

20211221000600870
12/21/2021 08:07:11 AM
DEEDS 1/5

This Instrument was prepared by:
Gregory D. Harrelson, Esq
The Harrelson Law Firm, LLC
101 Riverchase Pkwy East
Hoover, AL 35244

Send Tax Notice To:
Charles M. Kitchen
Mindy S. Kitchen
2047 Springfield Dr
Chelsea, AL 35043

WARRANTY DEED

STATE OF ALABAMA)
) KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF SHELBY)

That in consideration of TWO HUNDRED EIGHTY NINE THOUSAND and 00/100 DOLLARS (\$289,000.00) to the undersigned GRANTOR in hand paid by the GRANTEEES herein, the receipt of which is hereby acknowledged, HIGHPOINTE PARTNERS, LLC, an Alabama limited liability company (herein referred to as GRANTOR) does hereby grant, bargain, sell and convey unto CHARLES M. KITCHEN and MINDY S. KITCHEN, husband and wife (herein referred to as GRANTEEES), for and during their joint lives and upon the death of either of them, then to the survivor of them in fee simple, together with every contingent remainder and right of reversion the following described real estate situated in Shelby County, Alabama to-wit:

SEE EXHIBIT "A" LEGAL DESCRIPTION

Subject to: (1) Ad valorem taxes due and payable October 1, 2022 and all subsequent years thereafter; (2) Mineral and Mining Rights not owned by Grantor; (3) All easements, restrictions, reservations, agreements, rights-of-way, building set-back lines and any other matters of record; (4) Current Zoning and use restrictions; (5) Deed Restrictions attached hereto as Exhibit "B".

TO HAVE AND TO HOLD unto the said Grantees, their heirs and assigns, forever.
And the Grantor does for itself and for its successors and assigns covenant with the said Grantees, their heirs and assigns, that it is lawfully seized in fee simple of said premises; that they are free from all encumbrances unless otherwise noted above; that it has a good right to sell and convey the same as aforesaid; that it will, and its successors and assigns 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, the said Grantor, by its duly authorized member, has hereunto set its hand and seal this the 10th day of December, 2021.

Highpointe Partners, LLC


By: Wes Davis
Its: Member

STATE OF ALABAMA)
COUNTY OF SHELBY)

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that Wes Davis, whose name as Member of Highpointe Partners, LLC 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, as such Member and with full authority, executed the same voluntarily for and as the act of Highpointe Partners, LLC on the day the same bears date.

Given under my hand and official seal, this the 10th day of December, 2021.


NOTARY PUBLIC
My Commission Expires 8/21/23

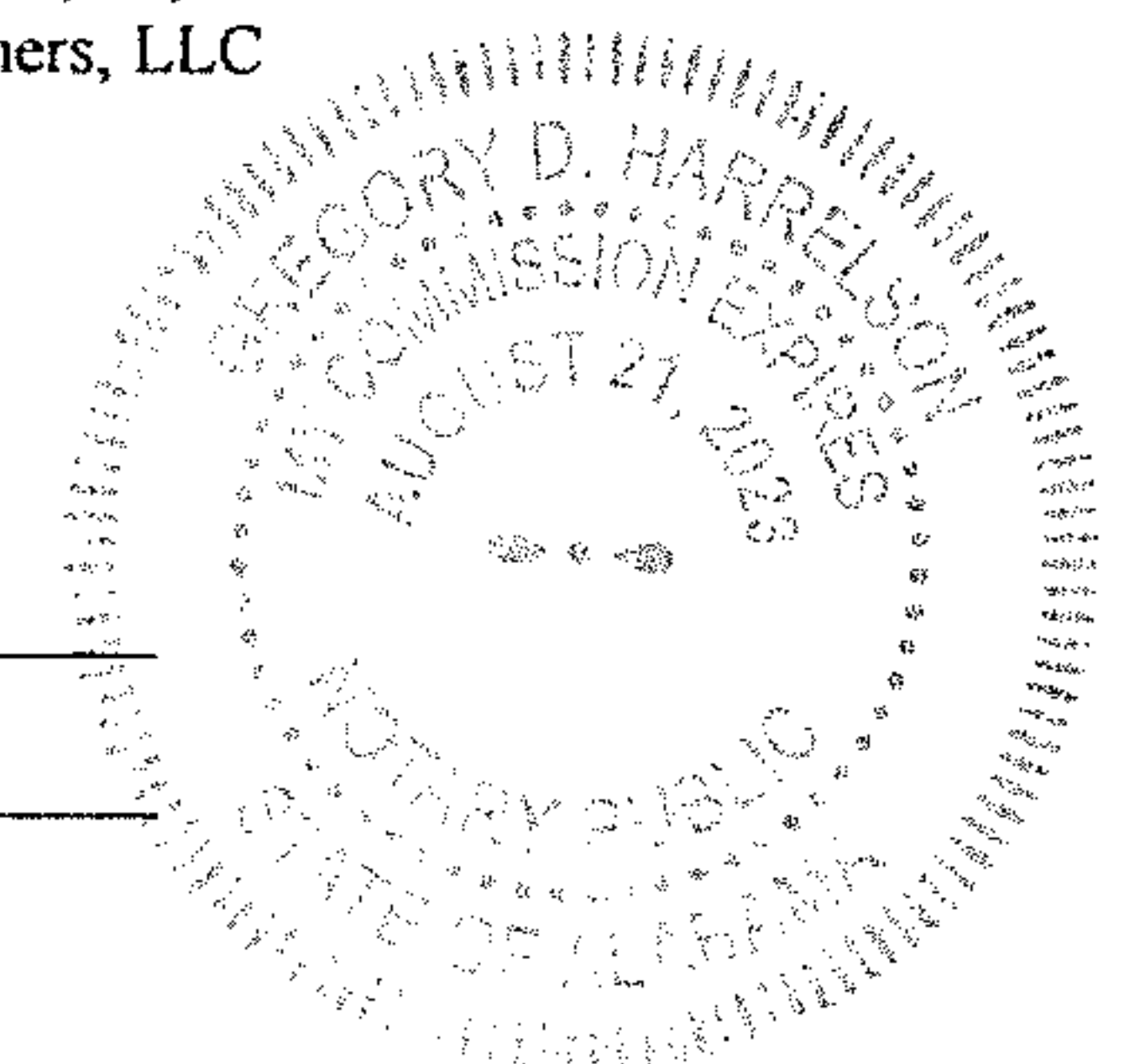


EXHIBIT "A"

Legal Description:

Parcel 1

Commence at a ½" rebar in place, said point being the Northwest corner of the Southeast one-fourth of the Northwest one-fourth of Section 4, Township 20 South, Range 1 East, Shelby County, Alabama, said point being the point of beginning. From this beginning point proceed thence proceed North 89° 52' 57" East for a distance of 1138.88 feet; thence proceed South 19° 04' 36" East for a distance of 784.69 feet; thence proceed South 00° 57' 27" East for a distance of 292.46 feet to the centerline of a branch; thence proceed South 65° 02' 19" East along the centerline of said branch for a distance of 19.46 feet; thence proceed South 71° 54' 49" East along the centerline of said branch for a distance of 50.31 feet; thence proceed North 73° 57' 36" East along the centerline of said branch for a distance of 68.52 feet; thence proceed North 17° 44' 55" East along the centerline of said branch for a distance of 62.54 feet; thence proceed North 72° 08' 38" East along the centerline of said branch for a distance of 147.46 feet; thence proceed South 39° 31' 43" East along the centerline of said branch for a distance of 27.32 feet; thence proceed South 03° 15' 14" East along the centerline of said branch for a distance of 62.77 feet; thence proceed South 44° 37' 07" East along the centerline of said branch for a distance of 28.63 feet; thence proceed North 76° 34' 15" East along the centerline of said branch for a distance of 22.79 feet; thence proceed North 45° 37' 41" East along the centerline of said branch for a distance of 58.98 feet; thence proceed South 89° 11' 46" East along the centerline of said branch for a distance of 94.69 feet; thence proceed North 49° 41' 36" East along the centerline of said branch for a distance of 30.01 feet; thence proceed North 18° 00' 00" East along the centerline of said branch for a distance of 37.21 feet; thence proceed North 66° 43' 41" East along the centerline of said branch for a distance of 55.91 feet; thence proceed South 84° 29' 58" East along the centerline of said branch for a distance of 14.08 feet; thence proceed South 34° 21' 19" East along the centerline of said branch for a distance of 61.81 feet; thence proceed South 70° 21' 42" East along the centerline of said branch for a distance of 57.40 feet; thence proceed North 63° 07' 10" East along the centerline of said branch for a distance of 105.75 feet; thence proceed North 41° 06' 48" East along the centerline of said branch for a distance of 57.29 feet; thence proceed South 43° 16' 19" East for a distance of 122.52 feet to a point on the Northerly right-of-way of Shelby County Road No. 51; thence proceed Southwesterly along the Northerly right-of-way of said highway and along the curvature of a concave curve left having an arc length of 123.49 feet and a radius of 476.41 feet for a chord bearing and distance of South 60° 15' 17" West, 123.14 feet to the P. T. of said curve; thence proceed South 52° 38' 08" West along the Northerly right-of-way of said road for a distance of 73.44 feet to the P. C. of a concave left having an arc length of 157.51 feet and a radius of 171.12 feet; thence proceed Southwesterly along the Northerly right-of-way of said road and along the curvature of said curve for a chord bearing and distance of South 26° 15' 59" West, 152.01 feet to the P. T. of said curve; thence proceed South 00° 06' 11" East for a distance of 210.34 feet; to the P. C. of a concave curve right having an arc length of 303.96 feet and a radius of 320.69 feet; thence proceed Southwesterly along the Northerly right-of-way of said road and along the curvature of said curve for a chord bearing and distance of South 27° 03' 02" West, 292.71 feet to the P. T. of said curve; thence

proceed South 54° 12' 15" West along the Northerly right-of-way of said road for a distance of 234.67 feet; thence proceed North 35° 39' 43" West for a distance of 69.91 feet; thence proceed North 01° 01' 22" West for a distance of 312.01 feet; thence proceed North 89° 58' 35" West for a distance of 336.31 feet; to a point on the West boundary of the Northwest one-fourth of the Southeast one-fourth of said Section 4; thence proceed North 00° 58' 13" West along the West boundary of said quarter-quarter section and along the West boundary of the Southwest one-fourth of the Northeast one-fourth for a distance of 624.59 feet to a ½" pipe in place; thence proceed North 88° 59' 32" West for a distance of 1356.30 feet to a 1" pipe in place, said point being located on the West boundary of the Southeast one-fourth of the Southwest one-fourth; thence proceed North 00° 38' 46" East along the West boundary of said quarter-quarter section for a distance of 816.78 feet to the point of beginning

The above-described land is located in the Southeast one-fourth of the Northwest one-fourth, the Southwest one-fourth of the Northeast one-fourth and the Northwest one-fourth of the Southeast one-fourth of Section 4, Township 20 South, Range 1 East, Shelby County, Alabama.

AND ALSO A 30 FOOT SHARED DRIVEWAY EASEMENT BEING 15 feet in equal width on each side of the following described line: Commence at a ½" rebar in place, said point being the Northwest corner of the Southeast one-fourth of the Northwest one-fourth of Section 4, Township 20 South, Range 1 East, Shelby County, Alabama; thence proceed South 00° 38' 46" West along the West boundary of said quarter-quarter section for a distance of 816.78 feet to a 1" pipe in place; thence proceed South 88° 59' 32" East for a distance of 1356.30 feet to a ½" pipe in place to a point on the West boundary of the Southwest one-fourth of the Northeast one-fourth; thence proceed South 00° 58' 13" East along the West boundary of said quarter-quarter section and along the West boundary of the Northwest one-fourth of the Southeast one-fourth for a distance of 624.59 feet; thence proceed South 89° 58' 25" East for a distance of 336.31 feet; thence proceed South 01° 01' 22" East for a distance of 312.01 feet to the point of beginning of said proposed 30 foot shared driveway easement. From this beginning point proceed South 35° 39' 43" East along the centerline of said proposed 30 foot easement for a distance of 69.91 feet to a point on the Northerly right-of-way of Shelby County Road No. 51 and the termination of said easement.

Parcel 2

Tract #2 according to the survey of Branch Side Estates as recorded in Map Book 55 Page 33 in the Probate Office of Shelby County, Alabama.

Exhibit "B"

**Declaration of Protective Deed Restrictions for Branch Side Estates
A Residential Subdivision**

- A. No mobile or manufactured homes shall be allowed on any lot.
- B. Minimum floor area shall be 2,000 square feet living area for a one-story residence and 2,500 square feet for a one-half story.
- C. No boats, trailers, or recreational vehicles may be parked in any location that can be seen from the road for a period in excess of 48 hours, provided boats and recreational vehicles and like may be stored indefinitely if they are stored in such a manner that they are incapable of being seen by another lot or home site.
- D. Any lot owner intending to install a fence along the Hwy 51 frontage portion of the lot must construct a four-rail split fence using square posts and 2"x 6" slats with a black finish, in order to maintain uniformity along the roadway.

Real Estate Sales Validation Form*This Document must be filed in accordance with Code of Alabama 1975, Section 40-22-1*

Grantor's Name Highpointe Partners, LLC
 Mailing Address 120 Bishop Circle
Pelham, AL 35124

Grantee's Name Charles M. Kitchen
 Mailing Address Mindy S. Kitchen
2047 Springfield Dr
Chelsea, AL 35043

Property Address N/A

Date of Sale 12/10/2021

Total Purchase Price \$ 289,000

or

Actual Value \$ _____

or

Assessor's Market Value \$ _____

Filed and Recorded
 Official Public Records
 Judge of Probate, Shelby County Alabama, County
 Clerk
 Shelby County, AL
 12/21/2021 08:07:11 AM
 \$323.00 JOANN
 20211221000600870

Alexis S. Boyd



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

☐ Appraisal

☐ Sales Contract

☐ Other _____

☒ Closing Statement

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 or 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 12/10/21

Print WCS DAVIS

Unattested _____

Sign *[Signature]*

(verified by)

(Grantor/Grantee/Owner/Agent) circle one