

* * **WARRANTY DEED** * *

Not Having
Rights of Survivorship

STATE OF ALABAMA)

JEFFERSON COUNTY)

This Instrument Prepared by:
D. LEE HODGES, ATTORNEY
2100 1st Avenue North, Ste. 250
Birmingham, AL 35203
Phone 205.251.6306

KNOW ALL MEN BY THE PRESENTS, that, for and in consideration of the payment of the sum of EIGHTY-TWO THOUSAND AND NO/00 (\$82,000.00) DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION which was in hand paid to the undersigned, MICHAEL ANTHONY HEARD, an individual, who is conveying a *59% interest in the subject property, and MICHAEL ANTHONY HEARD, as Trustee of the JAMES MICHAEL AUSTIN DOGNIBENE HEARD TRUST, created in/by the Last Will and Testament of JAMES JOSEPH DOGNIBENE, DECEASED [filed and probated in Walton County, Florida on 09/14/2011 in Probate Case # 11CP172] which Trust is conveying a 41% interest in the subject property (being hereinafter referred to as the "GRANTORS"), the receipt whereof is hereby acknowledged, the undersigned, MICHAEL ANTHONY HEARD, individually, and MICHAEL ANTHONY HEARD, as Trustee of the MICHAEL AUSTIN DOGNIBENE HEARD TRUST, hereby grant, bargain, sell and convey to MICHAEL ANTHONY HEARD, individually (being hereinafter referred to as "GRANTEE"), all of his or its right, title, interest and claim in or to the following below described real estate which is situated in Shelby County, Alabama, to-wit:

Lot 5B, according to the Final Plat of The Woodlands, Sector 4, as recorded in Map Book 36, page 89, in the Office of the Judge of Probate of Shelby County, Alabama.

*Joanna Mitchell Heard (a former co-owner of the subject property along with Michael Anthony Heard) was previously a resident of Shelby County, Alabama; however, she died on 06/06/2017 in Jefferson County, Alabama. A copy of her Certificate of Death is attached hereto this instrument as "Exhibit A".

The subject property is not the homestead of Michael Anthony Heard, who has since remarried subsequent to the death of Joanna Mitchell Heard as indicated above.


TO HAVE AND TO HOLD unto said GRANTEE and his heirs and assigns forever.

And I/We do for myself/ourselves, and for our heirs, executors, and administrators covenant with the said GRANTEE, his heirs and assigns, that I/We am/are lawfully seized in fee simple of said premises; that the premises are free from all encumbrances, unless otherwise noted 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 heirs and assigns forever, against the lawful claims of all persons.

THIS DEED WAS PREPARED FROM DATA FURNISHED BY THE GRANTORS, NO TITLE EXAMINATION WAS REQUESTED OR UNDERTAKEN, THE PREPARER OF THIS INSTRUMENT HAS NOT REVIEWED THE STATUS OF TITLE ON THIS PROPERTY, HAS NOT BEEN EMPLOYED TO DO SO, AND ACTS ONLY AS THE DRAFTER OF THIS INSTRUMENT.

REAL ESTATE VALIDATION INFORMATION

Shelby County, AL 03/10/2020
State of Alabama
Deed Tax: \$82.00


20200310000095420 1/5 \$118.00
Shelby Cnty Judge of Probate, AL
03/10/2020 02:20:58 PM FILED/CERT

Given under my hand and seal, this 9th day of March, 2020.

Michael Anthony Heard, Trustee (SEAL)
MICHAEL ANTHONY HEARD
Trustee of the James Michael Austin
Dognibene Heard Trust

STATE OF ALABAMA)

JEFFERSON COUNTY)

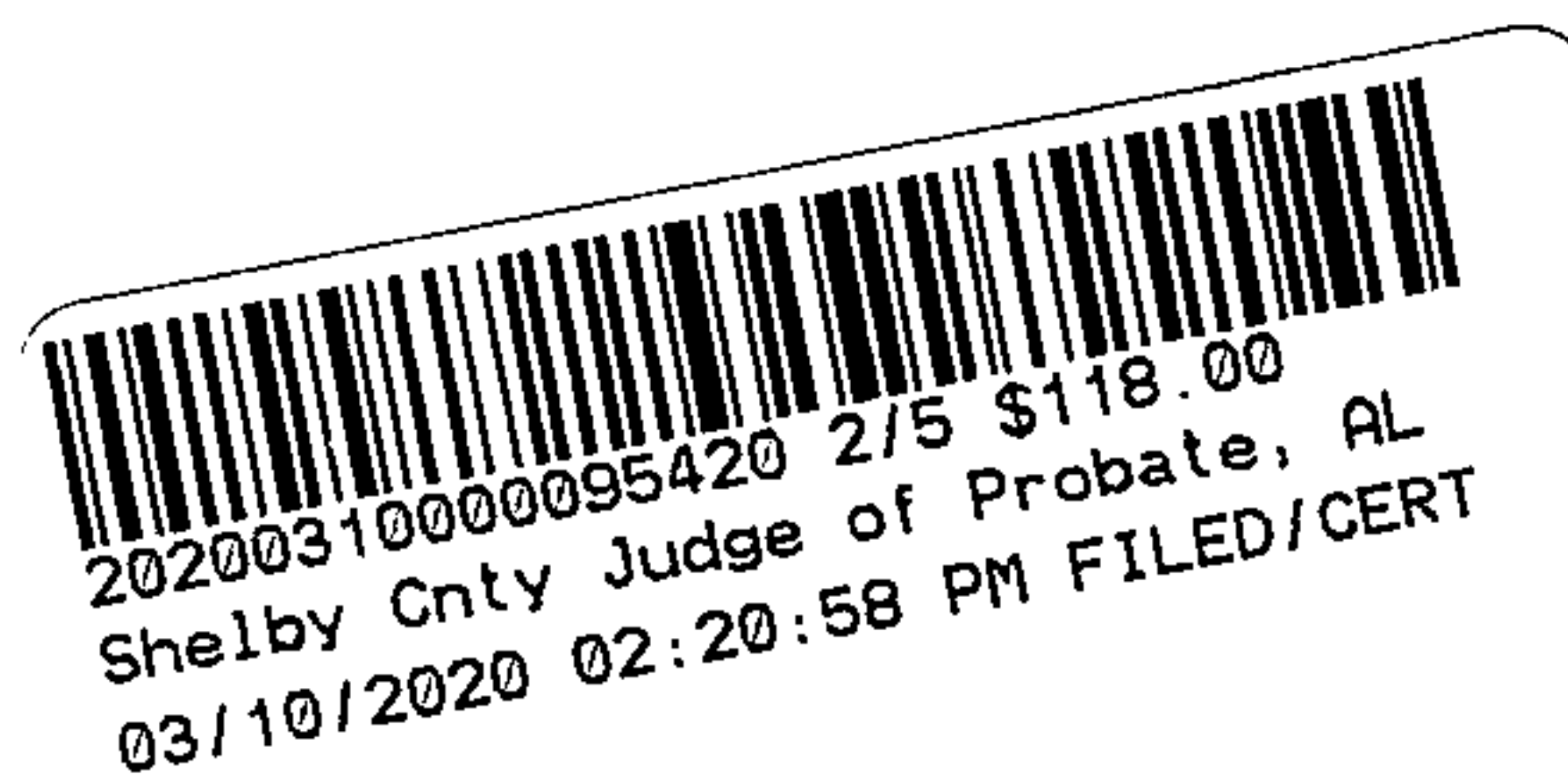
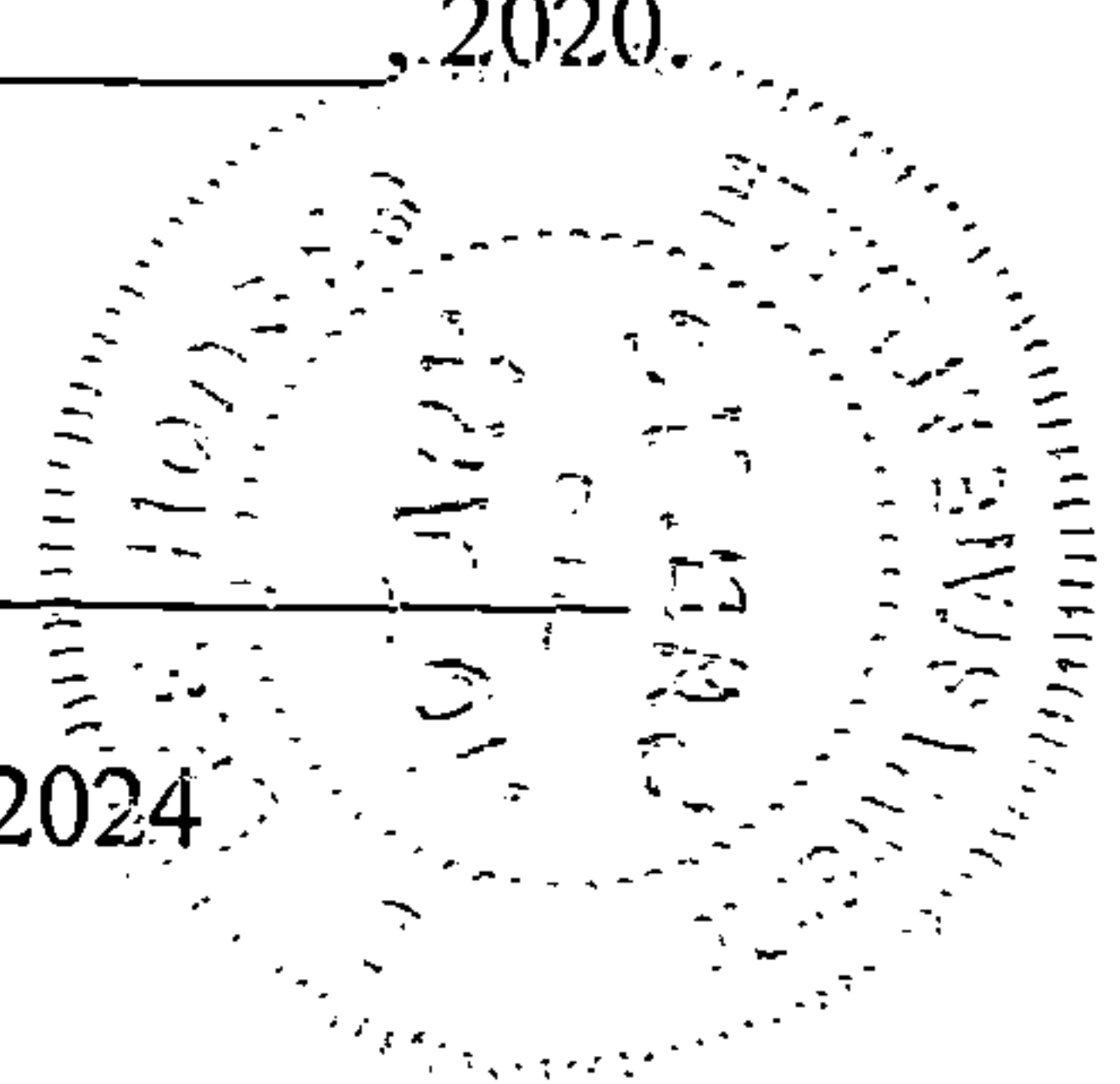
I, the undersigned authority, a Notary Public, in and for said State and County, hereby certify that MICHAEL ANTHONY HEARD, whose name as Trustee of the MICHAEL AUSTIN DOGNIBENE HEARD TRUST is signed to the foregoing conveyance and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he, in his capacity as such Trustee, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 9th day of March, 2020.

[Signature]

NOTARY PUBLIC


Commission expires: 01/29/2024




CERTIFICATION TO TRUST

The following certification is being made by MICHAEL ANTHONY HEARD, as the Trustee who executed the foregoing deed, and it is being made pursuant to, and in compliance with, *Code of Alabama* §19-3B-1013:

1. The JAMES MICHAEL AUSTIN DOGNIBENE HEARD TRUST currently exists; and, the date that the Trust instrument was created is 09/14/2011 (this being the date of the probating of the Last Will and Testament of James Joseph Dognibene, Deceased, occurring in Walton County, Florida); and,
2. The identity of the Settlor of that trust is the Estate of James Joseph Dognibene, Deceased; and,
3. The identity and address of the currently acting Trustee is MICHAEL ANTHONY HEARD, 46 Blue Bayou Drive, Santa Rosa Beach, FL 32459 ; and,
4. The powers of the Trustee in the pending transaction are found in the following instrument: the Last Will and Testament of JAMES JOSEPH DOGNIBENE, DECEASED [Walton County, Florida Probate Case # 11CP172, which document states, *inter alia*, as follows (See ITEM ELEVEN (c): "...Said fiduciary shall the power, in his sole discretion, to sell, mortgage, exchange, lease and otherwise dispose of al (sic) or any of the property in his possession or under his control..."; and,
5. The said Trust is irrevocable; and,
6. There exists no person holding the power to revoke the Trust; and,
7. The authority of co-Trustees to sign or otherwise authenticate is not required by the Trust; and,
8. The Trust allows less than all Trustees to exercise the powers of the Trustee; and,
9. The Trusts has no taxpayer identification number; and,
10. Title to the Trust property will be taken in the name of MICHAEL ANTHONY HEARD, an individual; and,
11. The JAMES MICHAEL AUSTIN DOGNIBENE HEARD TRUST has not been revoked, modified, or amended in any manner that would cause the representations contained in this Certification of Trust to be incorrect.


20200310000095420 3/5 \$118.00
Shelby Cnty Judge of Probate, AL
03/10/2020 02:20:58 PM FILED/CERT

3/9/2020
Date

 TRUSTEE (SEAL)
MICHAEL ANTHONY HEARD
Trustee of the James Michael Austin
Dognibene Heard Trust

State
File
Number

101 2017-2202.1

THE NEW YORK PUBLIC LIBRARY

[illegible]ADPH HS E2/REV 01-16

20200310000095420 4/5 \$118.00
Shelby Cnty Judge of Probate, AL
03/10/2020 02:20:58 PM FILED/CERT

Catherine M. Donald
Catherine Molchan Donald
State Registrar of Vital Statistics

GRANTOR: Michael Anthony Heard
Michael Anthony Heard, Trustee
Address: 46 Blue Bayou Drive
Santa Rosa Beach, FL 32459

GRANTEE: Michael Anthony Heard
Address: 46 Blue Bayou Drive
Santa Rosa Beach, FL 32459

Property Address: 1198 Woodlands Way, Helena, AL 35080

Date of Sale: See below date

Total Purchase Price: \$ 82,000.00

(OR) Actual Value: \$ _____

(OR) Assessor's Market Value: \$ _____

The purchase price or actual value claimed 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
XX Real Property Tax Appraisal
_____ Other _____

The undersigned Grantors do hereby attest, to the best of his/its knowledge and belief that the above information is true and accurate. The undersigned Grantors further understand(s) that any false statements claimed may result in the imposition of the penalties indicated in *Code of Alabama* §40-22-1(h).

Given under my hand and seal, this 9th day of March, 2020.

Michael Anthony Heard (SEAL)
MICHAEL ANTHONY HEARD, Individually

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, the undersigned authority, a Notary Public, in and for said State and County, hereby certify that MICHAEL ANTHONY HEARD, an individual, whose name(s) is signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day, that, being informed of the contents of this conveyance, he executed the same voluntarily on the same bears date.

Given under my hand and seal, this 9th day of March, 2020.

