

20150903000308100 1/3 \$301.50
Shelby Cnty Judge of Probate, AL
09/03/2015 11:46:49 AM FILED/CERT

This Instrument was Prepared by:
Shannon E. Price, Esq.
P.O. Box 19144
Birmingham, AL 35219

Send Tax Notice To: Gary Dudek
Sheryl Dudek
2506 E. Bourbonnais Place
Byron, IL 61010-9111

WARRANTY DEED, JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

State of Alabama
Shelby County

} Know All Men by These Presents:

That in consideration of the sum of **Six Hundred Twenty Five Thousand Dollars and No Cents (\$625,000.00)**, the amount of which can be verified in the Sales Contract between the parties hereto, to the undersigned Grantor or Grantors in hand paid by the Grantees herein, the receipt whereof is acknowledged, I, **Patricia D. Sumerford, a/k/a Ethel Patricia Sumerford, an unmarried woman, whose mailing address is 235 Sherrisse Court One, Apt #44, Birmingham, AL 35247**, AL **35247** (herein referred to as Grantor), does grant, bargain, sell and convey unto **Gary Dudek and Sheryl Dudek, husband and wife, whose mailing address is 2506 E. Bourbonnais Place, Byron, IL 61010-9111** (herein referred to as Grantees), for and during their joint lives as tenants and upon the death of either of them then to the survivor of them in fee simple, together with every contingent remainder and right of reversion, the following described real estate, situated in Shelby, County, Alabama, the address of which is **1024 Pinecliff Circle, Birmingham, AL 35242**; to wit;

LOT 2120, ACCORDING TO THE MAP OF HIGHLAND LAKES, 21 SECTOR, PHASE I AND II, AN EDDLEMAN COMMUNITY, AS RECORDED IN MAP BOOK 30, PAGE 6 A & B, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA; BEING SITUATED IN SHELBY COUNTY, ALABAMA.

TOGETHER WITH NON-EXCLUSIVE EASEMENT TO USE THE PRIVATE ROADWAYS, COMMON AREA ALL AS MORE PARTICULARLY DESCRIBED IN DECLARATION OF EASEMENTS AND MASTER PROTECTIVE COVENANTS FOR HIGHLAND LAKES, A RESIDENTIAL SUBDIVISION, RECORDED AS INSTRUMENT #1994-07111 AND AMENDED IN INSTRUMENT #1996-17543 AND FURTHER AMENDED IN INSTRUMENT #1999-31095 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA, AND DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR HIGHLAND LAKES, A RESIDENTIAL SUBDIVISION, 21ST SECTOR, PHASE I & II, RECORDED IN INSTRUMENT NO. 20020716000332740 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA (WHICH, TOGETHER WITH ALL AMENDMENTS THERETO, IS HEREINAFTER COLLECTIVELY REFERRED TO AS, THE "DECLARATION").

\$343,750.00 of the Purchase Price is being paid by a Mortgage being recorded simultaneously herewith.

Property may be subject to all covenants restrictions, regulations, conditions, easements, liens, set back lines, and other rights of whatever nature, recorded, and/or unrecorded.

Subject to:

All taxes for the year 2015 and subsequent years, not yet due and payable.

Any encroachment, encumbrance, violation, variation, or adverse circumstances affecting title that would be disclosed by an accurate and complete survey of the land.

Rights or claims of parties in possession not shown by the public records.

Any lien, or right to lien, for services, labor, or material heretofore or hereafter furnished, imposed by law, and not shown by the public records.

Such state of facts as shown on subdivision plat recorded in Plat Book 30, Page 6 A & B.

Minerals of whatsoever kind, subsurface and surface substances, including but not limited to coal, lignite, oil, gas, uranium, clay, rock, sand and gravel in, on, under and that may be produced from the Land, together with all rights, privileges, and immunities relating thereto, whether or not appearing in the Public Records .

10' easement easterly side as shown on recorded Map Book 30, Page 6 A & B.

Underground easement to Alabama Power Company as recorded in Instrument 1997-19422.

Right of Way to Birmingham Water and Sewer Board as recorded in Instrument 1998-34387; 1995-34035 and 2001-49794.

Right of Way to Alabama Power Company as recorded in Book 111, Page 409; Book 109, Page 70; Book 149, Page 380; Book 173, Page 364; Book 276, Page 670; Book 134, Page 408; Book 133, Page 212 and 210; Book 31, Page 255 and Instrument 1994-1186.

Subject to Covenants, conditions and restrictions (deleting therefrom, any restrictions indicating any preference, limitation or discrimination based on race, color, religion, sex, handicap, family status or national origin) as set forth in the document recorded in Instrument 1994-7111: 1996-17543 and 1999-31095 in the Probate Office of Shelby County, Alabama.

Declaration of Covenants, Conditions and Restrictions for Highland Lakes, a residential subdivision, 21st sector, as recorded in Instrument 20020716000332740.

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 Instrument 1998-7776; 1998-7777 and 1998-7778.

Release of damages, restrictions, modifications, covenants, conditions, rights, privileges, immunities and limitations, as applicable, as recorded in Instrument 20020723000342160.

Lake Easement Agreement executed by Highland Lake Properties, Ltd and Highland Lake Development, Ltd., providing for easements, use by others, and maintenance of Lake Property described within Instrument 1993-15705.

Easement for ingress and egress to serve Highland Lakes Development executed by Highland Lakes Development Ltd, to Highland Lakes Properties, Ltd, recorded as Instrument 1993-15704.

Agreement for cable as recorded in Instrument 1997-33476.

Restrictive Covenants and Distribution Easement to Alabama Power Company as recorded in Instrument 2001-22920.

Right of Way to Shelby County as recorded in Book 95, Page 503 and Book 196, page 246.

TO HAVE AND TO HOLD, Unto the said Grantees as joint tenants, with right of survivorship, their heirs and assigns, forever; it being the intention of parties to this conveyance, that (unless the joint tenancy hereby created is served or terminated during the joint lives of the Grantees herein) in the event one Grantee herein survives the other, the entire interest in fee simple shall pass to the surviving Grantee, and if one does not survive the other, then the heirs and assigns of the Grantees herein shall take as tenants in common.

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

IN WITNESS WHEREOF, I (we) have hereunto set my (our) hand(s) and seal(s) this 31st day of August, 2015.



Patricia D. Sumerford, a/k/a Ethel Patricia Sumerford

State of Alabama

} General Acknowledgment

Jefferson County

I, the undersigned authority, a Notary Public in and for the said County, in said State, hereby certify that Patricia D. Sumerford, a/k/a Ethel Patricia Sumerford, an unmarried woman 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 official seal, this the 31st day of August, 2015.



Notary Public, State of Alabama

the undersigned authority

Printed Name of Notary

My Commission Expires: _____



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Real Estate Sales Validation Form

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

Grantor's Name	Patricia D. Sumerford, a/k/a Ethel <u>Patricia Sumerford</u>
Mailing Address	_____ _____ _____

Grantee's Name Gary Dudek
Sheryl Dudek
Mailing Address 2506 E. Bourbonnais Place
Byron, IL 61010-9111

Property Address 1024 Pinecliff Circle
Birmingham, AL 35242

Date of Sale August 31, 2015
Total Purchase Price \$625,000.00

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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) (Recording of documentary evidence is not required)

Bill of Sale Appraisal
 Sales Contract Other
 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 - 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 August 31, 2015

Print Patricia D. Sumerford, a/k/a Ethel Patricia Sumerford

Sign

~~(Grantor/Grantee/Owner/Agent) circle one~~

10

(verified by)