

SPECIAL WARRANTY DEED

(Consideration \$67,000.00)

**Notice of confidentiality rights:** If you are a natural person, you may remove or strike any or all of the following information from any instrument that transfers an interest in real property before it is filed for record in the public records: your Social Security number or your driver's license number.

**Date:** 2/18/2014, ~~2013~~

**Grantor:** Matthew Blake Simmons

Matthew Blake Simmons is one and the same as Matthew B. Simmons

**Grantor's Mailing Address:**

374 Mastclair Dr  
Gadsden, AL 35901  
Etowah County, Texas  
Alabama

**Grantee:** Elizabeth Varner Simmons

Elizabeth Varner Simmons is one and the same as Elizabeth A. Varner

**Grantee's Mailing Address:**

4713 Virginia Ave. #C  
Dallas, Texas 75204  
Dallas County, Texas

**Consideration:**

The division of property in Cause No. DF-13-21238, styled "In the Matter of the Marriage of Elizabeth Varner Simmons and Matthew Blake Simmons," entered in the 256<sup>th</sup> District Court of Dallas County, Texas, and ten dollars and other valuable consideration paid by Grantee, and Grantee's assumption of the unpaid principal and earned interest on the note in the original principal sum of one hundred twenty three thousand six hundred nineteen dollars (\$123,619.00) dated March 31, 2010, executed by Matthew B. Simmons and Elizabeth A. Varner, and payable to the order of Fairway Independent Mortgage Corporation. The note is secured by a vendor's lien retained in a deed dated March 31, 2010, from Arrah Canant Restifo and Michael Restifo to Matthew B. Simmons and Elizabeth A. Varner, and additionally secured by a Purchase Money Mortgage dated March 31, 2010, from Matthew B. Simmons and Elizabeth A. Varner to Fairway Independent Mortgage Company, recorded as Instrument Number 20100406000102430, of the official public records of real property of Shelby County, Alabama. Grantee agrees to indemnify and hold Grantor harmless from payment of the note and from performance of Grantor's obligations specified in the instruments securing payment of the note. Grantor assigns to Grantee the casualty insurance policy on the property, all utility deposits for utility service at the property, and all funds held in escrow for payment of taxes and insurance premiums.

**Property (including any improvements):**

Being Lot F, Block 14, According to the survey of Riverwood, Fifth Sector, as recorded in Map Book 8, Page 121, in the office of the Judge of Probate of Shelby County, Alabama, together with an undivided interest in the common area as set forth in the declaration recorded in Misc. Volume 39, Page 880, more commonly known as 3069 Riverwood Terrace, Birmingham, Alabama 35242.

**Reservations from Conveyance and Exceptions to Conveyance and Warranty:**

Grantor reserves no interest in any oil, gas, and other minerals in and under and that may be produced from the property.

This deed is subject to all easements, restrictions, conditions, covenants, and other instruments of record.

Grantor, for the consideration and subject to the reservations from conveyance and exceptions to conveyance and warranty, grants, sells, and conveys to Grantee all of Grantor's interest in the property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof when the claim is by, through, or under Grantor but not otherwise, except as to the reservations from conveyance and exceptions to conveyance and warranty.

When the context requires, singular nouns and pronouns include the plural.

Grantee assumes all ad valorem taxes due on the property for the current year.


  
Matthew Blake Simmons

*This instrument was prepared based on information furnished by the parties, and no independent title search has been made.*

STATE OF TEXAS )

COUNTY OF DALLAS )

This instrument was acknowledged before me on February 18, 2013 by Matthew Blake Simmons.

  
Notary Public, State of ~~Texas~~ **ALABAMA**

**AFTER RECORDING RETURN TO:**

Elizabeth Varner Simmons  
4713 Virginia Ave. #C  
Dallas, Texas 75204

## Real Estate Sales Validation Form

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

Grantor's Name Matthew Blake Simmons  
 Mailing Address 374 Montclair Drive  
Gadsden, AL 35901

Grantee's Name Elizabeth Varner Simmons  
 Mailing Address 4713 Virginia Avenue #C  
Dallas, TX 75204

Property Address 3069 Riverwood  
Terface  
Birmingham, AL 35242

Date of Sale 02/18/2014  
 Total Purchase Price \$ 67000.00  
 or  
 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  
☐ Sales Contract  
☒ Closing Statement

☐ Appraisal  
☐ Other

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 9/24/18

Print Jeff W. Parmer

☐ Unattested

Sign [Signature]

(verified by)

(Grantor/Grantee/Owner/Agent) circle one

