

STATUTORY WARRANTY DEED



20230303000059650 1/16 \$418.00
Shelby Cnty Judge of Probate, AL
03/03/2023 12:03:32 PM FILED/CERT

This Instrument Was Prepared By:
Luke A. Henderson, Esq.
17 Office Park Circle, Ste 150
Birmingham, AL 35223

Send Tax Notice To:
Kiersten Y Nagel
224 Legacy Parc Circle
Pelham, AL 35124

STATE OF ALABAMA)
COUNTY OF SHELBY)

KNOW ALL MEN BY THESE PRESENTS, That in consideration of Ten and 00/100 Dollars (\$10.00), and the purpose of clearing title, to the undersigned Grantors in hand paid by the Grantee herein, the receipt of which is hereby acknowledged,

The Estate of Jed Laften Nagel, Deceased, In the Probate Court of St. Clair County, Case No. N-2019-45, by Laura E. Nagel, its Personal Representative

(herein referred to as "Grantor") does do grant, bargain, sell and convey unto

Kiersten Y Nagel

(herein referred to as Grantee), the following described real estate, situated in the State of Alabama, County of Shelby, to-wit:

Lot 14, according to the Survey of Legacy Parc, as recorded in Map Book 27, Page 9, in the Probate Office of Shelby County, Alabama. Mineral and mining rights reserved.

The above property was previously vested in **Jed Laften Nagel**, as evidenced by that certain Corporation General Warranty Deed as recorded in **Instrument 20020129000048141** in the Office of the Judge of Probate of Shelby County, Alabama.

Jed Laften Nagel, an unmarried man, died intestate in the State of Michigan on or about October 21, 2018. Jed Laften Nagel, was domiciled in Antrim County, Michigan at the time of his death and estate proceedings were opened in Antrim County, Michigan, Case Number 2018-13637-DE. Letters of Authority for Special Personal Representative was issued naming Laura E. Nagel, as Personal Representative on or about November 8, 2018. (Letters of Authority attached hereto as **Exhibit A**).

On or about January 31, 2019, a Petition for Ancillary Letters of Administration was filed in the Probate Court of St. Clair County, Alabama, Case Number N-2019-45. Letters of Administration (Ancillary Estate) was issued naming Laura E. Nagel as Administrator of the Estate on or about January 31, 2019. (Letters of Administration [Ancillary Estate] attached hereto as **Exhibit B**).

Prior to his death, Jed Laften Nagel, was involved in litigation on an unrelated matter and judgment was entered on or about February 28, 2018 against both, Jed Nagel and his company Nagel Enterprises, Inc., jointly and severally.

After the death of Jed Laften Nagel, Personal Representative, Laura E. Nagel, sought to reach a settlement of the judgment debt with the judgment creditors. On or about August 30, 2019, the parties entered into a Settlement Agreement.

Said Settlement Agreement states, in part:

Each child of Nagel will be able to continue living in and will take possessory fee simple interest (either directly or via a Conservator or Guardian, if required) in their current residence pursuant to distribution of the probate court, which may include some equalization payment. The possessory fee simple interest to be held by each child is in regard to only the following individuals and residences, respectively: **(b) Kiersten Nagel: 224 Legacy Parc Circle, Pelham, AL 35124.**

(Redacted copy of pages of the Settlement Agreement attached hereto as **Exhibit C**)

Said Settlement Agreement was approved by the Court on or about August 30, 2019, as evidenced by that certain Order Dismissing Case, attached hereto as **Exhibit D**. And approved by the Antrim County Probate Court on or about October 10, 2019, as evidenced by certain Order approving settlement agreement attached hereto as **Exhibit E**.

Kiersten Y. Nagel, was born on June 18, 2003 and a minor at the time said Settlement Agreement was approved and entered, as such no conveyance was made to Kiersten Y. Nagel at the time of agreement.

As of June 18, 2022, **Kiersten Y. Nagel** has reached age of majority under Alabama Law and by this conveyance, Kiersten Y. Nagel, is receiving the above noted property as distribution from the Estate pursuant to the Settlement Agreement.

Subject to existing easements, restrictions, set back lines, rights of ways, limitations, if any, of record.

TO HAVE AND TO HOLD unto the said Grantee, her heirs and assigns, forever.

And Grantor, for herself, her heirs, executors, assigns and transferees will warrant and forever defend the right and title to the above described property, unto the said Grantee, her heirs, and assigns forever, against the claims of all persons claiming by, through or under Grantor, which claims are based upon matters occurring subsequent to Grantor's acquisition of the above described property and prior to the date of delivery of this deed.



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IN WITNESS WHEREOF, the said Grantor has set its hand and seal this 24 day of June, 2022.

THE ESTATE OF JED LAFTEN NAGEL, DECEASED

By: Lana E. Nagel, PR
Laura E. Nagel, Personal Representative

STATE OF ALABAMA)
COUNTY OF JEFFERSON)

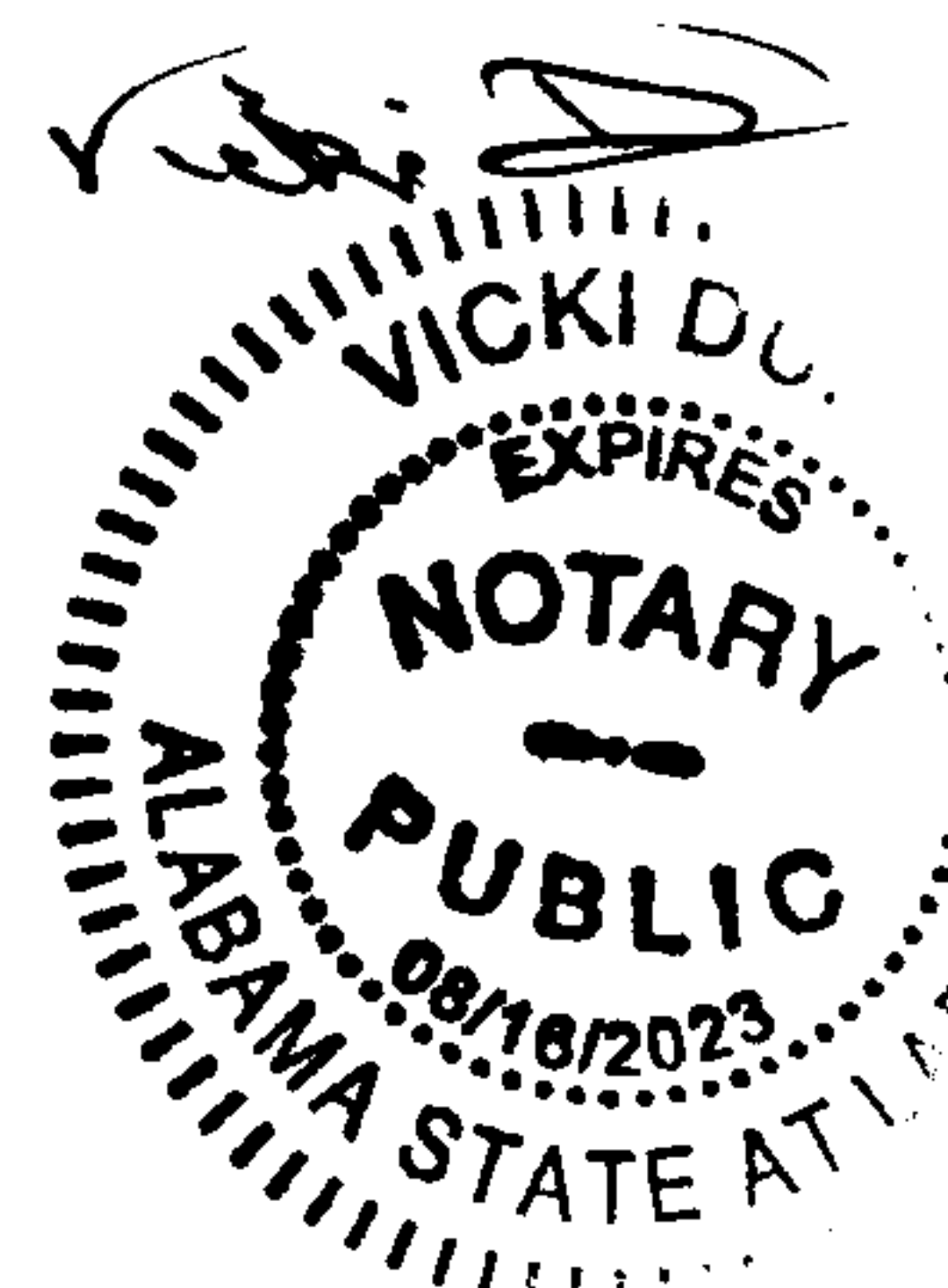
I, the undersigned, a Notary Public, in and for said county, in said state, hereby certify that, Laura E. Nagel as Personal Representative of **The Estate of Jed Laften Nagel, Deceased**, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, Laura E. Nagel in her capacity as Personal Representative and with full authority, executed the same voluntarily for and as the act of said Estate.

Given under my hand and seal this June 24th, 2022.

My Commission Expires: 08/16/2023 Notary Public

Grantor's Address:

Property Address: 224 Legacy Parc Circle Pelham, AL 35124





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EXHIBIT A



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JIS CODE: LET

Approved, SCAO

STATE OF MICHIGAN
PROBATE COURT
COUNTY OF ANTRIM

LETTERS OF AUTHORITY FOR
SPECIAL
PERSONAL REPRESENTATIVE

FILE NO.

18-13637-DE

Estate of Jed Laften Nagel, Deceased

TO:

Name and address

Laura E. Nagel
13037 Shamblin Road
Northport, AL 35473

Telephone no.

(205) 789-0188

You have been appointed and qualified as personal representative of the estate on 11/08/2018. You are authorized to perform all acts authorized by law unless exceptions are specified below. Date

☐ Your authority is limited in the following way:

☐ You have no authority over the estate's real estate or ownership interests in a business entity that you identified on your acceptance of appointment.

☐ Other restrictions or limitations are:

☐ These letters expire:

11/8/18
Date

Date

Judge (formal proceedings)/Register (informal proceedings)

Bar no.

SEE NOTICE OF DUTIES ON SECOND PAGE

Timothy M. White

Attorney name (type or print)

P77399

Bar no.

901 S. Garfield Avenue, Suite 200

Address

Traverse City, MI 49686

City, state, zip

231-929-4878

Telephone no.

I certify that I have compared this copy with the original on file and that it is a correct copy of the original, and on this date, these letters are in full force and effect.

Date

Deputy register

Do not write below this line - For court use only

CERTIFIED COPY

I certify that I have compared this copy with the original on file and that it is a correct copy of the whole of such original.

Donna Rogers

Donna Rogers, Probate Register

PC 572 (2/13) LETTERS OF AUTHORITY FOR PERSONAL REPRESENTATIVE

MCL 700.3103, MCL 700.3307, MCL 700.3414,
MCL 700.3504, MCL 700.3601,
MCR 5.202, MCR 5.206, MCR 5.307, MCR 5.310

The following provisions are mandatory reporting duties specified in Michigan law and Michigan court rules and are not the only duties required of you. See MCL 700.3701 through MCL 700.3722 for other duties. Your failure to comply may result in the court suspending your powers and appointing a special fiduciary in your place. It may also result in your removal as fiduciary.

CONTINUED ADMINISTRATION: If the estate is not settled within 1 year after the first personal representative's appointment, you must file with the court and send to each interested person a notice that the estate remains under administration, specifying the reasons for the continued administration. You must give this notice within 28 days of the first anniversary of the first personal representative's appointment and all subsequent anniversaries during which the administration remains uncompleted. If such a notice is not received, an interested person may petition the court for a hearing on the necessity for continued administration or for closure of the estate. [MCL 700.3703(4), MCL 700.3951(3), MCR 5.144, MCR 5.307, MCR 5.310]

DUTY TO COMPLETE ADMINISTRATION OF ESTATE: You must complete the administration of the estate and file appropriate closing papers with the court. Failure to do so may result in personal assessment of costs. [MCR 5.310]

CHANGE OF ADDRESS: You are required to inform the court and all interested persons of any change in your address within 7 days of the change.

Additional Duties for Supervised Administration

If this is a supervised administration, in addition to the above reporting duties, you are also required to prepare and file with this court the following written reports or information.

INVENTORY: You are required to file with the probate court an inventory of the assets of the estate within 91 days of the date your letters of authority are issued or as ordered by the court. You must send a copy of the inventory to all presumptive distributees and all other interested persons who request it. The inventory must list in reasonable detail all the property owned by the decedent at the time of death. Each listed item must indicate the fair market value at the time of the decedent's death and the type and amount of any encumbrance. Where the decedent's date of death is on or after March 28, 2013, the lien amount will be deducted from the value of the real property for purposes of calculating the inventory fee under MCL 600.871(2). If the value of any item has been obtained through an appraiser, the inventory should include the appraiser's name and address with the item or items appraised by that appraiser. You must also provide the name and address of each financial institution listed on your inventory at the time the inventory is presented to the court. The address for a financial institution shall be either that of the institution's main headquarters or the branch used most frequently by the personal representative. [MCL 700.3706, MCR 5.307, MCR 5.310(E)]

ACCOUNTS: You are required to file with this court once a year, either on the anniversary date that your letters of authority were issued or on another date you choose (you must notify the court of this date) or more often if the court directs, a complete itemized accounting of your administration of the estate. This itemized accounting must show in detail all income and disbursements and the remaining property, together with the form of the property. Subsequent annual and final accountings must be filed within 56 days following the close of the accounting period. When the estate is ready for closing, you are also required to file a final account with a description of property remaining in the estate. All accounts must be served on the required persons at the same time they are filed with the court, along with proof of service.

ESTATE (OR INHERITANCE) TAX INFORMATION: You are required to submit to the court proof that no estate (or inheritance) taxes are due or that the estate (or inheritance) taxes have been paid. **Note:** The estate may be subject to inheritance tax.

Additional Duties for Unsupervised Administration

If this is an unsupervised administration, in addition to the above reporting duties, you are also required to prepare and provide to all interested persons the following written reports or information.

INVENTORY: You are required to prepare an inventory of the assets of the estate within 91 days from the date your letters of authority are issued and to send a copy of the inventory to all presumptive distributees and all other interested persons who request it. The inventory must list in reasonable detail all the property owned by the decedent at the time of death. Each listed item must indicate the fair market value at the time of the decedent's death and the type and amount of any encumbrance. Where the decedent's date of death is on or after March 28, 2013, the lien amount will be deducted from the value of the real property for purposes of calculating the inventory fee under MCL 600.871(2). You are required within 91 days from the date your letters of authority are issued, to submit to the court the information necessary to calculate the probate inventory fee that you must pay to the probate court. You may use the original inventory for this purpose. [MCL 700.3706, MCR 5.307]

ESTATE (OR INHERITANCE) TAX INFORMATION: You may be required to submit to the court proof that no estate (or inheritance) taxes are due or that the estate (or inheritance) taxes have been paid. **Note:** The estate may be subject to inheritance tax.



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EXHIBIT B



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IN THE MATTER OF THE ESTATE OF) IN THE PROBATE COURT
JED LAFTEN NAGEL,) OF ST. CLAIR COUNTY, ALABAMA
DECEASED.) CASE NO. N-2019-45

LETTERS OF ADMINISTRATION
(Ancillary Estate)

Letters of Administration on the Ancillary Estate of JED LAFTEN NAGEL, deceased, are hereby granted to LAURA E. NAGEL, as the Administrator of the Estate, who has complied with the requisitions the law and is authorized to administer such Estate, and is exempted from bond. Subject to the priorities stated in Ala. Code § 43-2-76 (1975, as amended), the said Administrator, acting prudently for the benefit of interested persons, has all the powers authorized in transactions under Ala. Code § 43-2-843 (1975, as amended).

WITNESS my hand and dated this 31st day of January, 2019.

Mike Bowling
JUDGE OF PROBATE

2019 372
Recorded in the Above
PROBATE MINUTES Book & Page
01-31-2019 03:54:31 PM
Mike Bowling - Judge of Probate
St. Clair County, Alabama

I, _____, Chief Clerk of the Probate Court of St. Clair County, Alabama, hereby certify that the foregoing is a true, correct, and fully copy of the Letters of Administration (Ancillary Estate) issued in the above-styled cause as appears of record in said Court. I further certify that said letters are still in full force and effect.

WITNESS my hand and dated this _____ day of _____, 20____.

Chief Clerk



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EXHIBIT C



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SETTLEMENT AGREEMENT

This Settlement Agreement (Agreement) is entered into among the [REDACTED]
[REDACTED] the Estate
of Jed Nagel (the "Estate") and Nagel Enterprise, Inc. ("NEI") (collectively the "Defendants"),
[REDACTED] collectively "the Parties"), through their authorized representatives.

RECITALS

- A. Jed Nagel ("Nagel") was the owner and operator of NEI, which operated as a crematorium.
- B. On January 13, 2014, [REDACTED] filed a *qui tam* action against Nagel and NEI in the United States District Court for the Northern District of Alabama captioned [REDACTED]
[REDACTED], pursuant to the *qui tam* provisions of the False Claims Act, 31 U.S.C. § 3730(b) (the Civil Action). The United States declined to intervene in the Civil Action.
- C. Following a jury trial, on February 28, 2018, a judgment, ECF No. 202, was entered against Nagel and NEI of [REDACTED] for which both were joint and severally liable (the "Judgment").
- D. While post-trial motions were still pending, in October 2018, Nagel passed away. Nagel died intestate, without a will, and an estate was created in Antrim County, Michigan, Probate Court, file 2018-13637-DE. Laura Nagel has been appointed as Personal Representative of the Estate of Jed Nagel, Deceased.
- E. [REDACTED] contends that it has certain civil claims and claims for payment against the Defendants arising from the Judgment. Those claims are referred to below as the "Covered Conduct."

F. Relator claims entitlement under 31 U.S.C. § 3730(d) to a share of the proceeds of this Settlement Agreement.

To avoid the delay, uncertainty, inconvenience, and expense of protracted litigation of the above claims, and in consideration of the mutual promises and obligations of this Settlement Agreement, the Parties agree and covenant as follows:

TERMS AND CONDITIONS

1. The Defendants shall make payments to the [REDACTED] based on the sale of property in accordance with the following terms:

i. Each child of Nagel will be able to continue living in and will take possessory fee simple interest (either directly or via a Conservator or Guardian, if required) in their current residence pursuant to distribution of the probate court, which may include some equalization payment. The possessory fee simple interest to be held by each child is in regard to only the following individuals and residences, respectively:

[REDACTED]

(b) Kiersten Nagel: 224 Legacy Parc Circle, Pelham, AL 35124;

[REDACTED]

ii. The Personal Representative of the Estate of Jed Nagel (the "PR") will continue administering the estate and will have the obligation to sell everything other than the Nagel children's residences at the highest possible value as soon as practicable.

[REDACTED]

[REDACTED]



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EXHIBIT D

A black and white photograph of a rectangular exhibit label. The label has a thick black border. In the top left corner, the word "tabbles" is written vertically in a stylized, lowercase font. In the center, the word "EXHIBIT" is printed in a bold, uppercase, sans-serif font. Below "EXHIBIT" is a large, bold, stylized number "6". A horizontal line is drawn across the label, positioned just below the number "6".

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Case No.: 2:14-CV-

VIRGINIA EMERSON HOPKINS
Senior United States District Judge



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EXHIBIT E



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Approved, SCAO

OSM CODE: ORD

STATE OF MICHIGAN PROBATE COURT ANTRIM COUNTY CIRCUIT COURT - FAMILY DIVISION	ORDER	FILE NO. 2018-13637-DE
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In the matter of Jed Laften Nagel, Deceased

1. Date of hearing: October 10, 2019 Judge: Norman R. Hayes P30063
Bar no.

On petition filed, **THE COURT FINDS** that:

2. Notice of hearing was given to or waived by all interested persons.

IT IS ORDERED that:

The Settlement Agreement dated September 3, 2019 regarding a related matter in United States District Court for the Northern District of Alabama, Civil Action No. 2: 14-CV-61-VEH, is hereby approved by this Court.

October 10, 2019

Date


Judge

Timothy M. White

P77399

Attorney name

Bar no.

901 S. Garfield Avenue, Suite 200

Address

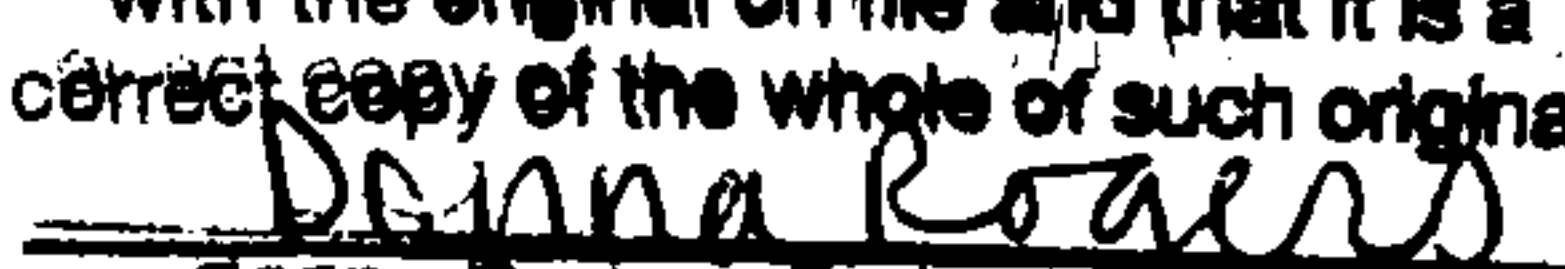
Traverse City, MI 49686

(231) 929-4878

City, state, zip

Telephone no.

Do not write below this line - For court use only

CERTIFIED COPY
I certify that I have compared this copy
with the original on file and that it is a
correct copy of the whole of such original.

Danna Rogers, Probate Registrar

Real Estate Sales Validation Form

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

Grantor's Name Ted Laften Nagel
Mailing Address 224 Legacy Parc
Circle Pelham, AL 35124

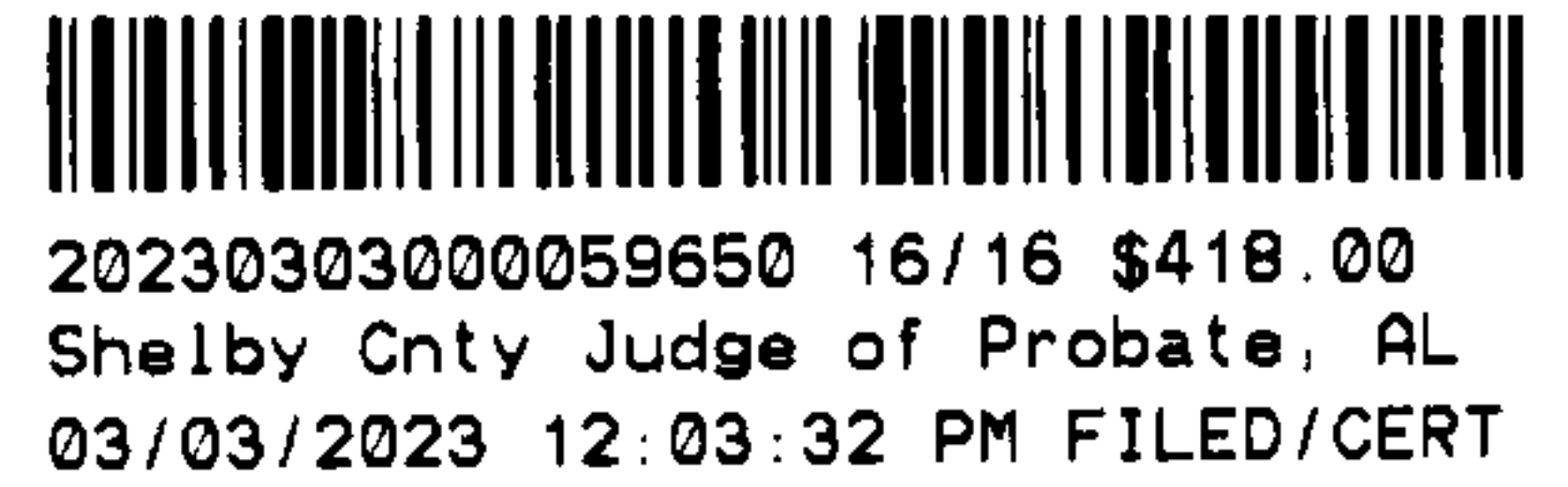
Grantee's Name Kiersten Yvonne Nagel
Mailing Address 138 Overland Rd. Unit 30
Montevallo, AL 35115

Property Address 224 Legacy Parc Circle
Pelham, AL 35124

Date of Sale _____
Total Purchase Price \$ _____

or
Actual Value \$ _____

or
Assessor's Market Value \$ 350,580



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 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 03/03/23

Print Kiersten Yvonne Nagel

Sign _____

Unattested

(verified by)

(Grantor/Grantee/Owner/Agent) circle one

Form RT-1