

Send tax notice to:
HENRY C. MIMS
279 HIGHLAND PARK DRIVE
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

2021717T

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of Four Hundred Forty-Nine Thousand Nine Hundred and 00/100 Dollars (\$449,900.00) the amount which can be verified in the Sales Contract between the two parties in hand paid to the undersigned, **TERRY L. POLING and CATHY R. POLING, HUSBAND AND WIFE** whose mailing address is: 318 English Fwy of Fairhope, AL 36532 (hereinafter referred to as "Grantors") by **HENRY C. MIMS and LATOYA R. MIMS** whose property address is: **279 HIGHLAND PARK DRIVE, 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 1715-A, according to the Re-Subdivision of Highland Lakes, 17th Sector, as recorded in Map Book 27, page 90A & B, in the Office of the Judge of Probate of Shelby County, Alabama.

Together with nonexclusive easement to use the private roadways, common areas, all as more particularly described in the Declaration of Easement and Master Protective Covenants for Highland Lakes, a Residential Subdivision, recorded as Instrument No. 1994-07111 and amended in Instrument No. 1996-17543; Further amended in Instrument #1999-31095 in the Probate Office of Shelby County, Alabama, and the Declaration of Covenants, Conditions and Restrictions for Highland Lakes, a Residential Subdivision, 17th Sector, recorded as Instrument #2000-41317 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 and survey of Re-Subdivision of Highland Lakes, 17th Sector, an Eddleman Community, as recorded in Map Book 27, Page 90, in the Office of the Judge of Probate 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 Deed Book 81, page 417; Instrument #1998-7776; Instrument #1998-7777 and Instrument #1998-7778.
4. Declaration of Easements and Master Protective Covenants for Highland Lakes, a Residential Subdivision, which provides, among other things, for an Association to be formed to assess and maintain the private roadways, etc. of the development; all of said covenants, restrictions, and conditions being set out in instrument recorded as Instrument #1994-07111, amended in Instrument #1996-17543, Further amended in Instrument #1999-31095 in the Probate Office of Shelby County, Alabama.
5. Covenants, Conditions and Restrictions for Highland Lakes, a Residential Subdivision, 17th Sector, recorded as Instrument #2000-41317 in the Probate Office of Shelby County, Alabama.
6. Articles of Incorporation of Highland Lakes Residential Association, Inc. as recorded in Instrument #9402/3947.
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 and Instrument #1994-1186.
8. Right of way to Shelby County recorded in Deed Book 95, page 503 and Book 196, page 246.

- 9. 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.
- 10. Riparian and other rights created by the fact the property lies adjacent to Highland Lake.
- 11. Cable Agreement as recorded in Instrument #1997-19422.
- 12. License Agreement and Easement as recorded in Instrument #2001-43171.
- 13. Lake Easement Agreement recorded in Instrument #1993-15705.
- 14. Release of damages recorded in Instrument #1999-40620.

\$359,200.00 OF THE CONSIDERATION AS WAS PAID FROM THE PROCEEDS OF A MORTGAGE LOAN.

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.

28th IN WITNESS WHEREOF, said Grantor, has hereunto set his/her hand and seal this the day of September, 2021.


TERRY L. POLING


CATHY R. POLING
BY TERRY L POLING, ATTORNEY IN FACT

By Terry L Poling Attorney in Fact

STATE OF ALABAMA
COUNTY OF SHELBY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that TERRY L. POLING 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 28th day of September, 2021.



Notary Public
Print Name: *Charles J. Yarnall Jr*
Commission Expires:

9/30/24

State of Alabama
County of Shelby

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Terry L Poling, whose name as Agent and Attorney in Fact for Cathy R Poling, 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, he executed the same voluntarily in his capacity as Attorney in Fact for Cathy R Poling on the day the same bears date.

Given under my hand and official seal this the 28th day of September, 2021.


Notary Public
Print Name: *Charles J. Yarnall Jr*
Commission Expires:

9/30/24



Filed and Recorded
Official Public Records
Judge of Probate, Shelby County Alabama, County
Clerk
Shelby County, AL
10/08/2021 03:25:30 PM
\$475.00 BRITTANI
20211008000493140

Allie S. Beal