

Send tax notice to:

BENZ LIVING TRUST

*1031 Highland Lakes Trace
Birmingham, AL 35242*

This instrument prepared by:

Charles D. Stewart, Jr.

Attorney at Law

4898 Valleydale Road, Suite A-2

Birmingham, Alabama 35242

STATE OF ALABAMA
Shelby COUNTY

2021670T

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of Six Hundred Twenty-Five Thousand and 00/100 Dollars (\$625,000.00) the amount which can be verified in the Sales Contract between the two parties in hand paid to the undersigned, **RICHARD H MCCURDY A/K/A RICHARD HOWARD MCCURDY and DEBRA C. MCCURDY, HUSBAND AND WIFE** whose mailing address is: *10 Tomochichi Lane Savannah GA 31411* (hereinafter referred to as "Grantors") by **A. STANLEY BENZ AND CAROL C. BENZ, TRUSTEES FOR THE BENZ LIVING TRUST, DATED JANUARY 18, 2005** whose property address is: **1031 HIGHLAND LAKES TRACE, BIRMINGHAM, AL, 35242** hereinafter referred to as "Grantees"), the receipt and sufficiency of which are hereby acknowledged, Grantor does, by these presents, grant, bargain, sell, and convey unto Grantees, as joint tenants with right of survivorship, the following described real estate situated in Shelby County, Alabama, to-wit:

Lot 529, according to the Map of Highland Lakes, 5th Sector, Phase II, an Eddleman Community, as recorded in Map Book 19, page 3, in the Probate Office of Shelby County, Alabama.

Together with the nonexclusive easement to use the private roadways, common area, all as more particularly described in the Declaration of Easements and Master Protective Covenants for Highland Lakes, a residential subdivision, recorded in Instrument #1994-07111 and amended in Instrument #1996-17543, in the Probate Office of Shelby County, Alabama, and the Declaration of Covenants, Conditions and Restrictions for Highland Lakes, a Residential Subdivision, 5th Sector, Phase I, as recorded as Instrument #1994-07910 and Supplemental Declaration of Protective Covenants of Highland Lakes, Fifth Sector, Phase II, recorded in Instrument #1994-31018, in the Probate Office of Shelby County, Alabama (which, together with all amendments thereto, is hereinafter collectively referred to as, the "Declaration").

SUBJECT TO:

1. Taxes for the year beginning October 1, 2020 which constitutes a lien but are not yet due and payable until October 1, 2021.
2. Restrictions, public utility easements and setback lines, as shown on the recorded Map of Highland Lakes, 5th Sector, Phase II, an Eddleman Community, as recorded in Map Book 19, page 3, in the Probate Office of Shelby County, Alabama.

3. Minerals of whatsoever kind, subsurface and surface substances, including but not limited to coal, lignite, oil, gas, uranium, clay, rock, sand and gravel in, on, under and that may be produced from the Land, together with all rights, privileges, and immunities relating thereto, whether or not appearing in the Public Records, including those recorded in Book 28, page 237.
4. Declaration of Easements and Master Protective Covenants for Highland Lakes, a residential subdivision, recorded in Instrument #1994-07111 and amended in Instrument #1996-17543, in the Probate Office of Shelby County, Alabama, and the Declaration of Covenants, Conditions and Restrictions for Highland Lakes, a Residential Subdivision, 5th Sector, Phase I, as recorded as Instrument #1994-07910 and Supplemental Declaration of Protective Covenants of Highland Lakes, Fifth Sector, Phase II, recorded in Instrument #1994-31018, in the Probate Office of Shelby County, Alabama.
5. Easement for ingress and egress to serve Highland Lakes Development executed by Highland Lakes Development, Ltd., to Highland Lakes Properties, Ltd., recorded as Instrument #1993-15704.
6. Riparian and other rights created by the fact the property lies adjacent to Highland Lake.
7. Right of way to Alabama Power Company recorded in Book 111, page 408; Book 109, page 70; Book 149, page 380; Book 173, page 364; Book 276, page 670; Book 134, page 408; Book 133, page 212; Book 133, page 210 and 212; Real Volume 31, page 355.
8. Right of way to Shelby County recorded in Book 196, page 246.
9. Agreement with Alabama Power Company recorded in Instrument #1994-1186.
10. Release of damages recorded in Instrument #1996-03295.
11. Lake Easement Agreement executed by Highland Lake Properties, Ltd. and Highland Lake Development, Ltd., provided for easements, use by others and maintenance of Lake Property described within Instrument #1993-15705.
12. Covenants, Conditions and Restrictions as recorded in Instrument #20001201000413171.
13. Right of way granted to Birmingham Water Works Board as recorded in Instrument #1994-8359.

\$0.00 OF THE CONSIDERATION AS WAS PAID FROM THE PROCEEDS OF A MORTGAGE LOAN.

Richard Howard McCurdy and Richard H McCurdy are one and the same person.

TO HAVE AND TO HOLD unto the Grantee, its successors and assigns forever.

The Grantor does for itself, its successors and assigns, covenant with the Grantee, its successors and assigns, that it is lawfully seized in fee simple of said premises; that they are free from all encumbrances, except as shown above; that it has a good right to sell and convey the same as aforesaid; and that it will, and its successors and assigns shall, warrant and defend the same to the Grantees, their heirs, executors, administrators and assigns forever against the lawful claims of all persons.

21st IN WITNESS WHEREOF, said Grantor, has hereunto set his/her hand and seal this the day of August, 2021.

Richard H. McCurdy
By and through Debra C. McCurdy
Attorney in Fact

RICHARD H MCCURDY
By and through Debra C McCurdy
Attorney in Fact

Debra C. McCurdy
DEBRA C. MCCURDY

STATE OF ALABAMA
COUNTY OF SHELBY

GEORGIA
CHATHAM

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that DEBRA C. MCCURDY whose name(s) is/are signed to the foregoing instrument, and who is/are known to me, acknowledged before me on this day, that, being informed of the contents of the said instrument, he/she/they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 21st day of August, 2021.



Andrea G. Miller

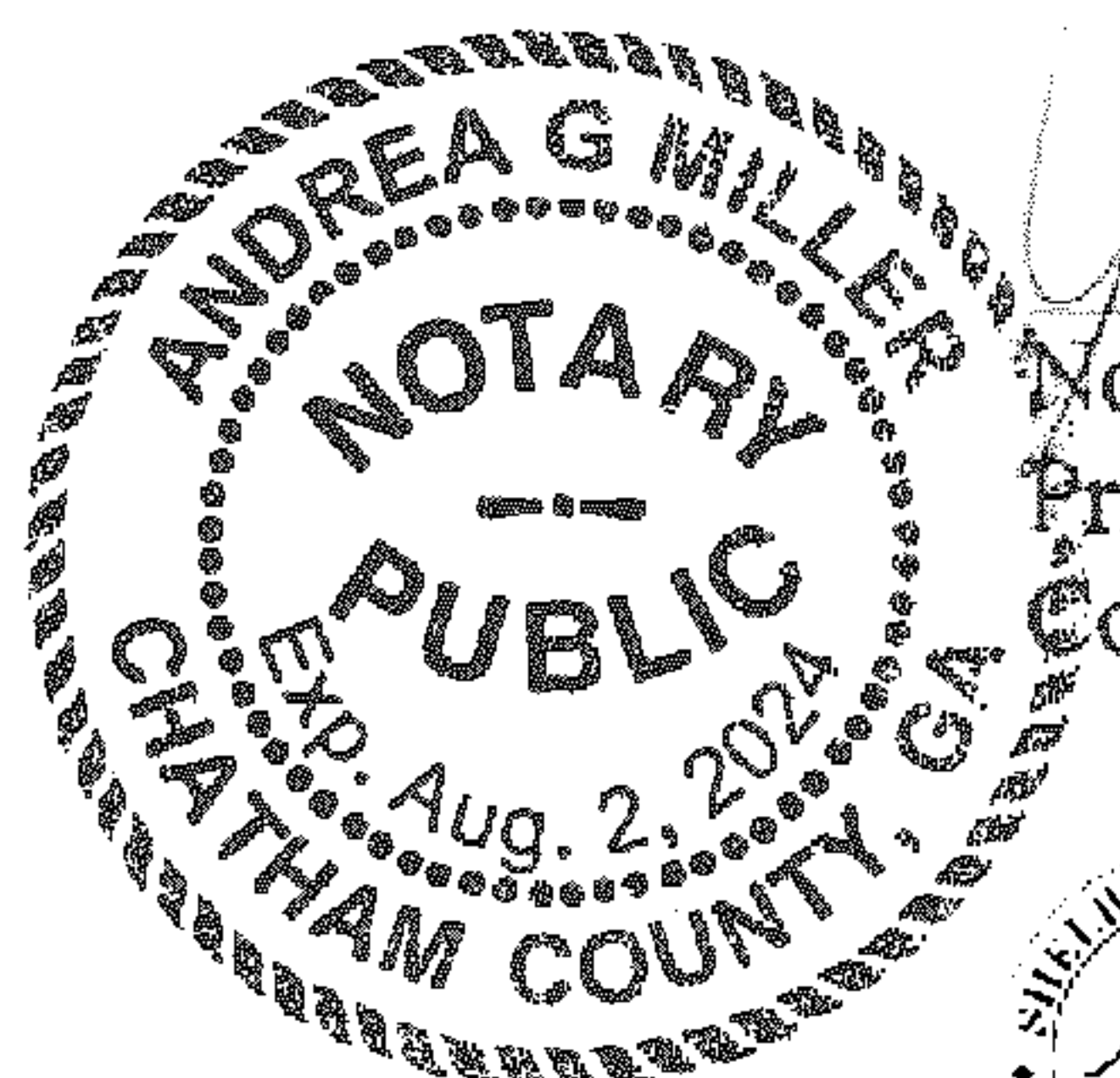
Notary Public
Print Name: *ANDREA G. MILLER*
Commission Expires: *08/02/2024*

State of Alabama
County of Shelby

GEORGIA
CHATHAM

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Debra C McCurdy, whose name as Agent and Attorney in Fact for Richard H McCurdy, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day, that, being informed of the contents of the said instrument, she executed the same voluntarily in her capacity as Attorney in Fact for Richard H McCurdy on the day the same bears date.

Given under my hand and official seal this the 21st day of August, 2021.



Andrea G. Miller

Notary Public
Print Name:
Commission Expires:



Filed and Recorded
Official Public Records
Judge of Probate, Shelby County Alabama, County
Clerk
Shelby County, AL
08/25/2021 01:35:54 PM
\$655.00 CHERRY
20210825000414690

Alli S. Boyd