


Send tax notice to:

AUSTIN L. CHIARELLA  
526 HIGHLAND PARK CIRCLE  
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

2014560

  
20141113000357090 1/3 \$185.00  
Shelby Cnty Judge of Probate, AL  
11/13/2014 08:53:11 AM FILED/CERT

**WARRANTY DEED**

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of Three Hundred Five Thousand and 00/100 Dollars (\$305,000.00) **the amount which can be verified in the Sales Contract between the two parties** in hand paid to the undersigned, MALENA CUNNINGHAM, FKA MALENA C. WELLS, A MARRIED WOMAN **whose mailing address** is: 1400 Saddleback Rd York, PA 17408 (hereinafter referred to as "Grantors") by AUSTIN L. CHIARELLA **whose mailing address** is: 526 HIGHLAND PARK CIRCLE, BIRMINGHAM, AL, 35242 (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 LEGAL DESCRIPTION EXHIBIT "A"

SUBJECT TO:

1. TAXES FOR THE YEAR BEGINNING OCTOBER 1, 2014 WHICH CONSTITUTES A LIEN BUT ARE NOT YET DUE AND PAYABLE UNTIL OCTOBER 1, 2015.
2. 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 RELATING THERETO, TOGETHER WITH ANY RELEASE OF LIABILITY FOR INJURY OR DAMAGE TO PERSONS OR PROPERTY AS A RESULT OF THE EXERCISE OF SUCH RIGHTS AS RECORDED IN DEED BOOK 28, PAGE 237 AND DEED BOOK 81, PAGE 417 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
3. RESTRICTIONS, LIMITATIONS AND CONDITIONS AS SET OUT IN MAP BOOK 25, PAGE 49, IN THE PROBATE OFFICE.
4. LAKE EASEMENT AGREEMENT AS DESCRIBED WITHIN INSTRUMENT NO. 1993-15705 IN PROBATE OFFICE
5. EASEMENT FOR INGRESS AND EGRESS RECORDED IN INSTRUMENT NO. 1993-15704 IN PROBATE OFFICE
6. DECLARATION OF EASEMENTS AND MASTER PROTECTIVE COVENANTS BY HIGHLAND LAKES RECORDED IN INSTRUMENT NO. 1994-7111 AND INSTRUMENT NO. 1996-17543 AND INSTRUMENT NO. 1999-31095 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA; ALONG WITH ARTICLES OF INCORPORATION OF HIGHLAND LAKES RESIDENTIAL ASSOCIATION, INC. RECORDED AS INSTRUMENT NO. 9402/3947 IN THE PROBATE OFFICE OF JEFFERSON COUNTY, ALABAMA.
7. DECLARATION OF EASEMENT BY HIGHLAND LAKES DEVELOPMENT, LTD., AND HIGHLAND LAKES RESIDENTIAL ASSOCIATION, INC., RECORDED AS INSTRUMENT NO. 1995-18135 IN THE PROBATE OFFICE.
8. RIGHT OF WAY TO THE WATER WORKS AND SEWER BOARD OF THE CITY OF BIRMINGHAM AS RECORDED IN INSTRUMENT NO. 1995-34035 IN THE OFFICE OF THE JUDGE OF PROBATE OF SHELBY COUNTY, ALABAMA.
9. RESTRICTIONS, COVENANTS AND CONDITIONS AS SET OUT IN INSTRUMENT(S) RECORDED IN INSTRUMENT NO. 1999-31096 IN PROBATE OFFICE.
10. EASEMENT TO ALABAMA POWER COMPANY SET OUT IN INSTRUMENT NO. 2000-11842 IN THE PROBATE OFFICE.
11. UNDERGROUND EASEMENT(S) TO ALABAMA POWER COMPANY SET OUT IN INSTRUMENT NO. 1997-19422 IN THE PROBATE OFFICE.
12. RELEASE OF DAMAGES, RESTRICTIONS, MODIFICATION, COVENANTS, CONDITIONS, RIGHTS, PRIVILEGES, IMMUNITIES, AND LIMITATIONS AS



- APPLICABLE, AS SET OUT IN AND AS REFERENCED IN DEED(S) RECORDED IN INSTRUMENT NO. 2002-16029 AND INSTRUMENT NO. 2002-25884 IN THE PROBATE OFFICE.
13. RIGHT OF WAY TO ALABAMA POWER COMPANY AS RECORDED IN BOOK 111, PAGE 408; BOOK 109, PAGE 70; BOOK 149, PAGE 380; BOOK 173, PAGE 364; BOOK 276, PAGE 670; BOOK 134, PAGE 4089; BOOK 133, PAGE 212; BOOK 133, PAGE 210; REAL VOLUME 31, PAGE 355 AND INSTRUMENT NO. 1994-1186 IN THE OFFICE OF THE JUDGE OF PROBATE OF SHELBY COUNTY, ALABAMA.
  14. RIGHT OF WAY TO SHELBY COUNTY AS RECORDED IN BOOK 196, PAGE 246 IN THE OFFICE OF THE JUDGE OF PROBATE OF SHELBY COUNTY, ALABAMA.
  15. EASEMENTS AS SHOWN BY RECORDED PLAT.
  16. DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR HIGHLAND LAKES SIXTEENTH SECTOR RECORDED AS INSTRUMENT NO. 1999-31096 IN THE PROBATE OFFICE.
  17. CABLE AGREEMENT AS SET OUT IN INSTRUMENT NO. 1997-33476 IN PROBATE OFFICE.
  18. EASEMENT FOR INGRESS AND EGRESS AS SET OUT IN INSTRUMENT NO. 2000-28425 IN PROBATE OFFICE.
  19. BUILDING SETBACK LINES AS SET OUT IN THE DECLARATION.

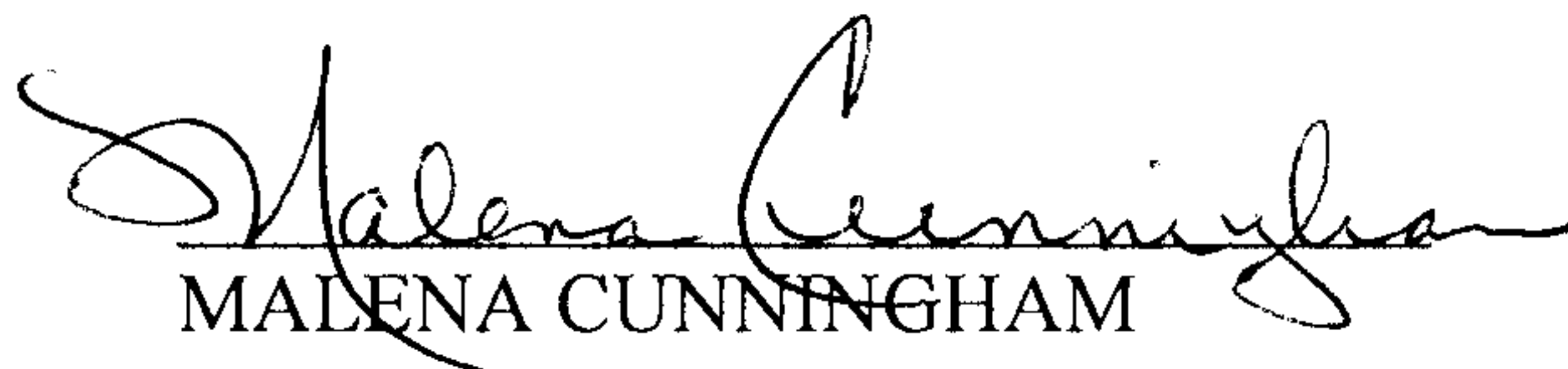
\$140,000.00 OF THE CONSIDERATION AS WAS PAID FROM THE PROCEEDS OF A MORTGAGE LOAN.

THIS PROPERTY IS NOT THE HOMESTEAD OF THE GRANTOR OR THE GRANTOR'S SPOUSE AS DEFINED BY THE CODE OF THE STATE OF ALABAMA.

MALENA C. WELLS, MALENA CUNNINGHAM AND MALENA CUNNINGHAM WELLS ARE ONE AND THE SAME PERSON.

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 30 day of October, 2014.

  
MALENA CUNNINGHAM

STATE OF PA  
COUNTY OF York

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that MALENA CUNNINGHAM, whose name is 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, he/she/they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 30 Day of October, 2014.



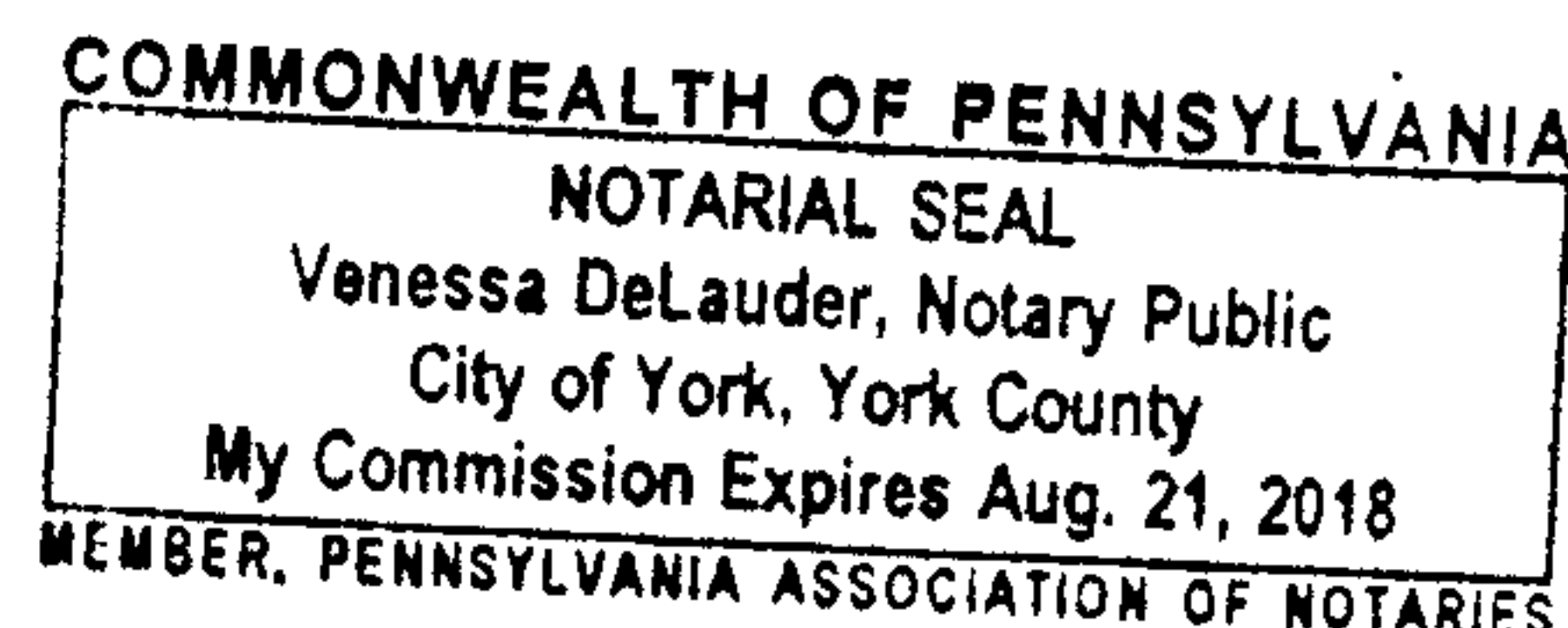
Notary Public

Print Name:

Commission Expires:




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**EXHIBIT "A"**

**Lot 1627, according to the Map of Highland Lakes, 16th Sector, an Eddleman Community, as recorded in Map Book 25, Page 49, 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, as recorded in Instrument No. 1994-07111 and amended in Instrument No. 1996-17543 and further amended in Instrument 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, 16th Sector, recorded as Instrument No. 1999-31096 in the Probate Office of Shelby County, Alabama (which, together with all amendments thereto, is hereinafter collectively referred to as, the "Declaration").**

  
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