



20201002000447250 1/3 \$193.00
Shelby Cnty Judge of Probate, AL
10/02/2020 01:06:10 PM FILED/CERT

SEND TAX NOTICE TO:
Daniel W. Butcher and Tracey E. Butcher
1090 Hampton Place
Birmingham, Alabama 35242

This instrument was prepared by:
Shannon E. Price, Esq.
Kudulis, Reisinger & Price, LLC
P. O. Box 653
Birmingham, AL 35201

WARRANTY DEED, JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

STATE OF ALABAMA

KNOW ALL MEN BY THESE PRESENTS:

SHELBY COUNTY

That in consideration of **Four Hundred Sixty Five Thousand dollars & no cents (\$465,000.00)**

To the undersigned **GRANTOR(S)** in hand paid by the **GRANTEE(S)** herein, the receipt whereof is acknowledged,

Mark C. Henry and Brenda A. Henry, husband and wife

(herein referred to as **GRANTOR(S)**), do grant, bargain, sell and convey unto

Daniel W. Butcher and Tracey E. Butcher

(herein referred to as **GRANTEE(S)**), as joint tenants, with right of survivorship, the following described real estate, situated in Shelby County, Alabama, to-wit:

LOT 1016, ACCORDING TO THE SURVEY OF BROOK HIGHLAND, AN EDDLEMAN COMMUNITY, 10TH SECTOR, 2ND PHASE, AS RECORDED IN MAP BOOK 18, PAGE 36 A & B, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

\$300,000.00 of the purchase price is being paid by the proceeds of a first mortgage loan executed and recorded simultaneously herewith.

Subject to:

Taxes for the year 2020 and subsequent years

Easements, Restrictions, reservations, rights-of-way, limitations, covenants and conditions of record, if any

Mineral and mining rights, if any.

Building lines, right of ways, easements, restrictions, reservations and conditions, if any, as recorded in Plat/Map Book 18, Page 36.

35 foot building setback line as shown by recorded plat.

Declaration of Protective Covenants for the "Watershed Property", which provides, among other things, for an Association to be formed to assess and maintain the Watershed Maintenance Areas, etc. of the development; all of said covenants, restrictions and conditions being set out in instrument recorded in Real 194, Page 54, in said Probate Office.

Easement for Sanitary Sewer Lines and Water Lines as recorded in Instrument Number 1993-29505, along with a Deed and Bill of Sale recorded in Instrument Number 1993-29504, in the Probate Office of Shelby County, Alabama.

Declaration of Protective Covenants, Agreements, Easements, Charges and Liens for Brook Highland, as set out in instrument recorded in Real 194, Page 254 in Probate Office, along with Articles of Incorporation of Brook Highland Homeowner's Association, Inc, as recorded in Real 194, Page 281 and By-Laws of Association, Inc. as recorded in Real 194, Page 287 in said Probate Office along with Supplemental Protective Covenants being amended in Real 263, Page 604, in said Probate Office and Supplemental Protective Covenants of Brook Highland, 10th Sector, Second Phase as recorded in Instrument Number 1994-06901, in said Probate Office.

A non-exclusive easement and agreement between Eddleman and Associates and the Water Works and Sewer Board of the City of Birmingham, dated July 11, 1988, and recorded in Real 194, Page 20 and Real 194, Page 43 in said Probate Office.

Easement and agreements between AmSouth Bank, N.A. as Ancillary Trustee for NNCB National Bank of North Carolina, as Trustee for the Public Employees Retirement System of Ohio and The Water Works and Sewer Board of the City of Birmingham, as set out in instrument recorded in Real 194, Page 1 and Real 194, Page 40 in said Probate Office.

Drainage Agreement between AmSouth Bank, N.A., as Ancillary trustee for NNCB National Bank of North Carolina, as Trustee

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of the Public Employees Retirement System of Ohio and Eddleman and Associates, as set out in instrument dated April 14, 1987 and recorded in Real 125, Page 238 in said Probate Office.

Reciprocal Easement Agreement between AmSouth Bank, N.A., as Ancillary Trustee for NCNB National Bank of North Carolina as Trustee for the Public Employees Retirement System of Ohio and Eddleman and Associates, as set out in instrument dated April 14, 1987, and recorded in Real 125, Page 249 and Real 199, Page 18 in said Probate Office.

Subdivision restrictions shown on recorded plat in Map Book 18, Page 36 A & B, provide for construction of single family residence only.

Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto, including rights set out in Deed Book 32, Page 48 and Deed Book 121, Page 294, in said Probate Office.

Restrictive covenants with regard to underground transmission installation by Alabama Power Company as recorded in Real 131, Page 995, in said Probate Office.

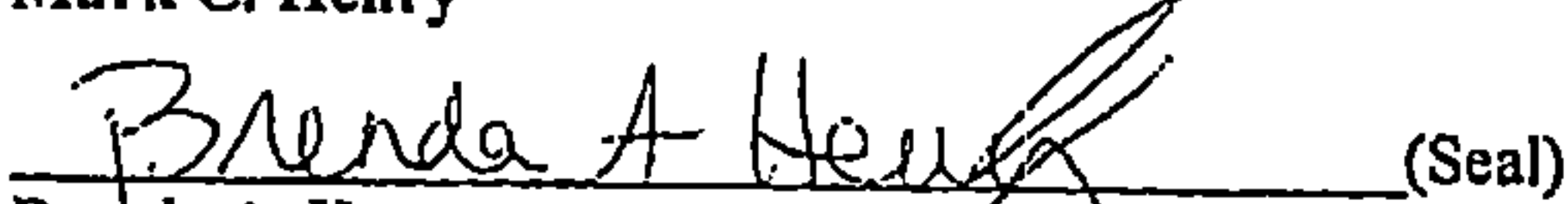
Covenants releasing predecessors in title from any liability arising from sinkholes, limestone formations, soil conditions or any other known or unknown surface or subsurface conditions that may now or hereafter exist or occur or cause damage to subject property, as shown by survey of subdivision, recorded in Map Book 18, Page 36 A & B, in said Probate Office.

20 foot easement on the back of subject property as shown on recorded plat.

TO HAVE AND TO HOLD Unto the said **GRANTEES** as joint tenants, with right of survivorship, their heirs and assigns, forever; it being the intention of the parties to this conveyance, that (unless the joint tenancy hereby created is severed or terminated during the joint lives of the grantees herein) in the event one grantee herein survives the other, the entire interest in fee simple shall pass to the surviving grantee and if one does not survive the other, then the heirs and assigns of the grantees herein shall take as tenants in common.

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, GRANTOR(S) have hereunto set my (our) hand(s) and seal(s), August 21, 2020.

 (Seal)
Mark C. Henry
 (Seal)
Brenda A. Henry

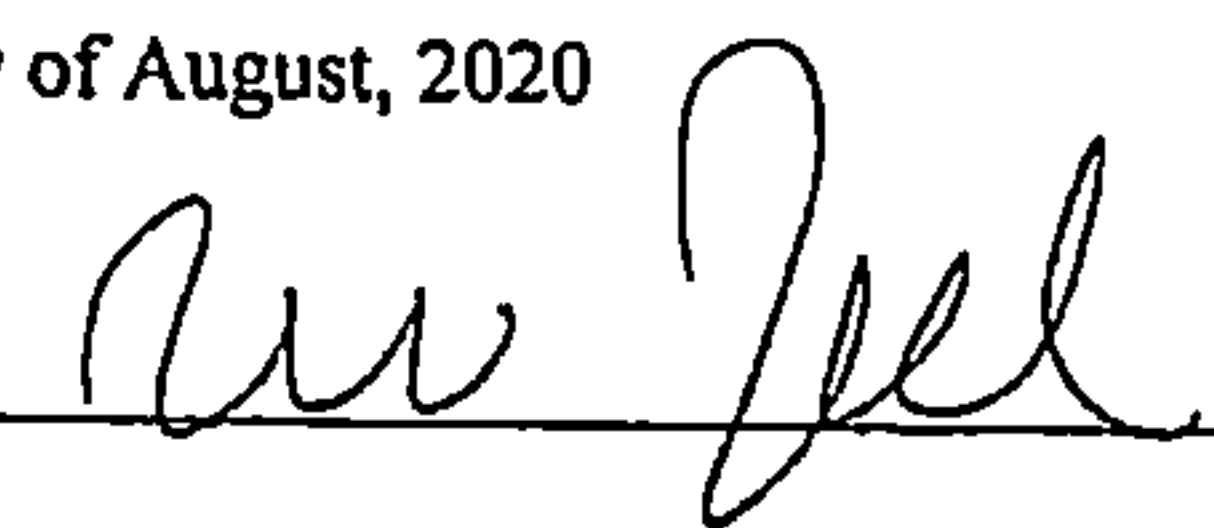
STATE OF ALABAMA

General Acknowledgement

JEFFERSON COUNTY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Mark C. Henry and Brenda A. Henry, husband and wife, 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 have/has executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 21st day of August, 2020


Notary Public.

(Seal)

My Commission Expires: _____

WILLIAM PATRICK COCKRELL, II
Notary Public, Alabama State At Large
My Commission Expires Jan. 9, 2021


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Real Estate Sales Validation Form

This Document must be filled in accordance with Code of Alabama 1975, Section 40-22-1 (h)

Grantor's Name Mark C. Henry and Brenda A. Henry Grantee's Name Daniel W. Butcher and Tracey E. Butcher

Mailing Address 2040 Brook Highland Ridge
Birmingham, Alabama 35242
Property Address 1090 Hampton Place
Birmingham, Alabama 35242Mailing Address 1090 Hampton Place
Birmingham, Alabama 35242
Date of Sale 08/21/2020

Total Purchase Price \$465,000.00

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 8/21/20

Print Daniel W. Butcher

Unattested

(verified by)

Sign (Grantor/Grantee/Owner/Agent) circle one

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ibama, County

Allen S. Bayl