

This Instrument was Prepared by:

Stuart J. Garner  
Stuart J. Garner, LLC  
1400 Urban Center Drive  
Suite 470  
Vestavia Hills, AL 35242  
File No.: 2020314

Send Tax Notice To: Donald Johnson  
Michelle Johnson  
411 265 Dogwood Circle  
Birmingham, AL 35244

## WARRANTY DEED JOINTLY FOR LIFE WITH REMAINDER TO SURVIVOR

State of Alabama

} Know All Men by These Presents:

County of Shelby

That in consideration of the sum of **Three Hundred Eighty Thousand Dollars and No Cents (\$380,000.00)**, to the undersigned Grantor (whether one or more), in hand paid by the Grantee herein, the receipt whereof is acknowledged, I or we, **Steven L. Rutherford and Paul Wade Rutherford, as Personal Representatives for The Estate of Lunell Rutherford, Deceased, Shelby County, Alabama, Probate Case No. PR-2020-000030**, (herein referred to as Grantor, whether one or more), grant, bargain, sell and convey unto **Donald Johnson and Michelle Johnson**, (herein referred to as Grantee, whether one or more), the following described real estate, situated in Shelby, County, Alabama, **the address of which is 265 Dogwood Circle, Birmingham, AL 35244**; to wit;

**PART OF W 1/2 OF NW 1/4 OF NE 1/4 , SECTION 21, TOWNSHIP 19S, RANGE 2W, OF HUNTSVILLE PRINCIPAL MERIDIAN, SHELBY COUNTY, ALABAMA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NW CORNER OF SAID W 1/2 OF NW 1/4 OF NE 1/4 THENCE IN EASTERLY DIRECTION ALONG NORTH BOUNDARY LINE OF W 1/2 OF NW 1/4 OF NE 1/4 60.52 FEET TO POINT OF BEGINNING OF TRACT OF LAND HEREIN DESCRIBED, SAID POINT OF BEGINNING BEING ON RIGHT OF WAY OF A COUNTY ROAD; THENCE CONTINUING IN A STRAIGHT LINE ALONG LAST MENTIONED COURSE 605.40 FEET; THENCE TURN AN ANGLE OF 87 DEGREES 54' TO THE RIGHT IN SOUTHERLY DIRECTION ALONG THE EAST BOUNDARY OF W 1/2 OF NW 1/4 OF NE 1/4 539.32 FEET TO POINT OF INTERSECTION WITH NORTH BOUNDARY OF COUNTY ROAD R.O.W., SAID POINT BEING ON THE ARC OF A CURVE TURNING TO THE RIGHT IN WESTERLY DIRECTION AND HAVING RADIUS OF 410.74 FEET, SAID ARC BEING SUBTENDED BY A CENTRAL ANGLE OF 14 DEGREES 46'10" AND HAVING A CHORD OF 105.58 FEET IN LENGTH, SAID CHORD FORMING AN ANGLE OF 94 DEGREES 48' TO THE RIGHT FROM LAST MENTIONED COURSE, HAVING A LENGTH OF 539.32 FEET; THENCE ALONG SAID ARC OF SAID CURVE 105.88 FEET TO POINT OF INTERSECTION WITH A STRAIGHT LINE TANGENT TO SAID ARC, THENCE CONTINUING ALONG SAID STRAIGHT LINE WHICH IS NE BOUNDARY LINE OF SAID COUNTY ROAD R.O.W. 44.34 FEET TO THE BEGINNING OF THE ARC OF A CURVE TURNING TO THE RIGHT IN NORTHWESTERLY DIRECTION AND HAVING A RADIUS OF 328.10 FEET, SAID ARC BEING SUBTENDED BY A CENTRAL ANGLE OF 49 DEGREES 22' AND HAVING A CHORD OF 274.03 FEET IN LENGTH, THENCE ALONG SAID ARC OF SAID CURVE WHICH IS THE R.O.W. OF SAID ROAD, 282.69 FEET OT THE POINT OF INTERSECTION WITH A STRAIGHT LINE TANGENT TO SAID ARC; THENCE CONTINUING ALONG SAID STRAIGHT LINE WHICH IS R.O.W. OF SAID ROAD 140.77 FEET; TO THE POINT OF BEGINNING OF THE ARC OF A CURVE TURNING TO THE LEFT IN NORTHWESTERLY DIRECTION AND HAVING A RADIUS OF 1175.92 FEET IN LENGTH, SAID ARC BEING SUBTENDED BY A CENTRAL ANGLE OF 7 DEGREES 02' 30" AND HAVING A CHORD OF 144.43 FEET IN LENGTH, THENCE ALONG SAID ARC OF SAID CURVE WHICH IS THE R.O.W. OF SAID ROAD 144.52 FEET TO THE POINT OF INTERSECTION WITH A STRAIGHT LINE TANGENT TO SAID ARC; THENCE CONTINUING ALONG SAID STRAIGHT LINE 141.60 FEET TO THE POINT OF BEGINNING OF THE ARC OF A CURVE TURNING TO THE RIGHT IN A NORTHERLY DIRECTION AND HAVING A RADIUS OF 256.48 FEET IN LENGTH, SAID ARC BEING SUBTENDED BY A CENTRAL ANGLE OF 4 DEGREES 42'50" AND HAVING A CHORD OF 21.10 FEET IN LENGTH, THENCE ALONG SAID ARC OF SAID CURVE WHICH IS THE R.O.W. OF SAID ROAD 21.10 FEET OT THE POINT OF BEGINNING.**

**LUNELL RUTHERFORD WAS THE SURVIVING GRANTEE OF THAT CERTAIN WARRANTY DEED FILED FOR RECORD IN BOOK 258, PAGE 46, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA. THE OTHER GRANTEE, BOBBY G. RUTHERFORD, HAVING DIED ON OR ABOUT JANUARY 1, 2015.**

**Subject To:**

1. **Property Taxes for 2020, and subsequent years.**
2. **Minerals and mining rights not owned by Grantor.**
3. **All covenants, restrictions, conditions, easements, liens, set back lines, and other rights of whatever nature, recorded, and/or unrecorded.**

**\$323,000.00** of the purchase price of the above described property was financed with the proceeds of a mortgage loan closed simultaneously herewith.

**TO HAVE AND TO HOLD** to 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, together with every contingent remainder and right of reversion.

And I (we) do for myself (ourselves) and for my (our) heirs, executors and administrators covenant with the said Grantees, their heirs and assigns, that I am (we are) lawfully seized in fee simple of said premises; that they 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 Grantees, their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, I (we) have hereunto set my (our) hand(s) and seal(s) this the 10th day of September, 2020.

THE ESTATE OF LUNELL RUTHERFORD,  
DECEASED, SHELBY COUNTY, ALABAMA,  
PROBATE CASE NO. PR-2020-000030

Steven L. Rutherford, Personal Rep.

Steven L. Rutherford

Personal Representative

Paul Wade Rutherford, Personal Rep.

Paul Wade Rutherford

Personal Representative

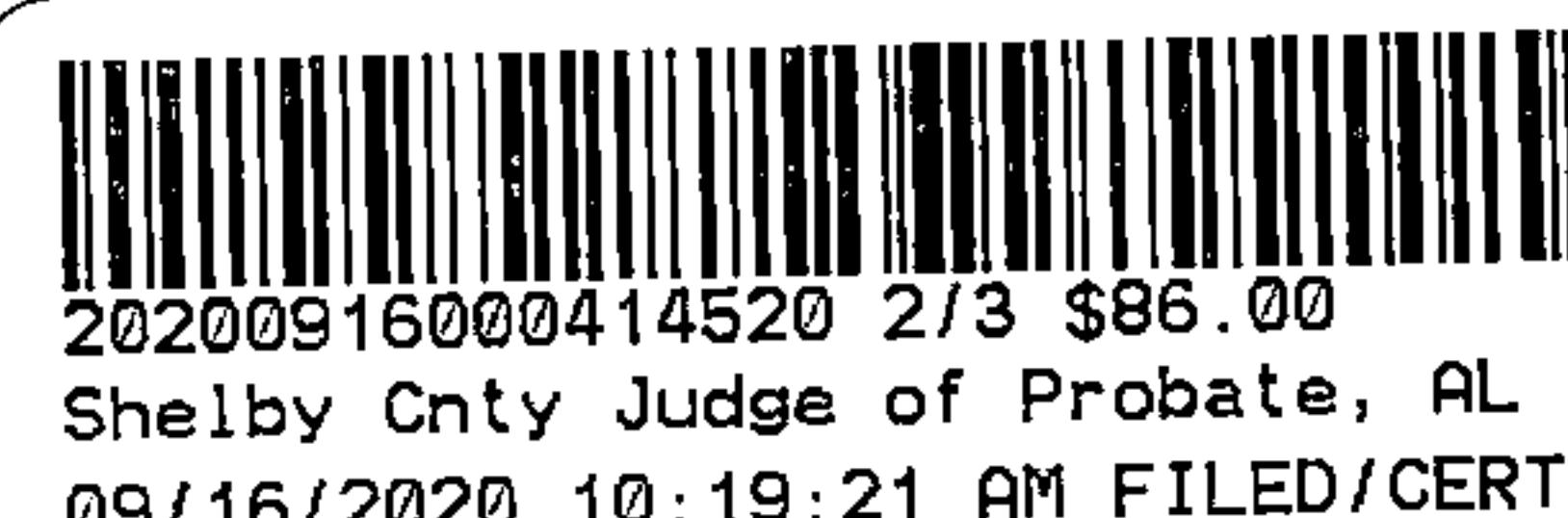
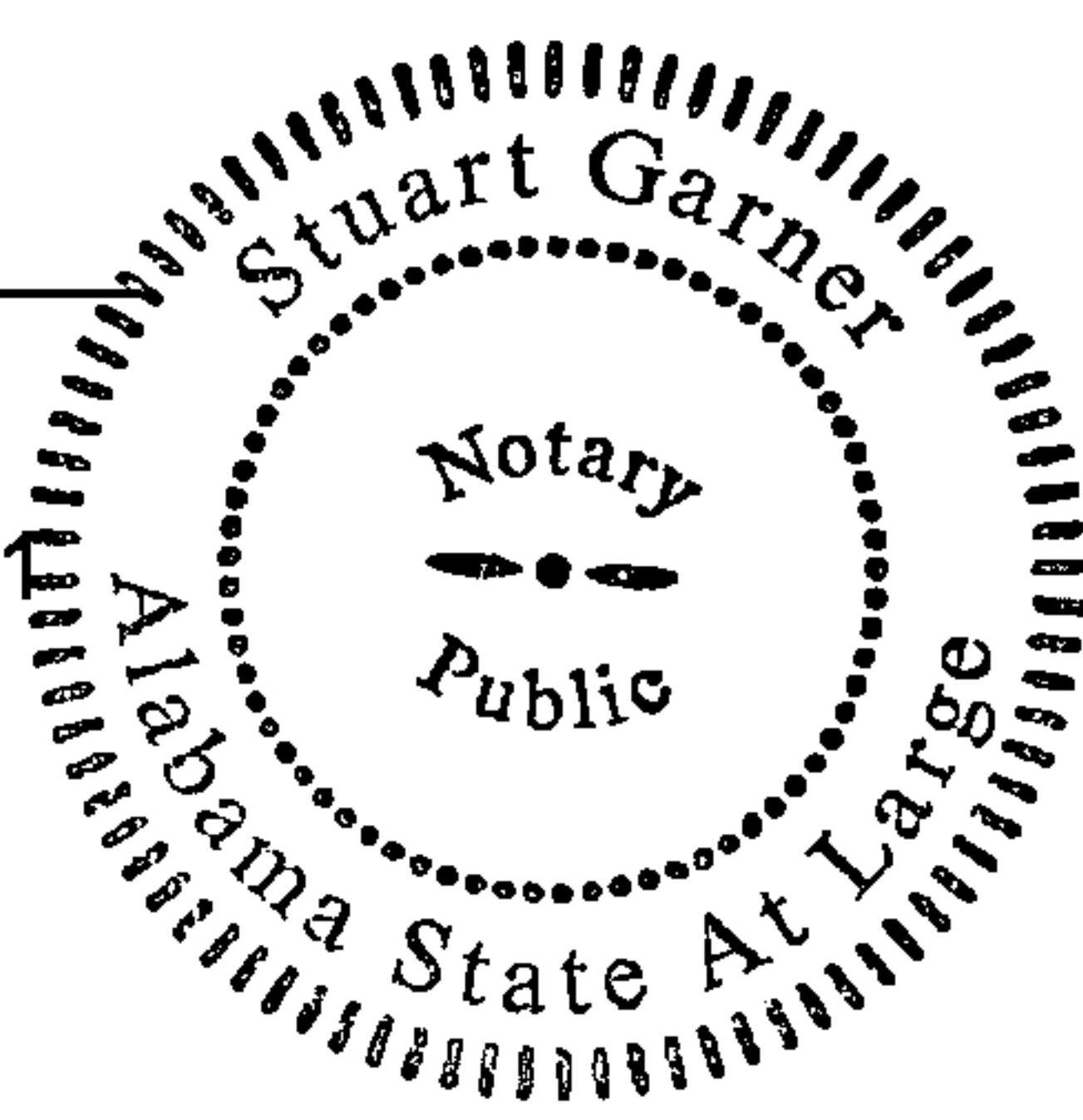
State of Alabama

County of Jefferson

I, Stuart J. Garner, a Notary Public in and for the said County in said State, hereby certify that Steven L. Rutherford and Paul Wade Rutherford as Personal Representatives for The Estate of Lunell Rutherford, Deceased, Shelby County, Alabama, Probate Case No. PR-2020-000030, whose name(s) is/are signed to the foregoing conveyance, and who is/are known to me, acknowledged before me on this day that, being informed of the contents of the conveyance he/she/they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 10th day of September, 2020.

Notary Public, State of Alabama  
Stuart J. Garner  
My Commission Expires: August 19, 2021



## Real Estate Sales Validation Form

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

Grantor's Name The Estate of Lunell Rutherford,  
Deceased, Shelby County, Alabama,  
Probate Case No. PR-2020-000030

Mailing Address , AL

Property Address 265 Dogwood Circle  
Birmingham, AL 35244

Grantee's Name Donald Johnson  
Michelle Johnson

Mailing Address 411  
265 Dogwood Circle  
Birmingham, AL 35244

Date of Sale September 10, 2020  
Total Purchase Price \$380,000.00

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 \_\_\_\_\_  
 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 of 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 September 10, 2020

Print The Estate of Lunell Rutherford, Deceased, Shelby  
County, Alabama, Probate Case No.  
PR-2020-000030

Sign Donald W. Rutherford, personal Rep  
(Grantor/Grantee/Owner/Agent) circle one

Unattested

(verified by)



20200916000414520 3/3 \$86.00  
Shelby Cnty Judge of Probate, AL  
09/16/2020 10:19:21 AM FILED/CERT