

Send tax notice to:
JEFFREY WYATT BRAKE
3384 CHIPPENHAM 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

2016755

WARRANTY DEED

20170125000029970
01/25/2017 12:32:11 PM
DEEDS 1/2

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of Four Hundred Eighty-Nine Thousand and 00/100 Dollars (\$489,000.00) **the amount which can be verified in the Sales Contract between the two parties** in hand paid to the undersigned, ROBERT N. MOBLEY and JACKIE W. MOBLEY, HUSBAND AND WIFE **whose mailing address** is: 6586 Mill Creek Circle, Birmingham, AL 35242 (hereinafter referred to as "Grantors") by JEFFREY WYATT BRAKE and KIMBERLY DAWN BRAKE **whose property address** is: 3384 Chippenham 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, as joint tenants with right of survivorship, the following described real estate situated in Shelby County, Alabama, to-wit:

LOT 1503, ACCORDING TO THE SURVEY OF BROOK HIGHLAND, 15TH SECTOR, AN EDDLEMAN COMMUNITY, AS RECORDED IN MAP BOOK 26, PAGE 114, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

SUBJECT TO:

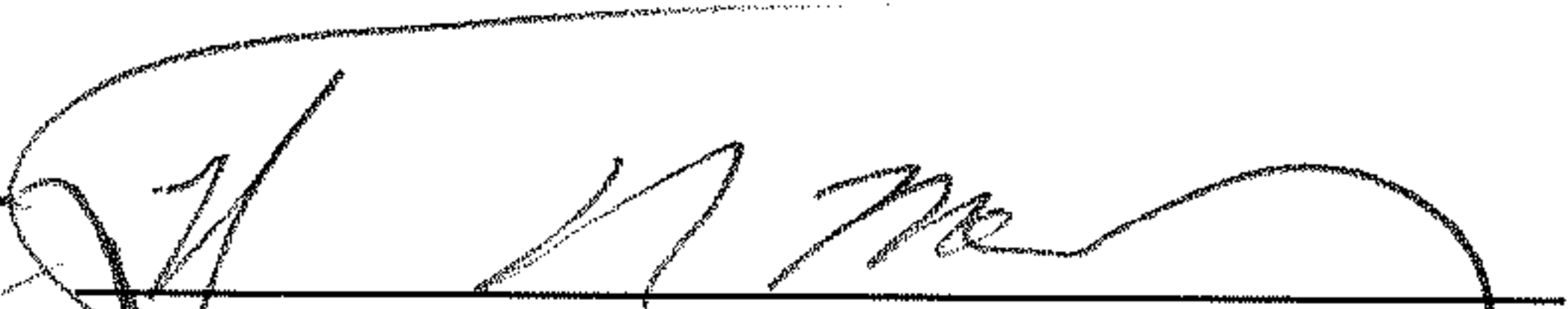
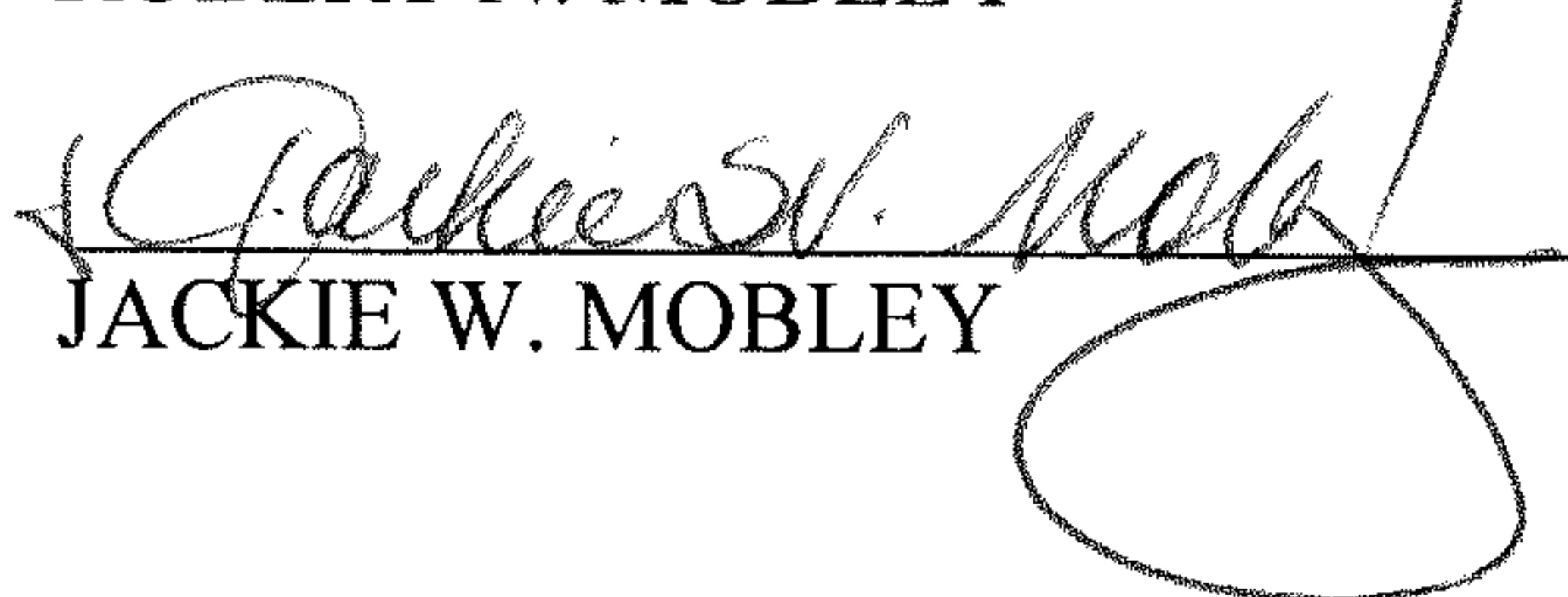
1. Taxes for the year beginning October 1, 2016 which constitutes a lien but are not yet due and payable until October 1, 2017
2. Minerals of whatsoever kind, subsurface and surface substances, including but not limited to coal, lignite, oil, gas, uranium, clay, rock, sand and gravel in, on, under and that may be produced from the land, together with all rights, privileges and immunities relating thereto.
3. Restrictions, public utility easements, and building setback lines as shown on recorded map and survey of Brook Highland, 15th Sector, an Eddleman Community recorded in Map Book 26, Page 114, in the Office of the Judge of Probate of Jefferson County, Alabama.
4. 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 damages to persons or property as a result of the exercise of such rights as recorded in Deed Book 32, Page 48; Deed Book 121, Page 294 and Deed Book 235, Page 552.
5. Declaration of Protective Covenants, Agreements, Easements, Charges and Liens for Brook Highland recorded in Real 194, Page 254; Articles of Incorporation of Brook Highland Homeowners Association, Inc. recorded in Real 194, Page 287 and Supplemental Protective Covenants recorded in Instrument 2000-933.
6. Deed and Bill of Sale from AmSouth as Ancillary Trustee to the Water Works and Sewer Board of the City of Birmingham recorded in Real 194, Page 20; Instrument 1994-37059; Instrument 1994-37060 and Instrument 1994-37061, along with an easement for Sanitary Sewer Lines and Water Lines recorded in Real 194, Page 1 and assignments recorded in Instrument 1998-34387 and Instrument 1998-34388.
7. Declaration of Protective Covenants for the "Watershed Property" recorded in Real 194, Page 54.
8. Easement and agreements between AmSouth Bank, NA as Ancillary Trustee for NCNB National Bank of North Carolina, as Trustee for the Public Employees Retirement System of Ohio and The Water Works and Sewer Board of the City of Birmingham recorded in Real 194, Page 40.

9. Drainage agreement between AmSouth Bank, NA as Ancillary Trustee for NCNB National Bank of North Carolina, as Trustee for the Public Employees Retirement System of Ohio and Eddleman and Associates recorded in Real 125, Page 238.
10. Reciprocal Easement Agreement between AmSouth Bank, NA as Ancillary Trustee for NCNB National Bank of North Carolina, as Trustee for the Public Employees Retirement System of Ohio and Eddleman and Associates and recorded in Real 125, Page 249 and Real 199, Page 18.
11. Restrictive covenants regarding underground transmission installation by Alabama Power Company recorded in Real 181, Page 995.
12. Covenants releasing any liability arising from sinkholes, limestone formations, soil conditions or any other known or unknown surface or subsurface conditions that may now or hereafter exist or occur or cause damage to subject property, as shown by survey of subdivision, recorded in Map Book 26, Page 114.
13. Easement to Water Works and Sewer Board recorded in Real 252, Page 210.
14. Brook Highland Common Property Declaration of Covenants, Conditions and Restrictions recorded in Real 307, Page 950.
15. Easement(s) to Alabama Power Company recorded in Real 207, Page 380 and Real 220, Pages 531 and 532.
16. Agreement concerning Electric Service to NCNB/Brook Highland and Alabama Power Company recorded in Real 306, Page 119.
17. Restrictions, covenants and conditions recorded in Real 308, Page 1; Real 220, Page 339 and Instrument 1992-14567.
18. Restrictive Covenants and Agreements from NCNB National Bank of North Carolina to Brook Highland Limited Partnership recorded in Instrument 1993-32511.
19. Declaration of Covenants, Conditions and Restrictions as to Brook Highland Common Property recorded in Real Book 307, Page 950.

\$391,200.00 OF THE CONSIDERATION AS WAS PAID FROM THE PROCEEDS OF A MORTGAGE LOAN.

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 Grantees, 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 20th day of January, 2017.


ROBERT N. MOBLEY

JACKIE W. MOBLEY

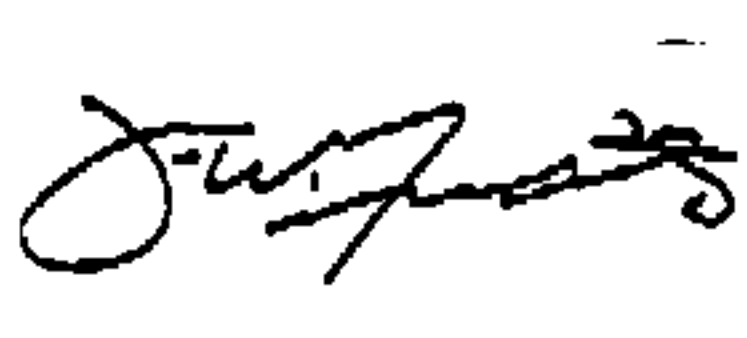
STATE OF ALABAMA
COUNTY OF SHELBY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that ROBERT N. MOBLEY and JACKIE W. MOBLEY whose name(s) is/are signed to the foregoing instrument, and who is/are 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 20th day of January, 2017.



Filed and Recorded
Official Public Records
Judge James W. Fuhrmeister, Probate Judge,
County Clerk
Shelby County, AL
01/25/2017 12:32:11 PM
\$116.00 CHERRY
20170125000029970


Notary Public
Print Name: Charles D. Stewart
Commission Expires: April 22, 2018
