. #1994-1186, in the Probate Office.
11. Right(s)-of-Way(s) granted to Shelby County, Alabama, as set out in Deed Book 95, page 503 and Deed Book 196, page 246, in the Probate Office.
12. Cable Agreement as recorded in Inst. #1997-19422, in said probate office.
13. Release of damages as recorded in Inst. #20040823000471380 and Inst. #20041216000687230, in said probate office.
14. Conditions, restrictions and limitations as set forth in Inst. #20040823000471380, in said probate office.

\$ 294,000.00 of the consideration herein was derived from a mortgage loan closed simultaneously herewith.

To Have and To Hold the aforegranted premises to the said Grantees for and during their joint lives and, upon the death of either of them, then to the survivor, in fee simple, and to the heirs and assigns of such survivor forever, together with every contingent remainder and right of reversion.

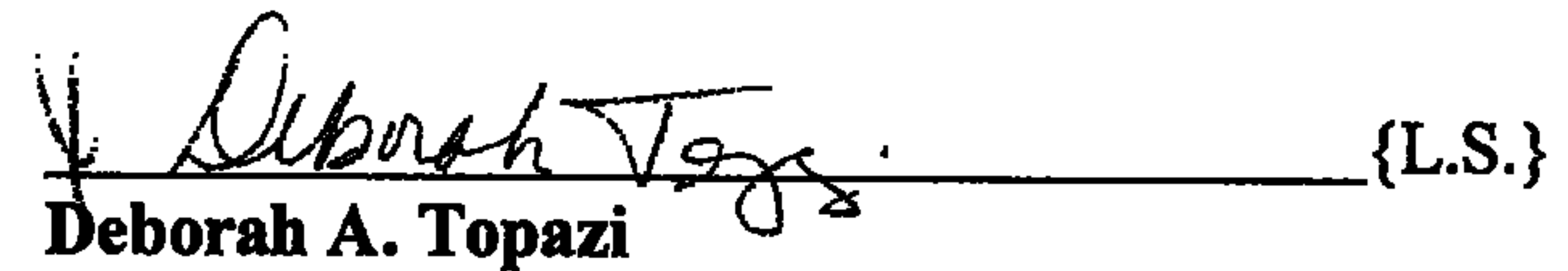
And the said Grantors do, for themselves, their heirs and assigns, covenant with said Grantees, their heirs and assigns, that they are lawfully seized in fee simple of said premises, that it is free from all encumbrances, except as otherwise noted above, that they have a good right to sell and convey the same as aforesaid, and that they will and their heirs and assigns shall **Warrant and Defend** the premises to the said Grantees, their heirs, personal representatives and assigns forever, against the lawful claims of all persons.

In Witness Whereof, the said Grantors have set their hands and seals this 1st day of October, 2014.

WITNESS

_____
Christopher C. Topazi {L.S.}

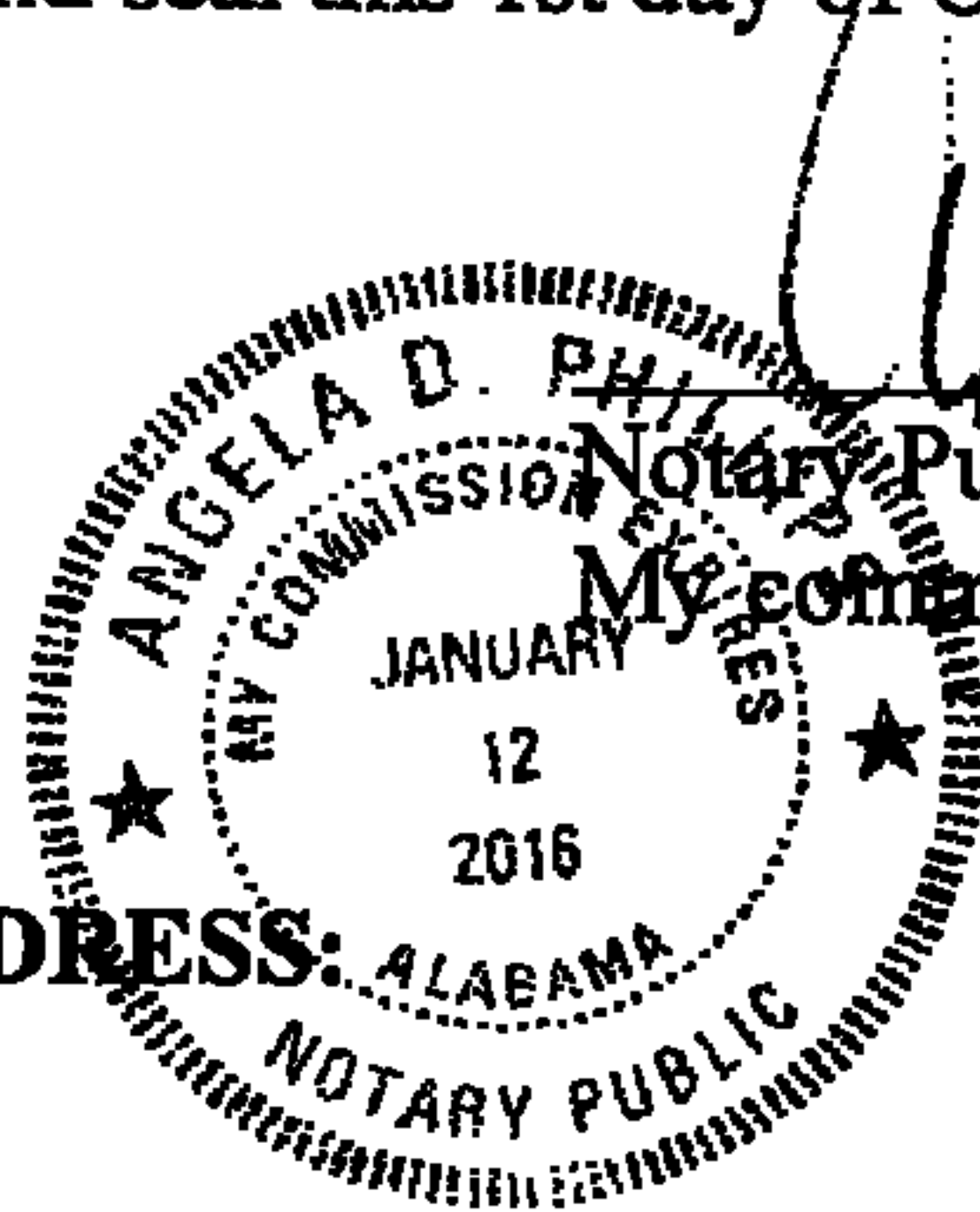
WITNESS

_____
Deborah A. Topazi {L.S.}

STATE OF ALABAMA
COUNTY OF SHELBY

I, the undersigned notary public, in and for said county and state, hereby certify that **Christopher C. Topazi and Deborah A. Topazi**, whose names are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, they executed the same voluntarily on the day the same bears date.

Given under my hand and seal this 1st day of October, 2014.

_____
Angela D. Phillips, Notary Public
My commission expires 11/2/16

GRANTEES' MAILING ADDRESS:

William A. Hallenberg
1048 Baldwin Lane
Birmingham, AL 35242

THIS INSTRUMENT PREPARED BY:

Rodney S. Parker, Attorney at Law
300 Vestavia Parkway, Suite 2300
Birmingham, AL 35216
File # 2014-08-4233

Real Estate Sales Validation Form

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

Grantor's Name	Christopher C. Topazi and Deborah A. Topazi	Grantor's Name	William A. Hallenberg and Julie C. Hallenberg
Mailing Address	<u>604 Trumpet Circle</u> <u>Hoover, AL 35226</u>	Mailing Address	1048 Baldwin Lane Birmingham, AL 35242

Property Address 1048 Baldwin Lane
Birmingham, AL 35242

Date of Sale 10/01/2014
Total Purchase Price \$367,500.00
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 evidenced: (check one) (Recordation of documentary evidence is not required)

☐ Bill of Sale ☐ Appraisal
☐ Sales Contract ☐ Other _____
☒ XXX Closing Statement

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 - provided 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 of the property was conveyed.

Total purchase price - the total amount paid for the purchase of the property, both real 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 not 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 10/1/14

Unattested

Print: William A. Hallenberg

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



Filed and Recorded
Official Public Records
Judge James W. Fuhrmeister, Probate Judge,
County Clerk
Shelby County, AL
10/03/2014 08:12:00 AM
\$93.50 CHERRY
20141003000310210

[Signature]