

20151217000430640 1/11 \$79.00
Shelby Cnty Judge of Probate, AL
12/17/2015 11:41:35 AM FILED/CERT

**INSTRUMENT PREPARED WITHOUT
BENEFIT OF TITLE EXAMINATION**

This instrument was prepared by:

Mitchell A. Spears, Attorney at Law

P.O. Box 119

205/665-5102

Montevallo, AL 35115-0091

205/665-5076

Sent Tax Notice To: Jeffrey D. Cannady

and Carmen A. Cannady

(Address)

10590 Hwy. 31

Calera, AL 35040

MINIMUM VALUE: \$35,000.00

Warranty Deed (Survivorship)

STATE OF ALABAMA

COUNTY OF SHELBY

KNOW ALL MEN BY THESE PRESENTS,

That in consideration of **ONE (\$1.00) DOLLAR AND OTHER GOOD AND VALUABLE CONSIDERATION** to the undersigned Grantor, in hand paid by the Grantees herein, the receipt whereof is acknowledged, I or we, **JEFFREY D. CANNADY and wife, CARMEN A. CANNADY**, (herein referred to as Grantor, whether one or more), grant, bargain, sell and convey unto **JEFFREY D. CANNADY and wife, CARMEN A. CANNADY** (herein referred to as Grantees), the following described real estate, situated in **SHELBY** County, Alabama, to-wit:

Lots 6, 7 and 8 in Block 31, according to the map of South Calera, Alabama, as recorded in the Probate Office, Shelby County, Alabama, together with all improvements.

SOURCE OF TITLE: Deed Book 301, Page 517, dated April 5, 1976, and Affidavit as to Heirs recorded at Book 243, Page 174, dated June 15, 1989.

By virtue of final decree of adoption entered by the Probate Court, Shelby County, Alabama on April 19, 1973, Jeffrey D. Cannady was legally adopted by Jimmy Wayne Cannady and Patricia Maxwell Cannady, a true and correct copy of which is attached hereto as **Exhibit "A"**.

The authority of this conveyance is further established by Heirship Affidavit hereto attached as **Exhibit "B"** and Disinterested Party Affidavits hereto attached as **Exhibits "C" and "D"**, respectively, the facts stated therein being incorporated herewith, as though fully set out herein.

JEFFREY D. CANNADY IS ONE AND THE SAME PERSON AS JEFFREY DARRIEN CANNADY, WHOSE NAME APPEARS AS SUCH WITHIN THE FINAL DECREE OF ADOPTION HERETO ATTACHED AS EXHIBIT "A".

JIMMY W. CANNADY IS ONE AND THE SAME PERSON AS JIMMY WAYNE CANNADY, WHOSE NAME APPEARS IN SAID FINAL DECREE OF ADOPTION, AS WELL AS THE SOURCES OF TITLE HEREINABOVE REFERNCED.

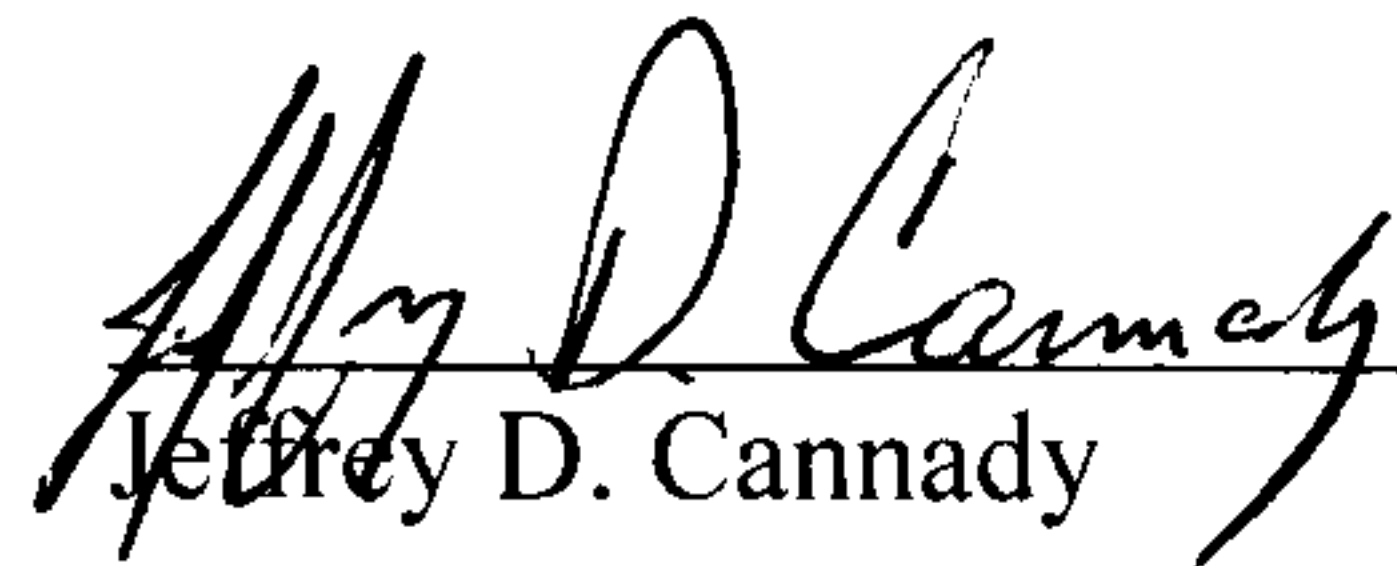
Shelby County, AL 12/17/2015
State of Alabama
Deed Tax: \$35.00

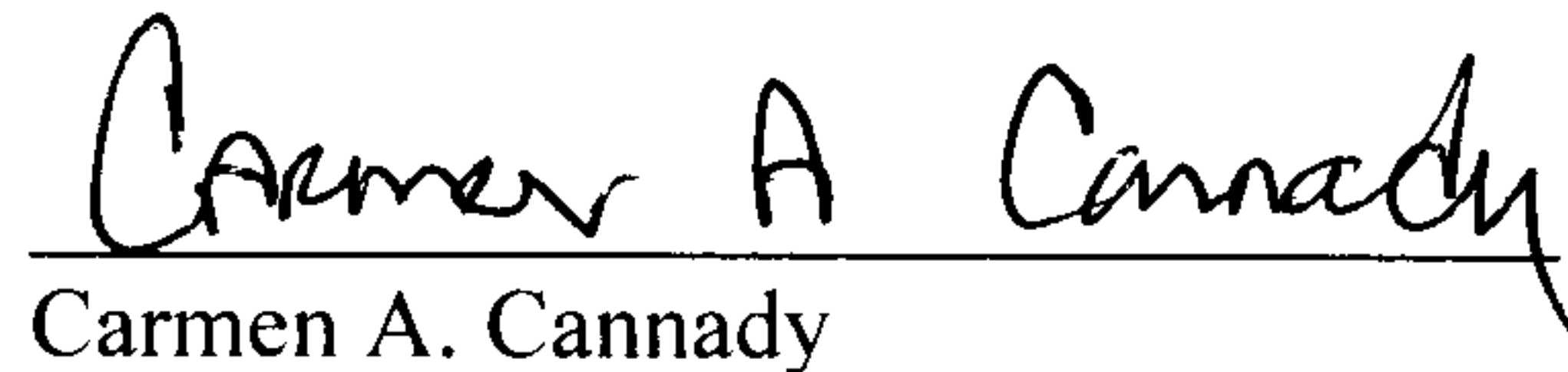
PATRICIA L. CANNADY IS ONE AND THE SAME PERSON AS PATRICIA MAXWELL CANNADY, WHOSE NAME APPEARS IN SAID FINAL DECREE OF ADOPTION, AS WELL AS THE SOURCES OF TITLE HEREINABOVE REFERENCED.

TO HAVE AND TO HOLD, to the said GRANTEES, for and during the term of their joint lives, and upon the death of either of them, then to the survivor of them in fee simple, and to their heirs, successors and assigns forever. And I (we) do, for myself (ourselves) and for my (our) heirs, executors and administrators covenant with the said grantee, his, her or 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 stated 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 grantee, his, her or 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 15th day of December, 2015.


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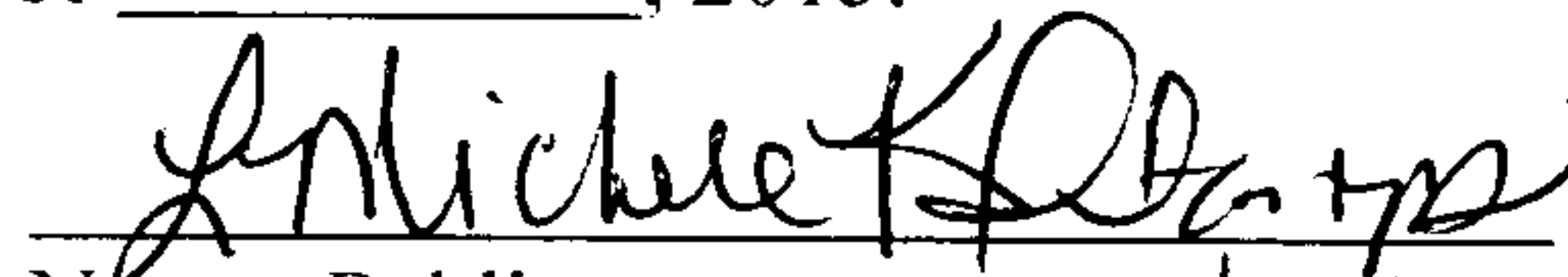

Jeffrey D. Cannady


Carmen A. Cannady

STATE OF ALABAMA)
COUNTY OF SHELBY)

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that **JEFFREY D. CANNADY and CARMEN A. CANNADY**, 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 same voluntarily on the day the same bears date.

Given under my hand and official seal this 15th day of December, 2015.


Notary Public
My commission expires: 5/18/19

STATE OF ALABAMA

IN THE PROBATE COURT

SHELBY COUNTY

RE: Adoption of Baby Boy Garrett,
a minor

EXHIBIT A
FINAL DECREE

In the matter of the petition to adopt Baby Boy Garrett, a minor, by Jimmy Wayne Cannady and Patricia Maxwell Cannady.

This cause coming on to be heard at this time on the petition of Jimmy Wayne Cannady and Patricia Maxwell Cannady; and it appears to the Court and the Court finds that said child, Baby Boy Garrett has resided in the home of petitioner since November 6, 1970; that the child was born November 2, 1970 verified from birth certificate by Alabama Department of Pensions and Security; that the natural parents have been relieved of all care and custody of said child, all parental rights have been terminated and the State Department of Pensions and Security has agreed in writing and has given consent to said adoption by petitioners, all as provided by Chapter 7, Title 13, Code of Alabama of 1940 as recompiled in 1958; that the child and petitioners have been visited by a representative of the Shelby County Department of Pensions and Security at least two times in the six months period following the issuance of the interlocutory order on 18 October 1972; that the child owns no separate estate and no valid cause appears why said child should not be legally adopted and the petition in this cause allowed.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED BY THE COURT that the said Baby Boy Garrett, a minor, be and is hereby decreed to be legally adopted by Jimmy Wayne Cannady and Patricia Maxwell Cannady; and that to all legal intents and purposes said child, Baby Boy Garrett is the child of the petitioner in accordance with Title 27, Code of Alabama 1940 as amended, that the name of said child from and after this date shall be changed from Baby Boy Garrett to Jeffrey Darrien Cannady.



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It is further ordered by the Court that a copy of this decree be given to the State Department of Public Welfare of Alabama and to the State REgistrar of Vital Statistics, State Department of Health of Alabama, and that all the proceedings in this cause be recorded as provided by law.

Given under my hand and seal this the 19th day of April, 1973.

Conrad M. Fowler (Seal)

Judge of Probate
Shelby County

STATE OF ALABAMA

SHELBY COUNTY

I, Conrad M. Fowler, Judge of Probate, Shelby County, Alabama, hereby certify that the foregoing is a true and correct copy of the original order entered in this cause on the 19th day of April, 1973 as the same appears of record in this office. This the 19 day of April, 1973.

Conrad M. Fowler



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INSTRUMENT PREPARED BY:
Mitchell A. Spears
Attorney at Law
P.O. Box 119
Montevallo, AL 35115
(205)665-5076

STATE OF ALABAMA)
COUNTY OF SHELBY)

HEIRSHIP AFFIDAVIT
(Exhibit B)

COMES NOW **JEFFREY D. CANNADY**, as “Affiant” herein, and after first having been duly sworn, said Affiant does hereby depose and say, as follows:

1. Affiant has personal knowledge of the facts stated herein, each Affiant is over the age of nineteen (19) years and each Affiant is competent to execute this Affidavit.

2. Pursuant to Warranty Deed recorded in the Office of the Probate Judge, Shelby County, Alabama, at Deed Book 301, Page 517, Jimmy W. Cannady and wife, Patricia L. Cannady, became the record title owners of certain real property situated in Shelby County, Alabama, more particularly described as follows:

Lots 6, 7 and 8 in Block 31, according to the map of South Calera, Alabama, as recorded in the Probate Office, Shelby County, Alabama, together with all improvements.

3. On or about July 7, 1987, Jimmy W. Cannady died intestate and his estate was never submitted to Probate. By virtue of his death, in conjunction with the survivorship language contained within the deed referenced in paragraph 2 hereinabove, Patricia L. Cannady became the sole fee simple title holder of said real property, together with every contingent remainder and right of reversion therein.

4. On or about July 15, 2006, Patricia L. Cannady died intestate and her estate was never submitted to Probate. Patricia L. Cannady was survived by her adopted son, Jeffrey D. Cannady, who was duly adopted by Jimmy W. Cannady (a/k/a Jimmy Wayne Cannady) and Patricia L. Cannady (a/k/a Patricia Maxwell Cannady), by virtue of Final Decree of Adoption executed by the Probate Court, Shelby County, Alabama, on April 19, 1973. Consequently, at the time of the decease of Patricia L. Cannady, her only next-of-kin was her adopted son, whose name, address, relationship and condition is stated as follows:

Jeffrey D. Cannady, Son

10590 Hwy. 31

Calera, AL 35040

Over the age of nineteen (19) years and of sound mind.

5. Other than their adopted son, Jimmy W. Cannady and Patricia L. Cannady had

6. Since the date of conveyance of subject property to Jimmy W. Cannady and

a L. Cannady, they were solely possessed and seized of said property, up until the

at each of them deceased. From July 15, 2006, through the present date, Jeffrey

nady and his wife have been in sole possession of said real property, to the

on of all others, and on other person or entity has made any claim for possession

7. All debts and charge against the estates of Jimmy W. Cannady and Patricia L.

8. This Affidavit is rendered for the purpose of establishing a proper chain of title


Jeffrey D. Cannady, Affiant

STATE OF ALABAMA)
COUNTY OF SHELBY)

I, the undersigned authority a Notary Public in and for said County, in said State

certify that **JEFFREY D. CANNADY** whose name is signed to the foregoing

vit, and who is known to me, acknowledged before me on this day that, being

ed of the contents of the Affidavit, he executed the same voluntarily on the 15th

[illegible]

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Lyricale K. Stamp
Notary Public
My Commission Expires: 5/18/19

Notary Public

My Commission Expires: 5/18/19

INSTRUMENT PREPARED BY:

**Mitchell A. Spears
Attorney at Law
P.O. Box 119
Montevallo, AL 35115
205-665-5076**

STATE OF ALABAMA)
COUNTY OF SHELBY)

DISINTERESTED PARTY AFFIDAVIT
(Exhibit C)

COMES NOW, Karen M. Elmore, as “Affiant” herein, and after first having been duly sworn, said Affiant does hereby depose and say, as follows:

1. Affiant has personal knowledge of the facts stated herein, particularly as relating to the family history of Jimmy W. Cannady and wife, Patricia L. Cannady. Affiant is over the age of sixty four (64) years, and is competent to execute this Affidavit. Affiant resides at 393 Grantham Road, Calera, Alabama 35040.

2. Affiant has no pecuniary or other interest in the following described property situated in Shelby County, Alabama, more particularly described, as follows:

Lots 6, 7 and 8 in Block 31, according to the map of South Calera, Alabama, as recorded in the Probate Office, Shelby County, Alabama, together with all improvements.

3. Affiant does hereby attest to the fact that Affiant has known Jimmy W. Cannady and wife, Patricia L. Cannady for over twenty (20) years prior to the death of each of them.

4. Jimmy W. Cannady and wife, Patricia L. Cannady adopted Jeffrey D. Cannady in 1973.

5. Jimmy W. Cannady died on or about July 7, 1987 and Patricia L. Cannady died on or about July 15, 2006.

6. Jimmy W. Cannady and Patricia L. Cannady were survived by their adopted son, whose name and address is stated as follows:

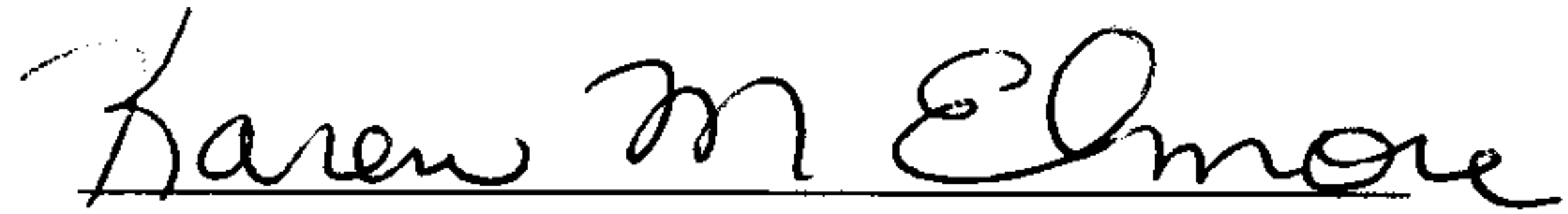
Jeffrey D. Cannady
10590 Hwy. 31
Calera, AL 35040


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7. Jimmy W. Cannady and wife, Patricia L. Cannady did not have any children, either natural or adopted, other than their adopted son hereinabove listed, neither did they have any children who predeceased them.

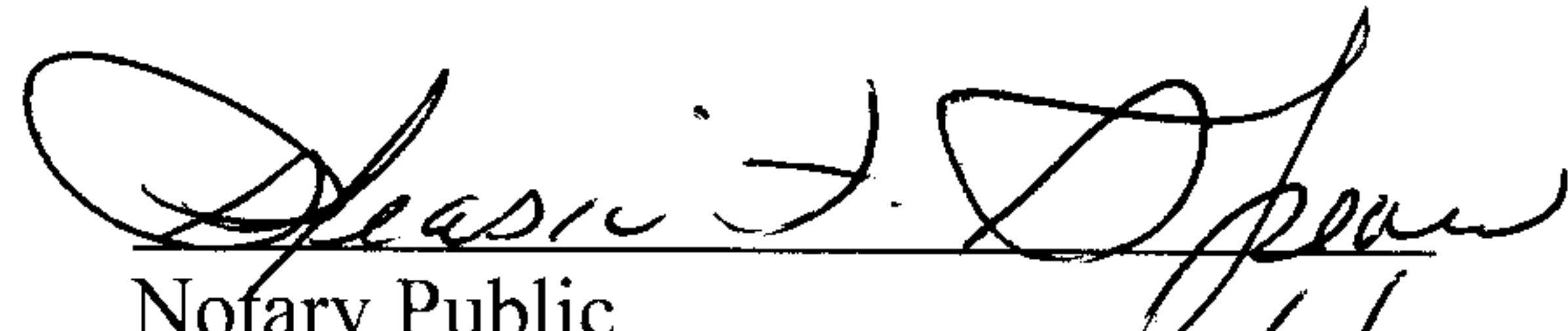
8. Affiant is not aware of any person or entity who has or claims possession or ownership of the above described property, other than Jeffrey D. Cannady and his wife.

FURTHERMORE, the Affiant saith naught.


Karen M. Elmore

STATE OF ALABAMA)
COUNTY OF SHELBY)

I, the undersigned authority, a notary public in and for said County, in said State, hereby certify that **Karen M. Elmore** whose name is signed to the foregoing Affidavit, and who is known to me, acknowledged before me on this day, that, being informed of the contents of the Affidavit, he/she executed the same voluntarily on the 10th day of December, 2015.


Notary Public
My Commission Expires: 9/3/2018


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INSTRUMENT PREPARED BY:

**Mitchell A. Spears
Attorney at Law
P.O. Box 119
Montevallo, AL 35115
205-665-5076**

STATE OF ALABAMA)
COUNTY OF SHELBY)

DISINTERESTED PARTY AFFIDAVIT
(Exhibit D)

COMES NOW, Jerry Jones, as “Affiant” herein, and after first having been duly sworn, said Affiant does hereby depose and say, as follows:

1. Affiant has personal knowledge of the facts stated herein, particularly as relating to the family history of Jimmy W. Cannady and wife, Patricia L. Cannady. Affiant is over the age of sixty four (64) years, and is competent to execute this Affidavit. Affiant resides at 520 Sontepete Road, Calera, Alabama 35040.

2. Affiant has no pecuniary or other interest in the following described property situated in Shelby County, Alabama, more particularly described, as follows:

Lots 6, 7 and 8 in Block 31, according to the map of South Calera, Alabama, as recorded in the Probate Office, Shelby County, Alabama, together with all improvements.

3. Affiant does hereby attest to the fact that Affiant has known Jimmy W. Cannady and wife, Patricia L. Cannady for over twenty (20) years prior to the death of each of them.

4. Jimmy W. Cannady and wife, Patricia L. Cannady adopted Jeffrey D. Cannady in 1973.

5. Jimmy W. Cannady died on or about July 7, 1987 and Patricia L. Cannady died on or about July 15, 2006.

6. Jimmy W. Cannady and Patricia L. Cannady were survived by their adopted son, whose name and address is stated as follows:

Jeffrey D. Cannady
10590 Hwy. 31
Calera, AL 35040


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7. Jimmy W. Cannady and wife, Patricia L. Cannady did not have any children, either natural or adopted, other than their adopted son hereinabove listed, neither did they have any children who predeceased them.

8. Affiant is not aware of any person or entity who has or claims possession or ownership of the above described property, other than Jeffrey D. Cannady and his wife.

FURTHERMORE, the Affiant saith naught.

Jerry Jones
Jerry Jones

STATE OF ALABAMA)
COUNTY OF SHELBY)

I, the undersigned authority, a notary public in and for said County, in said State, hereby certify that **Jerry Jones** whose name is signed to the foregoing Affidavit, and who is known to me, acknowledged before me on this day, that, being informed of the contents of the Affidavit, he/she executed the same voluntarily on the 15th day of December, 2015.

LeNichole Damp
Notary Public
My Commission Expires: 5/18/19



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Real Estate Sales Validation Form

Form RT-1

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

Grantor's Name Jeffrey D. Cannady and
Carmen A. Cannady
 Mailing Address 10590 Hwy. 31
Calera, AL 35040

Grantee's Name Jeffrey D. Cannady and
Carmen A. Cannady
 Mailing Address 10590 Hwy. 31
Calera, AL 35040

Property Address 10590 Hwy. 31
Calera, AL 35040

Total Purchase Price \$
 Or
 Actual Value \$
 Or
 Market Value \$ 35,000.00

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
 Sales Contract
 Appraisal
 X Other Assessor's Market Value

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.

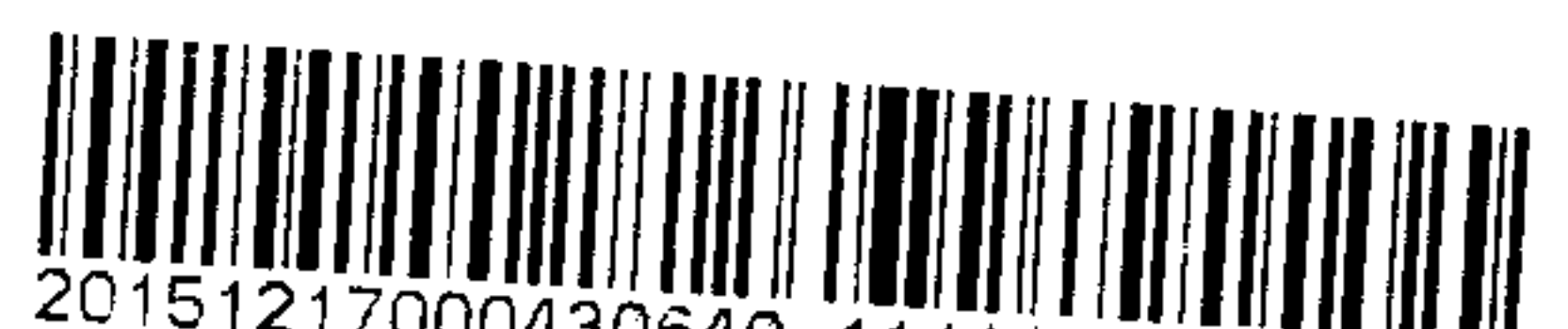
If no proof is provided and the value must be determined, the current estimate of fair market value, excluding current use valuation, of the property as determined by the local official charged with the responsibility of valuing property for property tax purposes will be used and the taxpayer will be 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).

12/15/15
 Date

Print JEFFREY D. CANNADY, GRANTOR

Sign *Jeffrey D. Cannady*
 (Grantor/Grantee/Owner/Agent) circle one


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