

THIS INSTRUMENT PREPARED BY:  
BARNES & BARNES LAW FIRM, P.C.  
8107 PARKWAY DRIVE  
LEEDS, ALABAMA 35094  
205-699-5000

Send Tax Notice To:  
CHARLES G. KESSLER, JR.  
3505 BENT RIVER ROAD  
BIRMINGHAM, ALABAMA 35216

County Division Code: AL040  
Inst. # 201512300111155 Pages: 1 of 6  
I certify this instrument filed on  
11/13/2015 11:13 AM Doc: D  
Alan L. King, Judge of Probate  
Jefferson County, AL. Rec: \$31.00  
DeedTx: \$600.00  
Clerk: LYNN

### WARRANTY DEED

State Of Alabama

**20151116000394750**

JEFFERSON & SHELBY County

**11/16/2015 08:14:07 AM**  
**DEEDS 1/7**

KNOW ALL MEN BY THESE PRESENTS, That in consideration of One Million Six Hundred Thirty-Eight Thousand and 00/100 Dollars (\$1,638,000.00)\* to the undersigned Grantors, JOHN T. POSEY and WIFE DEBRA G. POSEY, (hereinafter referred to as Grantors, whose mailing address is 329 GOLF DRIVE, HOOVER, ALABAMA 35226), in hand paid by the Grantees herein (whose mailing address is shown above), the receipt of which is hereby acknowledged, the said Grantors do by these presents, grant, bargain, sell and convey unto CHARLES G. KESSLER, JR. (herein referred to as Grantees), the following described real estate, situated in JEFFERSON & SHELBY County, Alabama, to-wit:

Parcel I:

A tract of land situated In the SE 1/4 of the SE 1/4 of Section 7, the SW 1/4 of the SW 1/4 of Section 8 and the NE 1/4 of the NE 1/4 of Section 18, Township 19 South, Range 2 West, Jefferson County and the NW 'A of the NW 1/4 of Section 17, Township 19 South, Range 2 West, Shelby County, Alabama, being more particularly described as follows:

Beginning at the northeast corner of Section 18, Township 19 South, Range 2 West, Shelby County, Alabama and run in a westerly direction along the north line of said Section 18 a distance of 175.01 feet to a point; thence turn an Interior angle of 94 degrees 44 minutes 29 seconds and run to the left in a southerly direction a distance of 120.83 feet to a point; thence turn an interior angle of 148 degrees 53 minutes 56 seconds and run to the left in a southeasterly direction a distance of 80.57 feet to a point; thence turn an interior angle of 173 degrees 36 minutes 35 seconds and run to the left in a southeasterly direction a distance of 292.05 feet to a point; thence turn an interior angle of 176 degrees 05 minutes 30 seconds and run to the left in a southeasterly direction a distance of 255.54 feet to a point on the north side of the Cahaba River; thence turn an interior angle of 105 degrees 27 minutes 40 seconds and run to the left in a northeasterly direction along the north line of said Cahaba River a distance of 35.45 feet to a point; thence turn an interior angle of 157 degrees 35 minutes 20 seconds and run to the left in a northeasterly direction along the north line of said Cahaba River a distance of 79.12 feet to a point; thence turn an interior angle of 180 degrees 10 minutes 00 seconds and run to the right in a northeasterly direction along the north line of said Cahaba River a distance of 263.47 feet to a point; thence turn an interior angle of 184 degrees 09 minutes 00 seconds and run to the right in an northeasterly direction along the north line of said Cahaba River a distance of 129.27 feet to a

point; thence turn an interior angle of 212 degrees 14 minutes 30 seconds and run to the right in an easterly direction along the north line of said Cahaba River a distance of 81.98 feet to a point; thence turn an interior angle of 205 degrees 43 minutes 30 seconds and run to the right In a southeasterly direction along the north line of said Cahaba River a distance of 143.96 feet to a point; thence turn an interior angle of 197 degrees 49 minutes 00 seconds and run to the right in a southeasterly direction along the north line of said Cahaba River a distance of 243.12 feet to a point; thence turn an interior angle of 169 degrees 41 minutes 00 seconds and run to the left in a southeasterly direction along the north line of said Cahaba River a distance of 125.53 feet to a point; thence turn an interior angle of 155 degrees 12 minutes 00 seconds and run to the left in an easterly direction a distance of 192.02 feet to a point; thence turn an interior angle of 165 degrees 14 minutes 00 seconds and run to the left in an easterly direction a distance of 99.73 feet to a point; thence turn an interior angle of 163 degrees 37 minutes 00 seconds and run to the left in a northeasterly direction a distance of 111.11 feet to a point; thence turn an Interior angle of 85 degrees 14 minutes 01 seconds and run to the left in a northwesterly direction a distance of 573.32 feet to a point on the north line of Section 17, Township 19 South, Range 2 West; thence turn an interior angle of 124 degrees 41 minutes 00 seconds and run to the left in a westerly direction along the north line of said Section 17 a distance of 188.28 feet to a point; thence turn an interior angle of 149 degrees 44 minutes 15 seconds and run to the left in a southwesterly direction a distance of 345.41 feet to a point; thence turn an interior angle of 267 degrees 08 minutes 15 seconds and run to the right in a northwesterly direction a distance of 341.84 feet to a point; thence turn an interior angle of 79 degrees 37 minutes 20 seconds and run to the left in a southwesterly direction a distance of 48.59 feet to a point; thence turn an interior angle of 258 degrees 22 minutes 40 seconds and run to the right in a northwesterly direction a distance of 241.35 feet to a point; thence turn an interior angle of 92 degrees 36 minutes 04 seconds and run to the left in a southwesterly direction a distance of 37.80 feet to a point; thence turn an interior angle of 262 degrees 31 minutes 26 seconds and run to the right in a northwesterly direction a distance of 192.90 feet to a point on the southerly right of way line of Old Rocky Ridge Road, said point being a point on a curve; thence turn an interior angle of 118 degrees 58 minutes 07 seconds (angle measured to tangent) and run to the left in a southwesterly direction along the arc of a curve to the right having central angle of 19 degrees 06 minutes 12 seconds and a radius of 212.12 feet a distance of 70.72 feet to the PT of said curve; thence continue in a southwesterly direction along the southerly right of way line of Old Rocky Ridge Road and along the projection of a tangent to the last described curve a distance of 19.69 feet to the PC of a curve; thence continue in a southwesterly direction along the southerly right of way of Old Rocky Ridge Road and along the arc of a curve to the left having a central angle of 45 degrees 10 minutes 05 seconds and a radius of 145.00 feet a distance of 114.31 feet to a point; thence turn an interior angle of 110 degrees 10 minutes 48 seconds (angle measured from tangent) and run to the left In a southeasterly direction a distance of 235.76 feet to the point of beginning

#### Parcel II

Lot A, according to Survey of Riverford Lot A. as recorded in Map Book 210, Page 96, in the Office of the Judge of Probate of Jefferson County, Alabama



Parcel III

Lot 1, according to the Amended Map of Riverford, as recorded in Map Book 186, Page 90, In the Office of the Judge of Probate of Jefferson County, Alabama LESS AND EXCEPT Lot 1-A, according to the Map of Intent of Lenox Condominium, as recorded in Map Book 229, Page 86.

A portion of the above described 3 parcels being the same as that depicted on the Map of Intent of Lenox Condominium, as recorded in Map Book 229, Page 86, Jefferson County, Alabama, and Map Book 41, Page 66, Shelby County, Alabama

Parcel IV Lot 1-A, according to the Map of Intent of Lenox Condominium, as recorded in Map Book 229, Page 86

Parcel V

A part of the SE 14 of the SE 14 of Section 7, Township 19 South, Range 2 West, Jefferson County, Alabama, being more particularly described as follows:

Beginning at the southeast corner of said Section 7, looking North along the East line of said section turn an angle to the left of 35 degrees 46 minutes and run 275.0 feet to the center of a public road; thence left and in a southwesterly direction along the center of said road to the South line of said Section 7; thence east along the south line to the point of beginning

Property address: Lots 1 -91 of Lenox Condonminum, MAP 229 PAGE 86

\*The purchase price or actual value of this conveyance can be verified in the following documentary evidence: Closing Statement

DEBRA G. POSEY AND DEBRAH POSEY AND DEBRA POSEY ARE ONE IN THE SAME PERSON

JOHN POSEY AND JOHN T. POSEY ARE ONE IN THE SAME PERSON

Subject to:

1. Taxes for the current tax year and any subsequent years.
2. Easements, restrictions, reservations, rights-of-way, limitations, covenants and conditions of record, if any.
3. Mineral and mining rights, if any.
4. DECLARATION OF CONDONMINUM FOR WINDOVER, A CONDONMINUM, AS RECORDED IN REAL VOLUME 1197 PAGE 689 (JEFFERSON COUNTY) AND MI SC. BOOK 12 PAGE 1 (SHELBY COUNTY) AS AMENDED BY REAL VOLUME 1200 PAGE 637 REAL VOLUME 1385 PAGE 91; REAL VOLUME 1388 PAGE 152 REAL VOLUME 1564 PAGE 374; REAL VOLUME 1573 PAGE 594; REAL VOLUME 1632

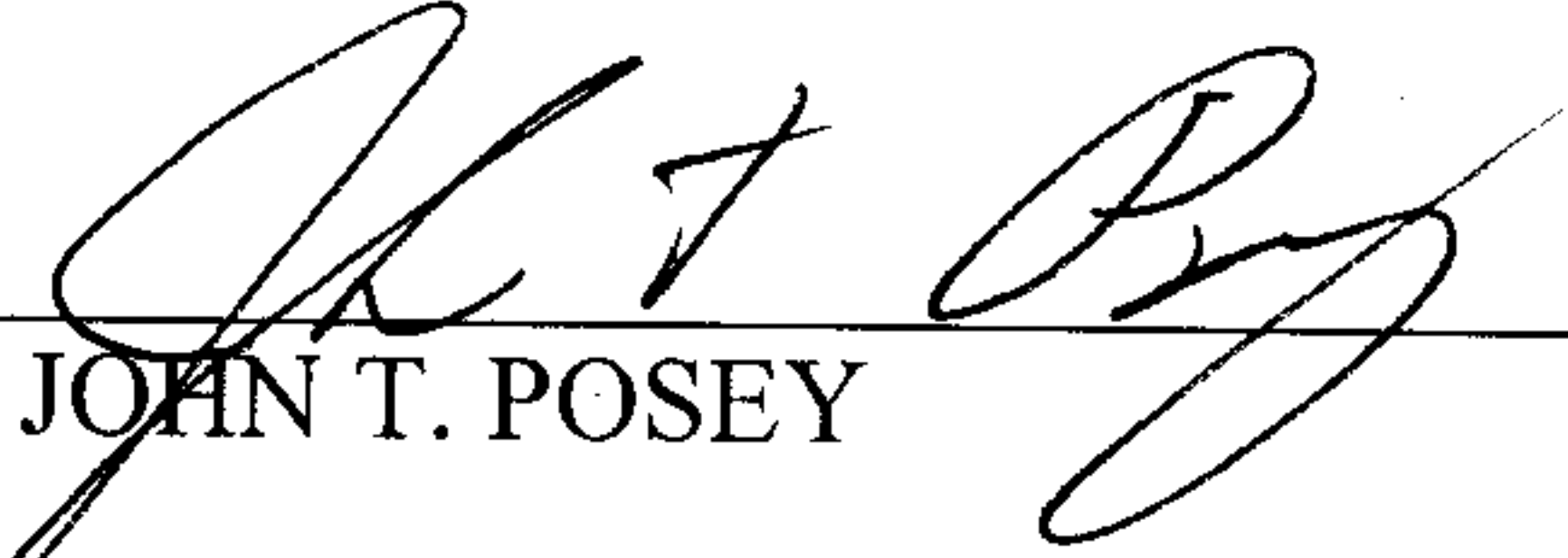
- PAGE 85; AND REAL VOLUME 1632 PAGE 93 (JEFFERSON COUNTY) AND MI SC BOOK 12 PAGE 196; MI SC BOOK 18 PAGE 28; MI SC BOOK 18 PAGE 163; MI SC BOOK 24 PAGE 465; MI SC BOOK 24 PAGE 468; MI SC BOOK 26 PAGE 329 AND MI SC BOOK 26 PAGE 337 (SHELBY COUNTY) AND MODIFICATIONS IF ANY MADE HERETO BY THAT INSTRUMENT RECORDED IN LR 200717 PAGE 21140 (JEFFERSON COUNTY) AND INSTRUMENT # 2007-55847 (SHELBY COUNTY)
5. DECLARATIONS OF COVENANTS AND AGREEMENT AS RECORDED IN LR 200811 PAGE 1539 (JEFFERSON COUNTY)
  6. GRANT OF LAND EASEMENT AND RESTRICTIVE COVENANTS IN FAVOR OF ALABAMA POWER COMPANY AS RECORDED IN INSTRUMENT 200515-760 JEFFERSON COUNTY AND INSTRUMENT 2005-56407 SHELBY COUNTY
  7. RESTRICTIVE COVENANTS AS RECORDED IN LR2012111 PAGE 6367 JEFFERSON COUNTY
  8. EASEMENT FOR DISTRIBUTION FACILITIES IN FAVOR OF ALABAMA POWER COMPANY AS RECORDED IN INSTRUMENT 2007-22970 SHELBY COUNTY
  9. SEWER EASEMENTS AS SHOWN BY MAP BOOK 107 PAGE 26
  10. RIGHT OF WAY FOR SANITARY SEWER AS RECORDED INSTRUMENT 9408-5624 JEFFERSON COUNTY
  11. RIGHT OF WAY FOR SANITARY SEWER IN FAVOR OF JEFFERSON COUNTY AS RECORDED IN INSTRUMENT 200407-8737 JEFFERSON COUNTY AND INSTRUMENT#2004-29361 SHELBY COUNTY AS CORRECTED BY LR200808 PAGE 10470
  12. RIGHT OF WAY TO BELL SOUTH TELECOMUNNICATIONS AS RECORDED IN LR 200602 PAGE 2749
  13. LESS AND EXCEPT ANY PART OF SUBJECT PROPERTY LYING WITHIN THE BOUNDARY OF ANY ROADWAY OR WATERWAY
  14. RIGHT OF OTHERS IN AND TO HE USE OF THE CAHABA RIVER
  15. ANY LIEN FOR SERVICES LABOR OR MATERIAL IN CONNECTION WITH IMPROVEMENTS, REPAIRS OR RENOVATIONS PROVIDED BEFORE, ON OR AFTER DATE OF POLICY, NOT SHOWN BY THE PUBLIC RECORDS.

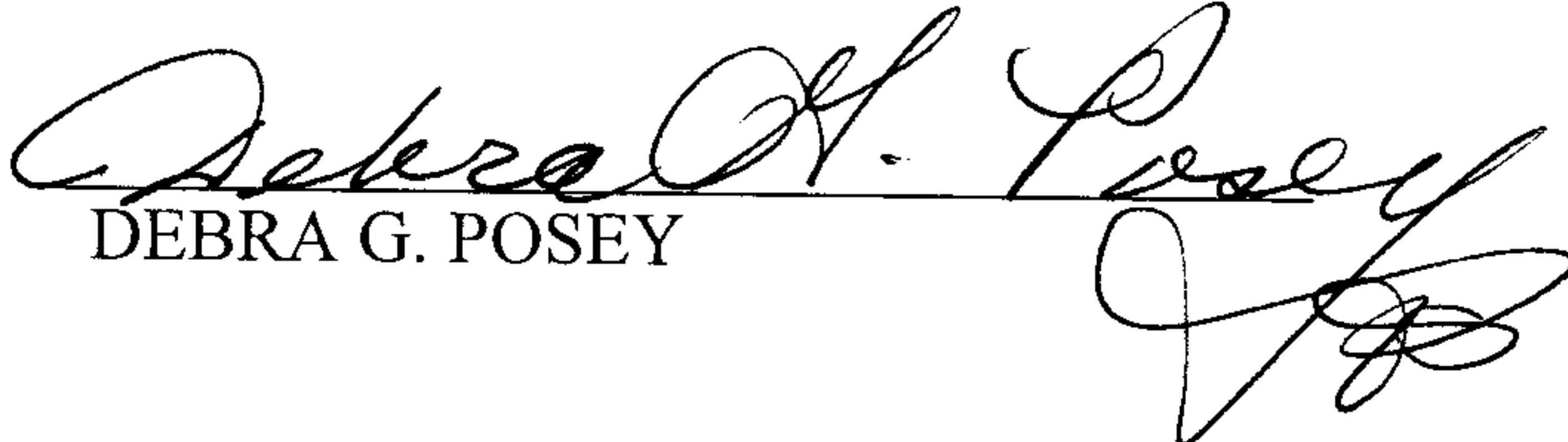
\$1,038,165.59 of the purchase price received above was paid from a purchase money mortgage loan closed simultaneously herewith.

TO HAVE AND TO HOLD to the said Grantees, their heirs and assigns forever.

And said Grantors, for said Grantors, their heirs, executors and administrators, covenant with said Grantees, their heirs and assigns, that Grantors are lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise stated above; that Grantors have a good right to sell and convey the same as aforesaid; that Grantors will, and their 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.

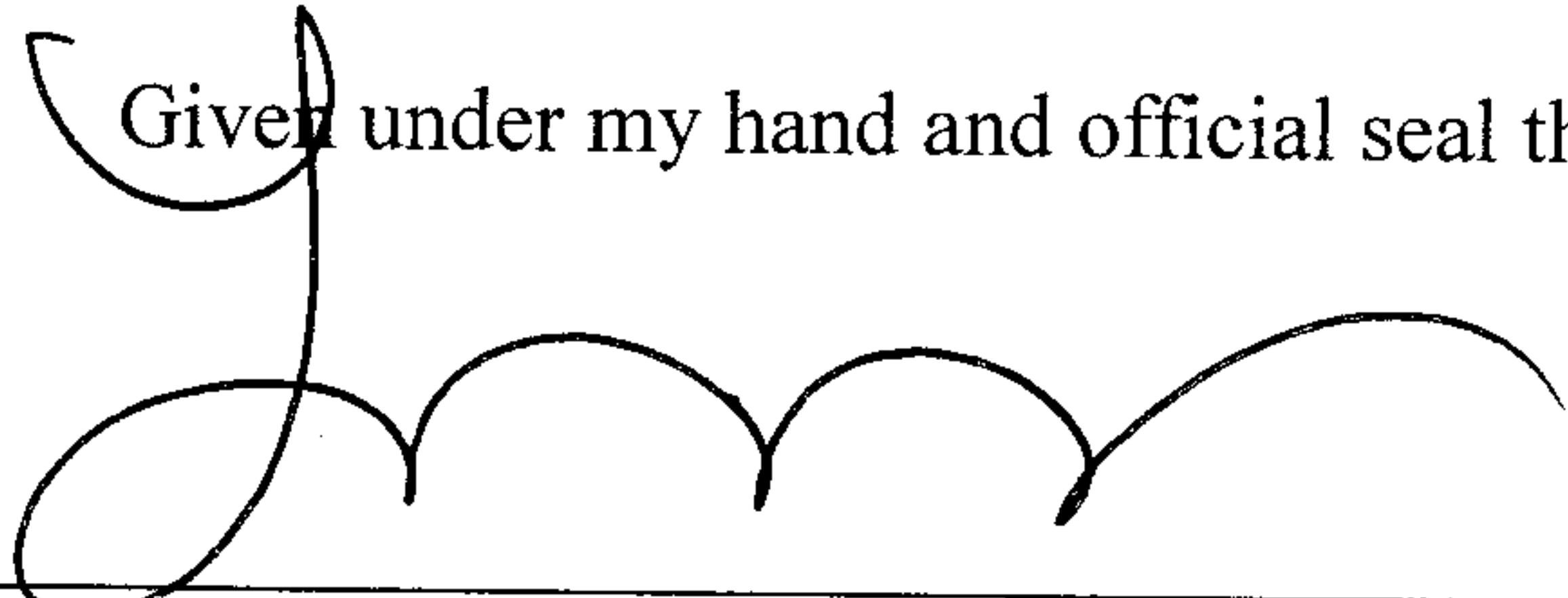
IN WITNESS WHEREOF, said Grantors have hereunto set their hand and seal this the 17th day of October, 2014.

  
JOHN T. POSEY

  
DEBRA G. POSEY

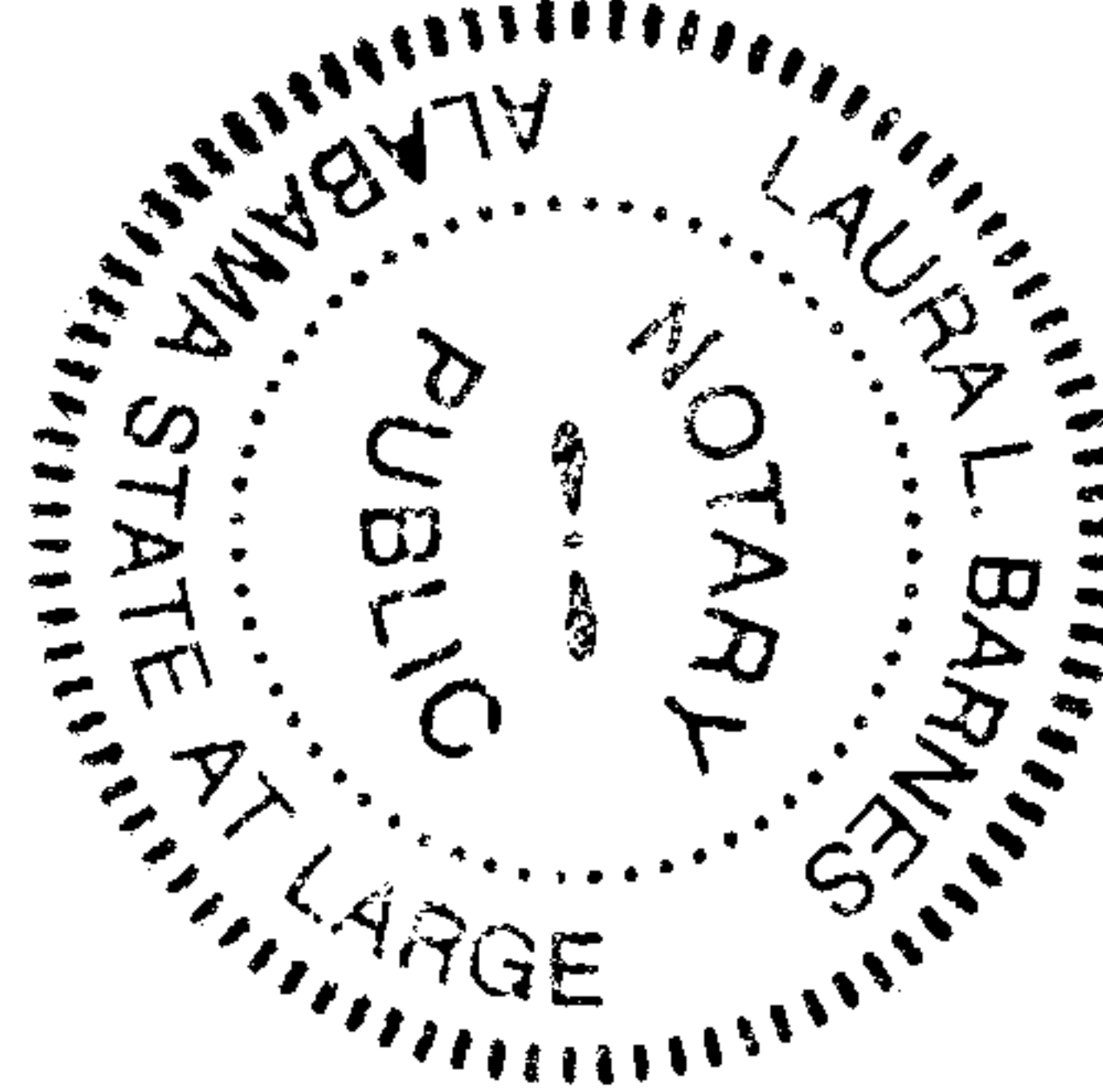
STATE OF ALABAMA  
JEFFERSON COUNTY

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that JOHN T. POSEY AND DEBRA G. POSEY, 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, executed the same voluntarily on the day the same bears date.

  
Given under my hand and official seal this 17th day of October, 2014.

NOTARY PUBLIC

My Commission Expires: 2/4/16





**Real Estate Sales Validation Form***This Document must be filed in accordance with Code of Alabama 1975, Section 40-22-1*

Grantor's Name: JOHN POSEY and DEBRA G. POSEY  
 Mailing Address: 329 GOLF DRIVE  
 HOOVER, AL 35226

Grantee's Name: CHARLES G. KESSLER, JR.  
 Mailing Address: 3505 BENT RIVER RD  
 BIRMINGHAM, AL 35216

Property Address: Lots 1 -91 of Lenox Condominium  
 MAP 229 PAGE 86

Date of Sale: October 17th, 2014

Total Purchase Price: (\$1,638,000.00)

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  
 \_\_\_\_\_ Appraisal  
 \_\_\_\_\_ Appraisal  
 \_\_\_\_\_ Other Tax Assessment  
 \_\_\_\_\_ Sales Contract  
 \_\_\_\_\_ X \_\_\_\_\_ 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: \_\_\_\_\_  
 \_\_\_\_\_ Unattested

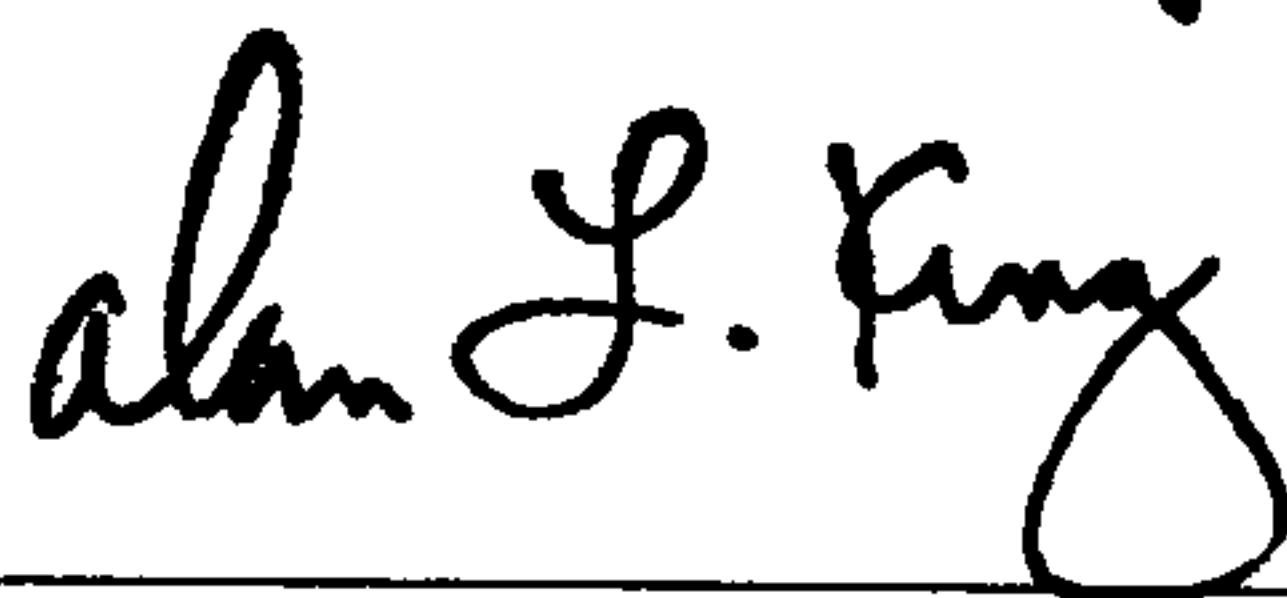
Sign

Print: Laura L. Barnes, Closing Attorney

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

20151116000394750 11/16/2015 08:14:07 AM DEEDS 7/7  
**PROBATE COURT OF JEFFERSON COUNTY**  
**110 COURTHOUSE**  
**BIRMINGHAM, ALABAMA**  
**ALAN L KING, JUDGE**  
**205-325-5411**

I, Alan L. King, Judge of Probate of Jefferson County, do hereby certify that  
this office collected a total tax of \$1557.30 on a mortgage/deed from  
Charles G Kessler Jr to JOHN POSEY  
filed on Nov 13, 2015 and recorded in St# 20151230011186



Alan L King  
Judge of Probate



Filed and Recorded  
Official Public Records  
Judge James W. Fuhrmeister, Probate Judge,  
County Clerk  
Shelby County, AL  
11/16/2015 08:14:07 AM  
\$33.00 CHERRY  
20151116000394750

A handwritten signature, likely of the County Clerk, is written in cursive at the bottom right of the page.