

TITLE HAS NOT BEEN EXAMINED

SEND TAX NOTICE TO:

Janet Elaine Cunningham
9355 Riviera Road
Roswell, GA 30075

PERSONAL REPRESENTATIVE'S AND TRUSTEE'S DEED

STATE OF ALABAMA

)

SHELBY COUNTY

)



20230309000065740 1/3 \$30.00
Shelby Cnty Judge of Probate, AL
03/09/2023 02:54:23 PM FILED/CERT

KNOW ALL MEN BY THESE PRESENTS, THAT:

WHEREAS, Buford Austin Cunningham (the "Decedent") died on December 25, 2022, a resident of the State of Alabama, and the will of the Decedent (the "Will"), was admitted to probate by the Probate Court of Shelby County, Alabama (Case No. PR-2023-000122) on February 7, 2023; and

WHEREAS, the undersigned, Janet Elaine Cunningham (the "Personal Representative"), was appointed as the Personal Representative of the Will by the Probate Court of Shelby County, Alabama on February 7, 2023, and is now acting as such Personal Representative; and

WHEREAS, the real property described hereafter constitutes part of the net residuary estate of the Decedent, which is given and devised under the Will to the Buford Austin Cunningham Management Trust dated April 12, 2005 (the "Trust"); and

WHEREAS, the undersigned, Janet Elaine Cunningham, became the Trustee of the Trust upon the death of the Decedent (the "Trustee"), and the Will provides that the Personal Representative of the Will has the same full powers of management, control and disposition of the Decedent's estate which are given to the Trustee in the Trust; and

WHEREAS, the Trust provides that upon the death of the Decedent, the Trustee shall transfer and pay over the trust estate of the Trust to Janet Elaine Cunningham; and

WHEREAS, Janet Elaine Cunningham, the Decedent's daughter, is the sole next of kin of the Decedent; and

WHEREAS, the undersigned, as Personal Representative and Trustee as aforesaid, is executing this deed for the purpose of perfecting and confirming that the Decedent's interest in the real property described hereafter passed to herself under the terms of the Will and the provisions of the Trust;

NOW THEREFORE, in consideration of the premises, including proper distribution from the Estate of the Decedent under the Will and from the trust estate of the Trust, and the sum of TEN DOLLARS (\$10.00), in hand paid to the undersigned, as Personal Representative and Trustee, the receipt and

sufficiency of which is hereby acknowledged, Janet Elaine Cunningham, as Personal Representative of the Will of Buford Austin Cunningham, deceased, and as Trustee of the Buford Austin Cunningham Management Trust dated April 12, 2005, does by these presents grant, bargain, sell and convey unto Janet Elaine Cunningham, the following described real property situated in Shelby County, Alabama:

Lot 50 according to the amended map of Greystone Highlands, Phase 2, as recorded in Map Book 19, Page 25, in the Probate Office of Shelby County, Alabama, subject to the following:

1. Current and future Advalorem Taxes.
2. Building setback lines as set out in the restrictive covenants recorded in Instrument #1994-33988.
3. Transmission Line Permit(s) to Alabama Power Company, as shown by instruments recorded in Deed Book 109, Page 492; Deed Book 111, Page 402; Deed Book 127, Page 336; Deed Book 160, Page 403, and Deed Book 173, Page 191.
4. Right of Way granted to South Central Bell Telephone Company by instrument(s) recorded in Deed Book 324, page 387.
5. Usual mining and mineral rights as recorded in Deed Book 4, Page 486 and Deed Book 4, Page 488.
6. Covenant and agreement for water service as set out in Real Volume 235, Page 611.
7. Utility Easement for Ebsco Industries to Cahaba Water Renovation Systems recorded in Real Volume 42, Page 223.
8. Declaration of Covenants, Conditions, and Restrictions as recorded in Instrument #1994-33988.
9. All other easements, right-of-way, agreements, covenants, restrictions, and conditions of record.
10. Release of damages as recorded in Instrument #1994-33988.
11. Right of Way granted to Shelby County in Deed Book 95, Page 530.
12. Right of Way granted in *Lis Pendens* Book 4, Page 509.

NO TITLE OPINION WAS REQUIRED AND NONE WAS PERFORMED. LEGAL DESCRIPTION WAS PROVIDED BY GRANTOR.

TO HAVE AND TO HOLD the same unto Janet Elaine Cunningham, her heirs and assigns, in fee simple forever.

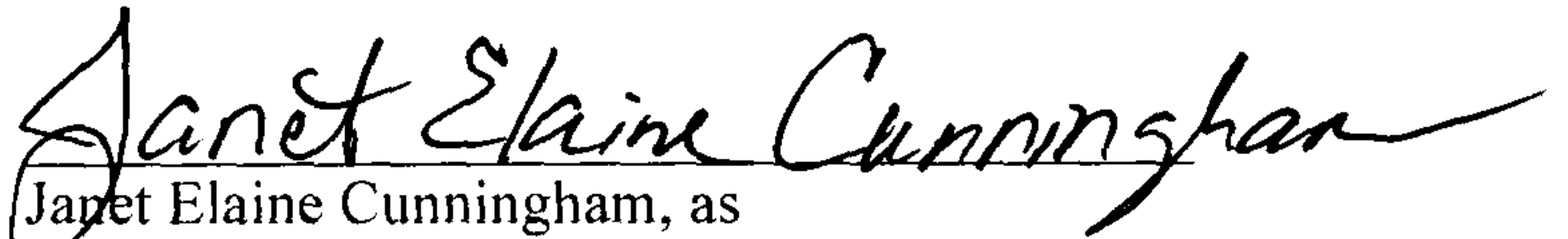
It is the intention of the Personal Representative and Trustee to reflect the conveyance to Janet Elaine Cunningham of all the Decedent's interest in the above-described real property, whether accurately described above or not.

The undersigned executes this Deed solely in her capacities as Personal Representative and as Trustee as described above, and nothing herein shall be construed to impose liability on her in her individual capacity.

Grantor's Mailing Address: 9355 Riviera Road, Roswell, GA 30075
Grantee's Mailing Address: 9355 Riviera Road, Roswell, GA 30075
Property Address: 828 Greystone Highlands Drive, Birmingham, AL 35242
Assessor's Market Value: \$267,500

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 Section 40-22-1 (h).

IN WITNESS WHEREOF, the undersigned Janet Elaine Cunningham has executed this Deed as Personal Representative of the Will of Buford Austin Cunningham, deceased, and as Trustee of the Buford Austin Cunningham Management Trust, as aforesaid, on this 22nd day of February, 2023.



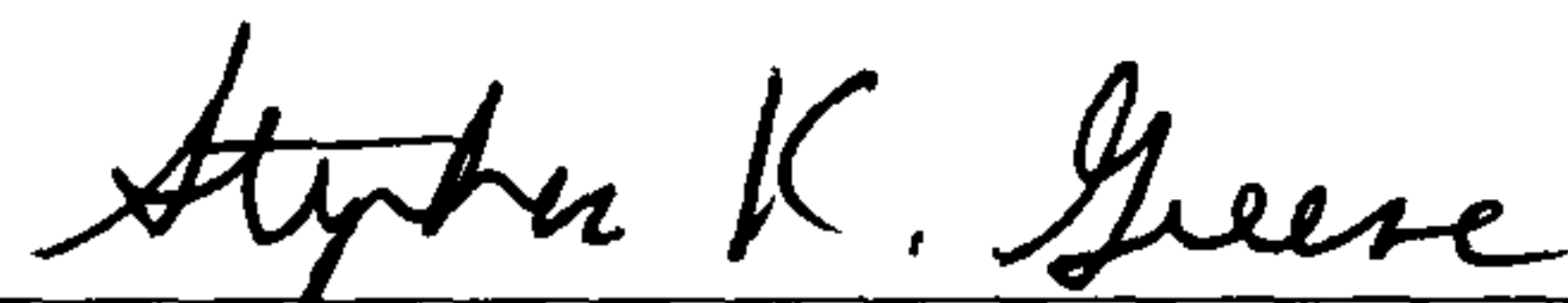
Janet Elaine Cunningham, as
Personal Representative of the
Will of Buford Austin Cunningham, deceased,
and as
Trustee under the
Buford Austin Cunningham Management Trust,
Dated April 12, 2005

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, the undersigned Notary Public in and for said County in said State, hereby certify that Janet Elaine Cunningham, whose name as Personal Representative of the Will of Buford Austin Cunningham, deceased, and as Trustee as aforesaid, is signed to the foregoing Deed, and who is known to me, acknowledged before me on this day that, being informed of the contents of said Deed, she, in her capacities as said Personal Representative and said Trustee, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 22nd day of February, 2023.



Notary Public

(SEAL)

My Commission Expires: 4/11/24

THIS INSTRUMENT PREPARED BY:

Stephen K. Greene
Stephen K. Greene, LLC
400 Union Hill Drive, Suite 100
Birmingham, AL 35209