

This Instrument Prepared By:

C. Ryan Sparks, Attorney
2635 Valleydale Road, Suite 200
Birmingham, Alabama 35244
DIRECT: 205-215-8433

Send Tax Notice To Grantees Address:

James L. Bensinger and Marjorie Bensinger
415 Portobello Road
Birmingham, Alabama 35242

WARRANTY DEED WITH JOINT RIGHT OF SURVIVORSHIP

**STATE OF ALABAMA
COUNTY OF SHELBY**

KNOW ALL MEN BY THESE PRESENTS,

That for and in consideration of **THREE HUNDRED FORTY THOUSAND AND NO/100 (\$340,000.00) DOLLARS**, and other good and valuable consideration, this day in hand paid to the undersigned **ALBERT A. ENIX, JR. and PHYLLIS A. ENIX, by Albert E. Enix, Jr. as her attorney-in-fact, husband and wife**, (herein referred to as "Grantors"), in hand paid by the Grantees herein, the receipt whereof is hereby acknowledged, the Grantors do hereby give, grant, bargain, sell and convey unto the Grantees, **JAMES L. BENSINGER and MARJORIE BENSINGER**, (herein referred to as "Grantees"), for and during their joint lives and upon the death of either, then to the survivor of them in fee simple, together with every contingent remainder and right of reversion, all of the Grantors' interest in the following-described Real Estate situated in, **SHELBY COUNTY, ALABAMA**, to wit:

Unit 15, Building 4, in Edenton, a Condominium, as established by that certain Declaration of Condominium, which is recorded in Instrument 20070420000184480, in the Probate Office of Shelby County, Alabama, and any amendments thereto, to which Declaration of Condominium a plan is attached as Exhibit "C" thereto, and as recorded as the Condominium Plat of Edenton a Condominium, in Map Book 38, Page 77, and any future amendments thereto, Articles of Incorporation of Edenton Residential Owners Association, Inc. as recorded in Instrument 20070425000639250 in the Office of the Judge of Probate of Shelby County, Alabama, and to which said Declaration of Condominium the By-Laws of Edenton Residential Owners Association, Inc. are attached as Exhibit "B" thereto, together with an undivided interest in the Common Elements assigned to said Unit, by said Declaration of Condominium set out in Exhibit "D". Together with rights in and to that certain Non-Exclusive Roadway Easement as set out in Instrument 20051024000550530 in the Office of the Judge of Probate of Shelby County, Alabama.

Subject to:

1. General and special taxes or assessments for the year 2023 and subsequent years not yet due and payable.
2. Municipal improvements, taxes, assessments, and fire district dues against subject property, if any.
3. Mineral and mining rights not owned by Grantors.
4. Any applicable zoning ordinances.
5. Easements, encroachments, building set back lines, rights-of-ways as shown of record by recorded plat or other recorded instrument, including any amendments thereto.
6. All matters, facts, easements, restrictions, assessments, covenants, agreements and all other terms and provisions in Map Book 38, Page 77.

TO HAVE AND TO HOLD, the tract or parcel of land above described together with all and singular the rights, privileges, tenements, appurtenances, and improvements unto the said Grantees, for and during their joint lives as joint tenants and upon the death of either of them, then to the survivorship of them in fee simple, and to the heirs and assigns of such survivor, forever.

AND SAID GRANTORS, for said GRANTORS', GRANTORS' heirs, successors, executors and administrators, covenants with GRANTEES, and with GRANTEES' heirs and assigns, that GRANTORS are lawfully seized in fee simple of the said Real Estate; that said Real Estate is free and clear from all liens and encumbrances, except as hereinabove set forth, and except for taxes due for the current and subsequent years, and except for any restrictions pertaining to the Real Estate of record in the Probate Office of SHELBY COUNTY; and that GRANTORS will, and GRANTORS' heirs, executors and administrators shall, warrant and defend the same to said GRANTEES, and GRANTEES' heirs and assigns, forever against the lawful claims of all persons.

IN WITNESS WHEREOF, the said Grantors have hereunto set their hands and seals on this day of April 10, 2023.

GRANTORS:



Albert A. Enix, Jr.



Phyllis A. Enix, by Albert A. Enix, Jr. as her attorney-in-fact

**STATE OF FLORIDA
COUNTY OF _____**

I, the undersigned, a Notary Public, in and for said State and County, do hereby certify that Albert A. Enix, Jr. and Phyllis A. Enix, by Albert A. Enix, Jr., as her attorney-in-fact, whose names are each signed to the above and foregoing conveyance, and who are each known to me, acknowledged before me on this day that, being informed of the contents of this instrument, Albert A. Enix, Jr. and Phyllis A. Enix by Albert A. Enix, Jr. as her attorney-in-fact each executed the same voluntarily on the day the same bears date.

IN WITNESS WHEREOF, the said Grantors have hereunto set their hands and seals on this day of April 10, 2023.

_____, Notary Public

My Commission Expires: _____

[Affix Seal Here]

FLORIDA SHORT-FORM ATTORNEY IN FACT ACKNOWLEDGMENT
F.S. 695.25 — Effective January 1, 2020

State of Florida

County of Marion

The foregoing instrument was acknowledged before me by means of

☒ Physical Presence, — OR —

☐ Online Notarization,

this April 10, 2023 by
Date

Albert A Enix Jr.
Name of Attorney in Fact

as attorney in fact, who

☐ is personally known to me — OR —

☒ has produced Alabama Dr. License
Type of Identification

as identification, on behalf of

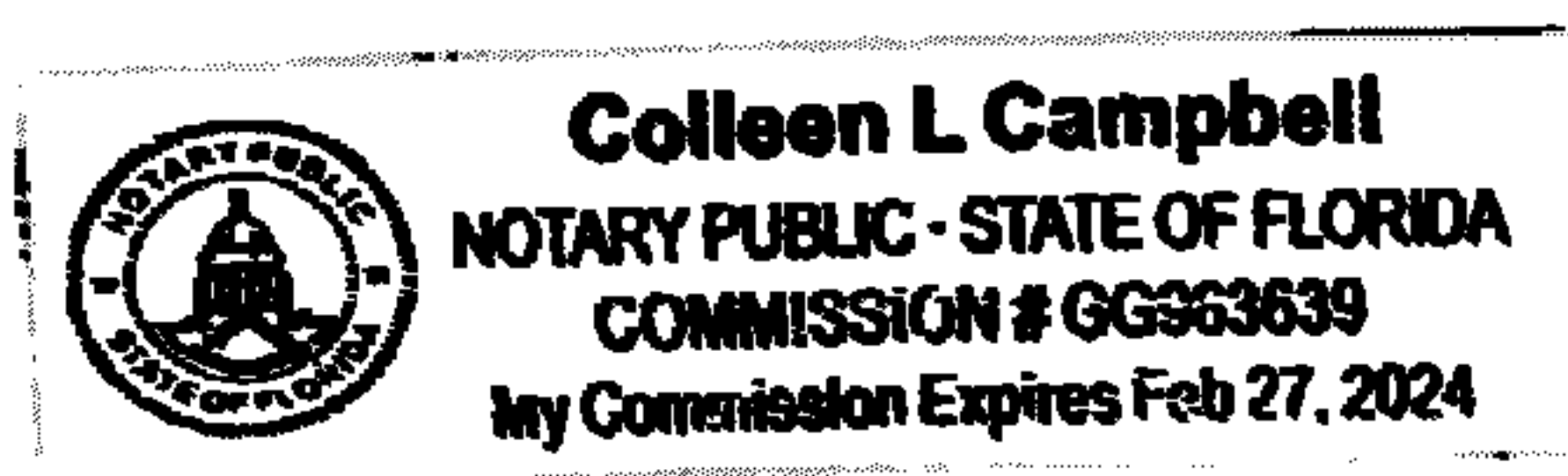
Phyllis A Enix
Name of Principal

Colleen L Campbell
Signature of Notary Public

Colleen L Campbell
Name of Notary Typed, Printed or Stamped

Notary Public — State of Florida

Commission No. CG 963639



Place Notary Seal and/or Stamp Above

OPTIONAL

*Completing this information can deter alteration of the document or
 fraudulent reattachment of this form to an unintended document.*

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

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

Grantor's Name Albert A. Enix, Jr.
Mailing Address Phyllis A. Enix
415 Portobello Road
Birmingham, AL 35242

Grantee's Name James L. Bensinger
Mailing Address Marjorie Bensinger
415 Portobello Road
Birmingham, AL 35242

Property Address 415 Portobello Road
Birmingham, AL 35242

Date of Sale 4/11/23
Total Purchase Price \$ 340,000.00
or
Actual Value \$ _____
or
Assessor's Market Value \$ _____

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 4/11/23

Print C. Ryan Sparks

Unattested _____

Sign _____

(verified by)

(Grantor/Grantee/Owner/Agent) circle one

Form RT-1



Filed and Recorded
Official Public Records
Judge of Probate, Shelby County Alabama, County
Clerk
Shelby County, AL
04/14/2023 09:46:16 AM
\$371.00 PAYGE
20230414000105080

Allen S. Bayl