

Send tax notice to:  
CLAIRE H GROSS  
282 BELMONT WAY  
CHELSEA, AL, 35043

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

2017706

**WARRANTY DEED**

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of One Hundred Ninety-Seven Thousand Five Hundred and 00/100 Dollars (\$197,500.00) **the amount which can be verified in the Sales Contract between the two parties** in hand paid to the undersigned, JAMES POPE KELLY, III and KELLY PEACE KELLY, HUSBAND AND WIFE **whose mailing address** is: 206 ARBOR COURT, STERRETT, AL 35147 (hereinafter referred to as "Grantors") by CLAIRES H GROSS **whose property address** is: 282 BELMONT WAY, CHELSEA, AL, 35043 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:

**Lot 241A, according to a Resurvey of Lots 231-254, The Village at Polo Crossings, Sector 1, as recorded in Map Book 41, Page 130, in the Probate Office of Shelby County, Alabama.**

SUBJECT TO:

1. Taxes for the year beginning October 1, 2017 which constitutes a lien but are not yet due and payable until October 1, 2018.
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, including those set out in instrument recorded as Instrument No. 20061024000523550 and Release of Damages as set out and referenced in deed recorded as Instrument No. 20071008000469280 in said Probate Office
3. Building and setback lines of 2.0 feet as recorded in Map Book 41, Page 130 in the Probate Office of Shelby County, Alabama.
4. Such state of facts as shown on the plat of the Survey of the Village at Polo Crossings, Sector 1, as recorded In Map Book 39, Pages 42A, 42B and 42C and Map Book 41, Page 130 in the Probate Office of Shelby County, Alabama.
5. Restrictions, Covenants and Conditions as set out in instruments recorded as Instrument No. 20071008000469200; Instrument No. 20080512000192610; Instrument No. 20100325000086330, with Assignment of Developers Rights recorded in Instrument No. 20100325000086360 in said Probate Office.
6. Easement to BellSouth as shown by instrument recorded as Instrument No. 20070418000178850, in said Probate Office.
7. Grant of Land Easements to Alabama Power Company with Restrictive Covenants as shown by instrument recorded as Instrument No. 1995-22455 and 20070418000180080, in said Probate Office.
8. Easement Agreement recorded as Instrument No. 201070917000434130, with Assignment to Shelby County Commission recorded as Instrument No, 20081215000465460 in said Probate Office.

- 9. Declaration of Sewer Easement recorded as Instrument 200909030003400190 in said Probate office.
- 10. Drainage Easement recorded as Instrument No. 2006041000016518 in said Probate Office.
- 11. Monument Sign Agreement recorded as Instrument No. 20061024000523600, in said Probate Office.
- 12. Rights of owners of adjoining property in and to the joint or common areas in buildings situated on the subject Lots, such rights include but are not limited to roof, foundation, party walls, walkway and entrance.
- 13. Rights of others in and to the use of Old Hargis Road.
- 14. 1.5 foot easement along side lot line as shown on recorded plat.
- 15. Minerals, Resources and Groundwater with Rights of Ingress and Egress and Springing Surface Waiver recorded in Instrument No. 20120727000212520, in the Probate Office of Shelby County, Alabama.

\$197,500.00 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 22nd day of December, 2017.

*James Pope Kelly, III*  
JAMES POPE KELLY, III

*Kelly Peace Kelly*  
KELLY PEACE KELLY

STATE OF ALABAMA  
COUNTY OF SHELBY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that JAMES POPE KELLY, III and KELLY PEACE KELLY 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 on the 22nd day of December, 2017.

*Charles J. Stewart Jr.*  
 CHARLES J. STEWART JR.  
 NOTARY PUBLIC  
 STATE OF ALABAMA  
 Commission Expires: 4/30/2020



Filed and Recorded  
Official Public Records  
Judge James W. Fuhrmeister, Probate Judge,  
County Clerk  
Shelby County, AL  
12/27/2017 09:48:37 AM  
\$19.00 CHARITY  
20171227000458590

*J. Fuhrmeister*