

This instrument was prepared by:
Clayton T. Sweeney, Attorney
2700 Highway 280 East
Suite 160
Birmingham, AL 35223

Send Tax Notice To:
Matthew Todd Jennings and
Michelle Jennings
2606 Fargo Drive
Vestavia Hills, AL 35226

STATE OF ALABAMA)

COUNTY OF SHELBY)

JOINT SURVIVORSHIP DEED

KNOW ALL MEN BY THESE PRESENTS: That, for and in consideration of **Three Hundred Five Thousand and 00/100 (\$305,000.00)**, and other good and valuable consideration, this day in hand paid to the undersigned **Heritage Oaks, LLC, an Alabama limited liability company** (hereinafter referred to as GRANTOR), in hand paid by the GRANTEES herein, the receipt whereof is hereby acknowledged, the GRANTOR does hereby give, grant, bargain, sell and convey unto the GRANTEES, **Matthew Todd Jennings and Michelle Jennings** (hereinafter referred to as GRANTEES), for and during their joint lives and upon the death of either, then to the survivor of them in fee simple, together with every contingent remainder and right of reversion, the following described Real Estate, lying and being in the County of **Shelby**, State of Alabama, to-wit:

See Exhibit "A" attached hereto and made a part hereof for legal description

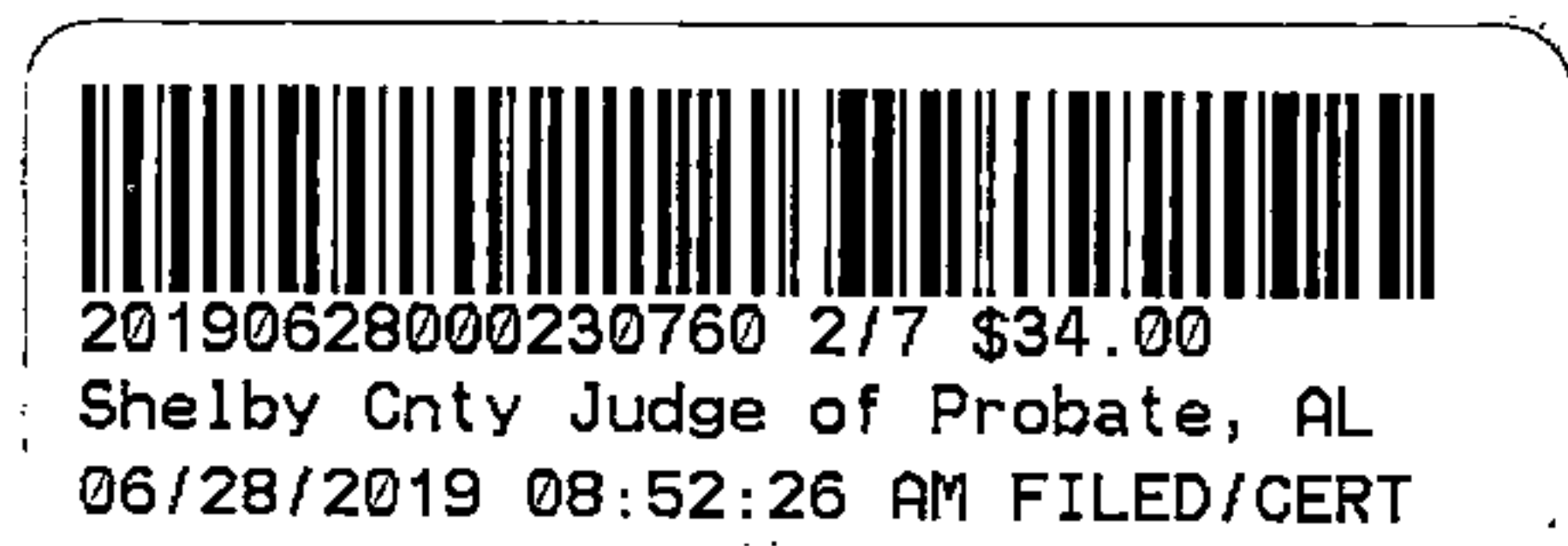
All of the consideration was paid from the proceeds of a mortgage loan closed simultaneously.

Subject To:

1. Ad valorem taxes for 2019 and subsequent years not yet due and payable until October 1, 2019.
2. Existing covenants and restrictions, easements, building lines and limitations of record.
3. Covenants and Grant of Easements by and among Forty Three Investments, LLC, Shephard Gap Associates, Sidney W. Smyer, III and Highway 41 Development, Inc. as recorded in Instrument #20140612000178900.
4. Notice of Mining Operations as recorded in Instrument #2000-37886.
5. Mineral and mining rights and rights incident thereto as recorded in Instrument #'s 2002-46284; 2002-46285; 2003-7320; 2003-7321; 2004-33966, 2004-33967, 20130708000273870, 20060104000003570 and 20060104000003560.
6. Subject to Grant of Easement dated August 10, 2015 and recorded in Instrument No. 20150819000289410.
7. Subject to Declaration of Restrictive Covenants for Springstone as set forth in Instrument No. 20150819000289420.
8. Right of way in favor of Alabama Power Company recorded in Volume 315, Page 776.
9. Subject to disclaimer in regard to located within The Shires Phase IV as recorded in Instrument 20111227000389340.
10. Right of way to the Water Works Board of the City of Birmingham as recorded in Instrument 20151007000352230.


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CLAYTON T. SWEENEY, ATTORNEY AT LAW



11. Subject to the Declaration of Restrictive Covenants for Springstone Mountain as set forth in Instrument 20180530000189450.

12. Subject to the terms and conditions of the Springstone Mountain Homeowners Association as recorded in Instrument 20180530000189460.

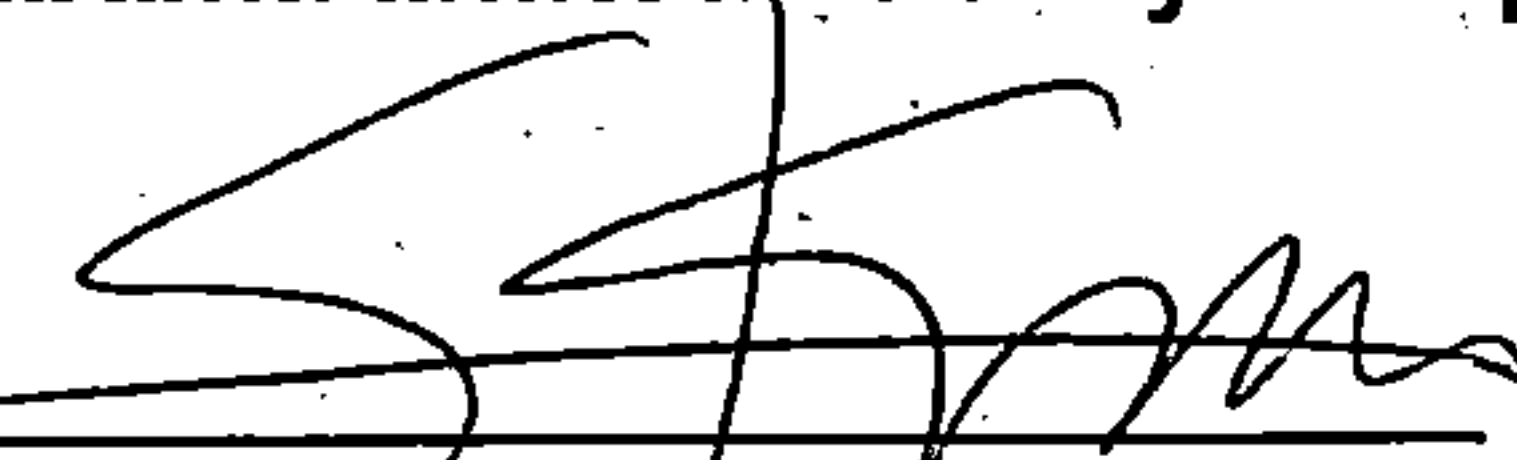
This instrument is executed as required by the Articles of Organization and Operational Agreement of said limited liability company and same have not been modified or amended.

TO HAVE AND TO HOLD, the tract or parcel of land above described together with all and singular the rights, privileges, tenements, appurtenances, and improvements unto the said GRANTEES, for and during their joint lives and upon the death of either of them, then to the survivor of them in fee simple, and to the heirs and assigns of such survivor, forever.

AND SAID GRANTOR, for said GRANTOR, GRANTOR'S successors and assigns, covenants with GRANTEE, and with GRANTEES' heirs and assigns, that GRANTOR is lawfully seized in fee simple of the said Real Estate; that said Real Estate is free and clear from all Liens and Encumbrances, except as here in above set forth, and except for taxes due for the current and subsequent years, and except for any Restrictions pertaining to the Real Estate of record in the Probate Office of said County; and that GRANTOR will, and GRANTOR'S successors and assigns shall, warrant and defend the same to said GRANTEE, and GRANTEES' heirs and assigns, forever against the lawful claims of all persons.

IN WITNESS WHEREOF, said GRANTOR has through its duly authorized representative hereunto set its hand and seal this the 18 day of June, 2019.

Heritage Oaks, LLC
an Alabama limited liability company

BY: 
Sidney W. Smyer, III
Its: Managing Member

STATE OF ALABAMA)
COUNTY OF JEFFERSON)

I, the undersigned, a Notary Public, in and for said County and State, hereby certify that Sidney W. Smyer, III, whose name as Managing Member of Heritage Oaks, LLC, an Alabama limited liability company, is signed to the foregoing conveyance and who is known to me, acknowledged before me on this day that, being informed of the contents of the Instrument he, as such managing member and with full authority, executed the same voluntarily for and as the act of said limited liability company.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this the 18th day of June, 2019.


NOTARY PUBLIC
My Commission Expires: 06-02-2023



EXHIBIT "A"


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TRACT 6
SPRINGSTONE ESTATES

A TRACT OF LAND LYING IN THE SOUTHEAST 1/4 OF SECTION 14 AND THE WEST 1/2 OF SECTION 13, ALL IN TOWNSHIP 18 SOUTH, RANGE 1 WEST, SHELBY COUNTY, ALABAMA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 13, TOWNSHIP 18 SOUTH, RANGE 1 WEST, SHELBY COUNTY, ALABAMA; THENCE RUN NORTH 00 DEGREES 00 MINUTES 13 SECONDS EAST ALONG THE WEST LINE OF SAID SECTION FOR 345.44 FEET TO A POINT; THENCE RUN NORTH 63 DEGREES 37 MINUTES 55 SECONDS WEST FOR 150.50 FEET; THENCE RUN NORTH 57 DEGREES 34 MINUTES 39 SECONDS WEST FOR 112.04 FEET TO A CURVE TO THE RIGHT, HAVING A RADIUS OF 100.00 FEET, A CHORD BEARING OF NORTH 36 DEGREES 43 MINUTES 42 SECONDS WEST, AND A CHORD LENGTH OF 71.18 FEET; THENCE RUN ALONG SAID ARC FOR 72.78 FEET; THENCE RUN NORTH 15 DEGREES 52 MINUTES 44 SECONDS WEST FOR 145.46 FEET TO A CURVE TO THE RIGHT, HAVING A RADIUS OF 600.00 FEET, A CHORD BEARING OF NORTH 06 DEGREES 43 MINUTES 50 SECONDS WEST, AND A CHORD LENGTH OF 190.79 FEET; THENCE RUN ALONG SAID ARC FOR 191.61 FEET; THENCE RUN NORTH 02 DEGREES 25 MINUTES 05 SECONDS EAST FOR 302.97 FEET TO A CURVE TO THE LEFT, HAVING A RADIUS OF 175.00 FEET, A CHORD BEARING OF NORTH 17 DEGREES 57 MINUTES 13 SECONDS WEST, AND A CHORD LENGTH OF 121.84 FEET; THENCE RUN ALONG SAID ARC FOR 124.44 FEET; THENCE RUN NORTH 38 DEGREES 19 MINUTES 32 SECONDS WEST FOR 147.09 FEET TO A CURVE TO THE RIGHT, HAVING A RADIUS OF 75.00 FEET, A CHORD BEARING OF NORTH 32 DEGREES 51 MINUTES 43 SECONDS WEST, AND A CHORD LENGTH OF 14.28 FEET; THENCE RUN ALONG SAID ARC FOR 14.30 FEET; THENCE RUN NORTH 27 DEGREES 23 MINUTES 54 SECONDS WEST FOR 72.30 FEET TO A CURVE TO THE LEFT, HAVING A RADIUS OF 75.00 FEET, CHORD BEARING OF NORTH 37 DEGREES 17 MINUTES 47 SECONDS WEST, AND A CHORD LENGTH OF 25.78 FEET; THENCE RUN ALONG SAID ARC FOR 25.91 FEET TO A REVERSE CURVE TO THE RIGHT, HAVING A RADIUS OF 110.00 FEET, A CHORD BEARING OF NORTH 18 DEGREES 39 MINUTES 04 SECONDS WEST, AND A CHORD LENGTH OF 105.12 FEET; THENCE RUN ALONG SAID ARC FOR 109.60 FEET; THENCE RUN NORTH 09 DEGREES 53 MINUTES 32 SECONDS EAST FOR 12.68 FEET TO A CURVE TO THE RIGHT, HAVING A RADIUS OF 750.00 FEET, A CHORD BEARING OF NORTH 18 DEGREES 27 MINUTES 33 SECONDS EAST, AND A CHORD LENGTH OF 223.45 FEET; THENCE RUN ALONG SAID ARC FOR 224.29 FEET; THENCE RUN NORTH 27 DEGREES 01 MINUTES 34 SECONDS EAST FOR 251.81 FEET TO THE POINT OF BEGINNING OF THE TRACT HEREIN DESCRIBED; THENCE NORTH 50 DEGREES 07 MINUTES 12 SECONDS WEST FOR 283.83 FEET TO A CAPPED IRON PIN FOUND "ARRINGTON"; THENCE NORTH 28 DEGREES 21 MINUTES 28 SECONDS EAST FOR 504.62 FEET TO A CAPPED IRON PIN FOUND "ARRINGTON" ON THE NORTH LINE OF



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THE SOUTHEAST 1/4 OF SAID SECTION 14; THENCE NORTH 89 DEGREES 21 MINUTES 59 SECONDS EAST FOR 332.36 FEET TO A 1/2" REBAR FOUND AT THE NORTHEAST CORNER OF SAID SOUTHEAST 1/4 OF SAID SECTION 14, SAID POINT ALSO BEING ON THE WEST LINE OF SOUTHWEST 1/4 OF SAID SECTION 13; THENCE NORTH 00 DEGREES 01 MINUTES 18 SECONDS WEST ALONG SAID WEST LINE A DISTANCE OF 2668.53 FEET TO A 3" CAPPED PIPE FOUND; THENCE NORTH 89 DEGREES 25 MINUTES 54 SECONDS EAST FOR A DISTANCE OF 571.46 FEET TO A 1/2" REBAR FOUND; THENCE SOUTH 00 DEGREES 03 MINUTES 45 SECONDS EAST FOR A DISTANCE OF 1088.83 FEET TO AN IRON PIN SET; THENCE SOUTH 89 DEGREES 56 MINUTES 15 SECONDS WEST FOR A DISTANCE OF 511.44 FEET TO AN IRON PIN SE; THENCE SOUTH 00 DEGREES 03 MINUTES 45 SECONDS EAST FOR A DISTANCE OF 1513.35 FEET TO A P.K. NAIL FOUND IN THE CENTERLINE OF A 100' EASEMENT FOR INGRESS, EGRESS, UTILITIES AND MAINTENANCE; THENCE ALONG THE CENTERLINE OF SAID EASEMENT THE FOLLOWING FIVE CALLS: SOUTH 00 DEGREES 41 MINUTES 37 SECONDS WEST FOR A DISTANCE OF 130.77 FEET TO A CAPPED IRON PIN FOUND "ARRINGTON"; THENCE SOUTH 89 DEGREES 21 MINUTES 37 SECONDS WEST FOR A DISTANCE OF 155.57 FEET TO A CAPPED IRON PIN FOUND "ARRINGTON"; THENCE SOUTH 25 DEGREES 22 MINUTES 46 SECONDS WEST FOR A DISTANCE OF 371.59 FEET TO A P.K. NAIL FOUND; THENCE SOUTH 20 DEGREES 35 MINUTES 53 SECONDS WEST FOR A DISTANCE OF 152.85 FEET TO A P.K. NAIL FOUND; THENCE SOUTH 27 DEGREES 01 MINUTES 34 SECONDS WEST FOR A DISTANCE OF 100.91 FEET TO THE POINT OF BEGINNING. CONTAINING 20.17 ACRES, MORE OR LESS.

TOGETHER WITH THE FOLLOWING EASEMENT FOR INGRESS, EGRESS AND UTILITIES:

A 100 FOOT EASEMENT FOR INGRESS, EGRESS, UTILITIES AND MAINTENANCE LYING IN THE SOUTHEAST 1/4 OF SECTION 14 AND THE WEST 1/2 OF SECTION 13, ALL IN TOWNSHIP 18 SOUTH, RANGE 1 WEST, SHELBY COUNTY, ALABAMA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

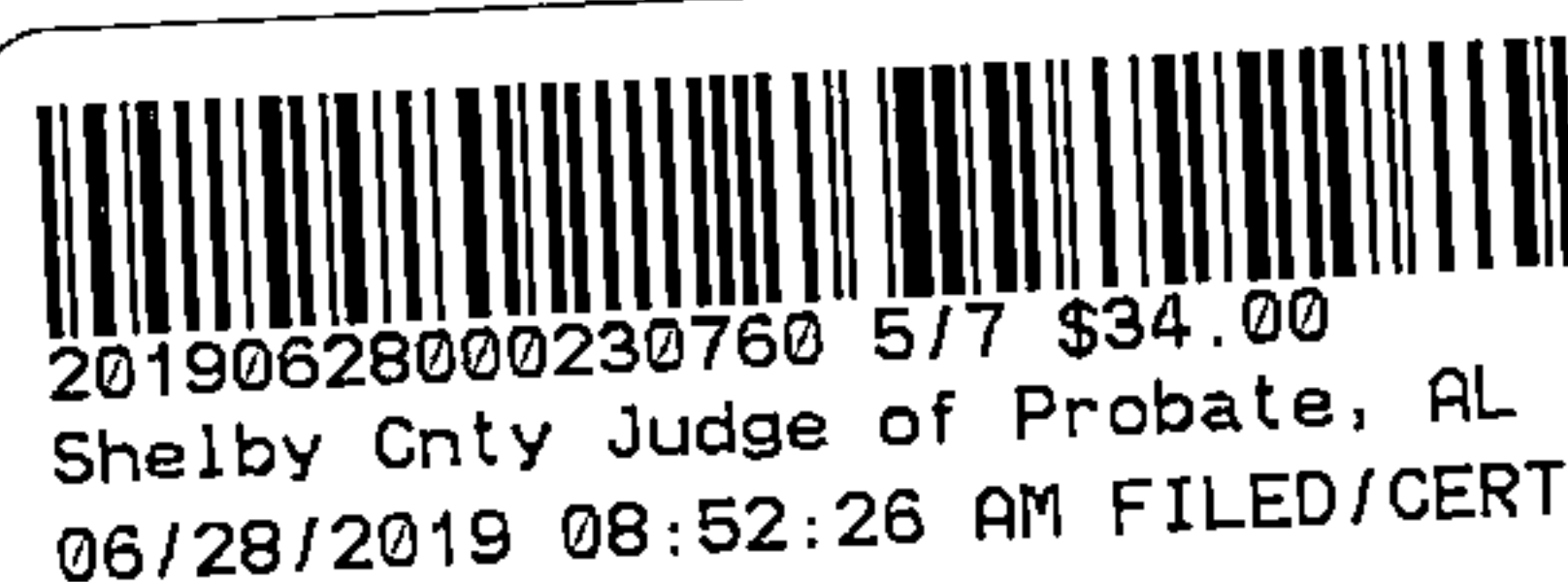
COMMENCE AT THE SOUTHWEST CORNER OF SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 13, TOWNSHIP 18 SOUTH, RANGE 1 WEST, SHELBY COUNTY, ALABAMA; THENCE RUN NORTH 00 DEGREES 00 MINUTES 13 SECONDS EAST ALONG THE WEST LINE OF SAID SECTION FOR 345.44 FEET TO A POINT; THENCE RUN NORTH 63 DEGREES 37 MINUTES 55 SECONDS WEST FOR 150.50 FEET; THENCE RUN NORTH 57 DEGREES 34 MINUTES 39 SECONDS WEST FOR 112.04 FEET TO A CURVE TO THE RIGHT, HAVING A RADIUS OF 100.00 FEET, A CHORD BEARING OF NORTH 36 DEGREES 43 MINUTES 42 SECONDS WEST, AND A CHORD LENGTH OF 71.18 FEET; THENCE RUN ALONG SAID ARC FOR 72.78 FEET; THENCE RUN NORTH 15 DEGREES 52 MINUTES 44 SECONDS WEST FOR 145.46 FEET TO A CURVE TO THE RIGHT, HAVING A RADIUS OF 600.00 FEET, A CHORD BEARING OF NORTH 06 DEGREES 43 MINUTES 50 SECONDS WEST, AND A CHORD LENGTH OF 190.79 FEET; THENCE RUN ALONG SAID ARC FOR 191.61 FEET; THENCE RUN NORTH 02 DEGREES 25 MINUTES 05 SECONDS EAST FOR 302.97 FEET TO A CURVE TO THE LEFT, HAVING

A RADIUS OF 175.00 FEET, A CHORD BEARING OF NORTH 17 DEGREES 57 MINUTES 13 SECONDS WEST, AND A CHORD LENGTH OF 121.84 FEET; THENCE RUN ALONG SAID ARC FOR 124.44 FEET; THENCE RUN NORTH 38 DEGREES 19 MINUTES 32 SECONDS WEST FOR 147.09 FEET TO A CURVE TO THE RIGHT, HAVING A RADIUS OF 75.00 FEET, A CHORD BEARING OF NORTH 32 DEGREES 51 MINUTES 43 SECONDS WEST, AND A CHORD LENGTH OF 14.28 FEET; THENCE RUN ALONG SAID ARC FOR 14.30 FEET; THENCE RUN NORTH 27 DEGREES 23 MINUTES 54 SECONDS WEST FOR 72.30 FEET TO A CURVE TO THE LEFT, HAVING A RADIUS OF 75.00 FEET, CHORD BEARING OF NORTH 37 DEGREES 17 MINUTES 47 SECONDS WEST, AND A CHORD LENGTH OF 25.78 FEET; THENCE RUN ALONG SAID ARC FOR 25.91 FEET TO A REVERSE CURVE TO THE RIGHT, HAVING A RADIUS OF 110.00 FEET, A CHORD BEARING OF NORTH 18 DEGREES 39 MINUTES 04 SECONDS WEST, AND A CHORD LENGTH OF 105.12 FEET; THENCE RUN ALONG SAID ARC FOR 109.60 FEET; THENCE RUN NORTH 09 DEGREES 53 MINUTES 32 SECONDS EAST FOR 12.68 FEET TO A CURVE TO THE RIGHT, HAVING A RADIUS OF 750.00 FEET, A CHORD BEARING OF NORTH 18 DEGREES 27 MINUTES 33 SECONDS EAST, AND A CHORD LENGTH OF 223.45 FEET; THENCE RUN ALONG SAID ARC FOR 224.29 FEET; THENCE RUN NORTH 27 DEGREES 01 MINUTES 34 SECONDS EAST FOR 352.72 FEET; THENCE RUN NORTH 20 DEGREES 35 MINUTES 53 SECONDS EAST FOR 152.85 FEET; THENCE RUN NORTH 25 DEGREES 22 MINUTES 46 SECONDS EAST FOR 371.59 FEET; THENCE RUN NORTH 89 DEGREES 21 MINUTES 37 SECONDS EAST FOR 155.57 FEET; THENCE RUN NORTH 00 DEGREES 41 MINUTES 37 SECONDS EAST FOR 130.77 FEET; THENCE RUN NORTH 68 DEGREES 24 MINUTES 40 SECONDS EAST FOR 114.87 FEET; THENCE RUN NORTH 67 DEGREES 36 MINUTES 50 SECONDS EAST FOR 155.85 FEET; THENCE RUN NORTH 61 DEGREES 35 MINUTES 19 SECONDS EAST FOR 54.22 FEET; THENCE RUN NORTH 56 DEGREES 00 MINUTES 36 SECONDS EAST FOR 295.16 FEET; THENCE RUN NORTH 72 DEGREES 01 MINUTES 00 SECONDS EAST FOR 109.16 FEET; THENCE RUN NORTH 46 DEGREES 40 MINUTES 54 SECONDS EAST FOR 114.74 FEET; THENCE RUN NORTH 60 DEGREES 32 MINUTES 27 SECONDS EAST FOR 106.87 FEET; THENCE RUN NORTH 71 DEGREES 11 MINUTES 41 SECONDS EAST FOR 106.19 FEET TO THE END OF SAID EASEMENT CENTERLINE. THE EDGES OF SAID EASEMENT ON THE NORTH SIDE TO EXTEND OR SUBTEND TO THE NORTH LINE OF TRACT 4-5 AND ON THE SOUTH SIDE TO EXTEND OR SUBTEND TO THE EAST LINE OF SECTION 14, TOWNSHIP 18 SOUTH, RANGE 1 WEST.

LESS AND EXCEPT THE FOLLOWING:

THAT PORTION OF THE 100 FOOT EASEMENT FOR INGRESS, EGRESS, UTILITIES AND MAINTENANCE TO BE ABANDONED, LYING IN THE SOUTHEAST 1/4 OF SECTION 14, TOWNSHIP 18 SOUTH, RANGE 1 WEST, SHELBY COUNTY, ALABAMA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE WESTERLY 30 FEET OF THAT PORTION OF THE 100 FOOT INGRESS, EGRESS, UTILITY AND MAINTENANCE EASEMENT AS DESCRIBED HEREINABOVE LYING 20 WEST OF THE CENTERLINE OF THE EXISTING ASPHALT ROADWAY REFERRED TO AS SPRINGSTONE TRAIL LYING WITHIN TRACT 6 AS DESCRIBED HEREINABOVE, BUT LEAVING AT LEAST 10 FEET FOR INGRESS, EGRESS, UTILITIES AND MAINTENANCE LYING TO THE WEST OF THE EXISTING ASPHALT ROADWAY.





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AND ALSO ABANDONING, TERMINATING AND VACATING THE FOLLOWING DESCRIBED PARCEL:

EASEMENT ABANDONMENT LYING WITHIN TRACT 6:

A PORTION OF AN EASEMENT FOR INGRESS, EGRESS, UTILITIES AND MAINTENANCE TO BE ABANDONED, LYING IN THE SOUTHEAST 1/4 OF SECTION 14, TOWNSHIP 18 SOUTH, RANGE 1 WEST, SHELBY COUNTY, ALABAMA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A 1/2" REBAR FOUND AND LOCALLY ACCEPTED TO BE THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF SAID SECTION 14; THENCE SOUTH 00 DEGREES 57 MINUTES 54 SECONDS EAST ALONG THE EAST LINE OF SAID SECTION FOR A DISTANCE OF 60.00 FEET TO A POINT ON THE CENTERLINE OF A 100' WIDE INGRESS, EGRESS, UTILITY AND MAINTENANCE EASEMENT; THENCE SOUTH 89 DEGREES 21 MINUTES 37 SECONDS WEST ALONG SAID CENTERLINE FOR A DISTANCE OF 95.30 FEET TO A CAPPED IRON PIN FOUND "ARRINGTON"; THENCE CONTINUING ALONG SAID CENTERLINE SOUTH 25 DEGREES 22 MINUTES 46 SECONDS WEST FOR A DISTANCE OF 371.59 FEET TO A P.K. NAIL FOUND; THENCE LEAVING SAID CENTERLINE, NORTH 67 DEGREES 00 MINUTES 40 SECONDS WEST FOR A DISTANCE OF 50.04 FEET AND THE POINT OF BEGINNING; THENCE NORTH 64 DEGREES 37 MINUTES 14 SECONDS WEST FOR A DISTANCE OF 25.00 FEET TO A POINT; THENCE NORTH 25 DEGREES 22 MINUTES 46 SECONDS EAST FOR A DISTANCE OF 224.27 FEET TO A POINT; THENCE SOUTH 64 DEGREES 37 MINUTES 14 SECONDS EAST FOR A DISTANCE OF 25.00 FEET TO A POINT; THENCE SOUTH 25 DEGREES 22 MINUTES 46 SECONDS WEST FOR A DISTANCE OF 224.27 FEET TO THE POINT OF BEGINNING. SAID PORTION OF THE EASEMENT BEING ABANDONED LYING WEST OF THE EXISTING ASPHALT ROAD AND WITHIN TRACT 6 AS DESCRIBED HEREINABOVE. CONTAINING 0.13 ACRES, MORE OR LESS.

Real Estate Sales Validation Form

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

Grantor's Name Heritage Oaks, LLC

Grantee's Name

Matthew Todd Jennings and
Michelle Jennings

Mailing Address 904 Grandview Street
Irondale, AL 35210

Mailing Address 2606 Fargo Drive
Vestavia Hills, AL 35226

Property Address Tract 6 Heritage Oaks
Leeds, AL 35094

Date of Sale June 20 2019

Total Purchase Price \$ 305,000.00

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/ Assessor's Appraised Value

☐ Other - property tax redemption

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).

Heritage Oaks, LLC

Date

Print Sidney W. Smyer, III, Managing Member

Unattested

Sign

(Grantor/Grantee/Owner/Agent) circle one



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