

THIS INSTRUMENT PREPARED BY:

Mike T. Atchison, Attorney at Law
101 West College Street
Columbiana, AL 35051

Send tax notices to:

HCI CHELSEA LLC
3075 Healthy Way, Chelsea, AL
35243

CROSS REFERENCE: Instrument
No. 20230120000016680, recorded
on 1/20/2023 in the Probate Office
of Shelby County, Alabama

STATE OF ALABAMA)
SHELBY COUNTY)

CORRECTIVE STATUTORY WARRANTY DEED

(*THIS DEED IS BEING RECORDED FOR CORRECTIVE PURPOSES RELATED TO THE CROSS-REFERENCED INSTRUMENT CITED ABOVE AND TO CORRECT THE NOTARY AND TO RECORD THE CERTIFICATE OF TRUST)

KNOW ALL MEN BY THESE PRESENTS, that for and in consideration of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration in hand paid to **KERRY R. NIVENS, a married man, BETTY S. OWEN, a single woman, and LEWIS E. ATCHISON, SR. and SARAH H. ATCHISON, TRUSTEES UNDER THE ATCHISON LIVING TRUST, dated July 16, 2013** (the Certificate of Trust is attached hereto for reference as Exhibit C) (herein collectively referred to as "Grantor"), by **HCI CHELSEA LLC, an Alabama limited liability company (Grantee)**, the receipt of which is acknowledged, Grantor does hereby GRANT, BARGAIN, SELL AND CONVEY unto Grantee, its successors and assigns, that certain real property situated in Shelby County, Alabama, which is described on Exhibit A attached hereto and made a part hereof (the "Property").

TO HAVE AND TO HOLD unto Grantee, and Grantee's successors and assigns, forever.

Part of the consideration paid for this conveyance has been paid out of the proceeds of a mortgage loan closed simultaneously herewith.

It is expressly understood and agreed that this Statutory Warranty Deed is made subject to the matters described on Exhibit B attached hereto and made a part hereof (the "Exceptions").

And Grantor, for Grantor, and Grantor's successors and assigns, covenants with Grantee, and its successors and assigns, that Grantor is lawfully seized in fee simple of the Property; that Grantor has a good right to sell and convey the same as aforesaid; that Grantor and Grantor's successors and assigns, except with respect to the Exceptions, shall warrant and defend the same to Grantee and its successors and assigns, forever, against the lawful claims and demands of all persons claiming by, through or under Grantor but not otherwise.

Pursuant to the provisions of Ala. Code § 40-22-1 (1975), the following information is offered in lieu of submitting Form RT-1:

Grantor's Name and Mailing Address:	
Kerry R. Nivens, a married man, Betty S. Owen, a Single woman and Lewis E. Atchison, SR. and Sarah H. Atchison, Trustees under the Atchison Living Trust, dated July 16, 2013	Grantee's Name and Mailing Address:
529 Foothills Ledge, Chelsea, AL 35043	HCI CHELSEA LLC
	3075 Healthy Way
	Vestavia, AL 35243
Property Address:	See Exhibit A
Date of Sale:	January 19, 2023
Purchase Price:	\$725,000.00
The Purchase Price can be verified in:	☒ Closing Statement ☐ Sales Contract ☐ Appraisal ☐ Bill of Sale ☐ Property Tax Bill or Assessment ☐

[Signature on following page]

IN WITNESS WHEREOF, Grantor has caused this Corrective Statutory Warranty Deed to be effective as of the Date of Sale referenced above, although actually executed on the date set forth in the acknowledgment below.

GRANTOR(S):


KERRY R. NIVENS, INDIVIDUALLY


BETTY S. OWEN, INDIVIDUALLY

STATE OF ALABAMA _____)
COUNTY OF SHELBY _____)

I, the undersigned authority, a Notary Public in and for said county in said state, hereby certify that Kerry R. Nivens, individually and Betty S. Owen, individually, whose name 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 said instrument, he/she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 16th day of May, 2024.

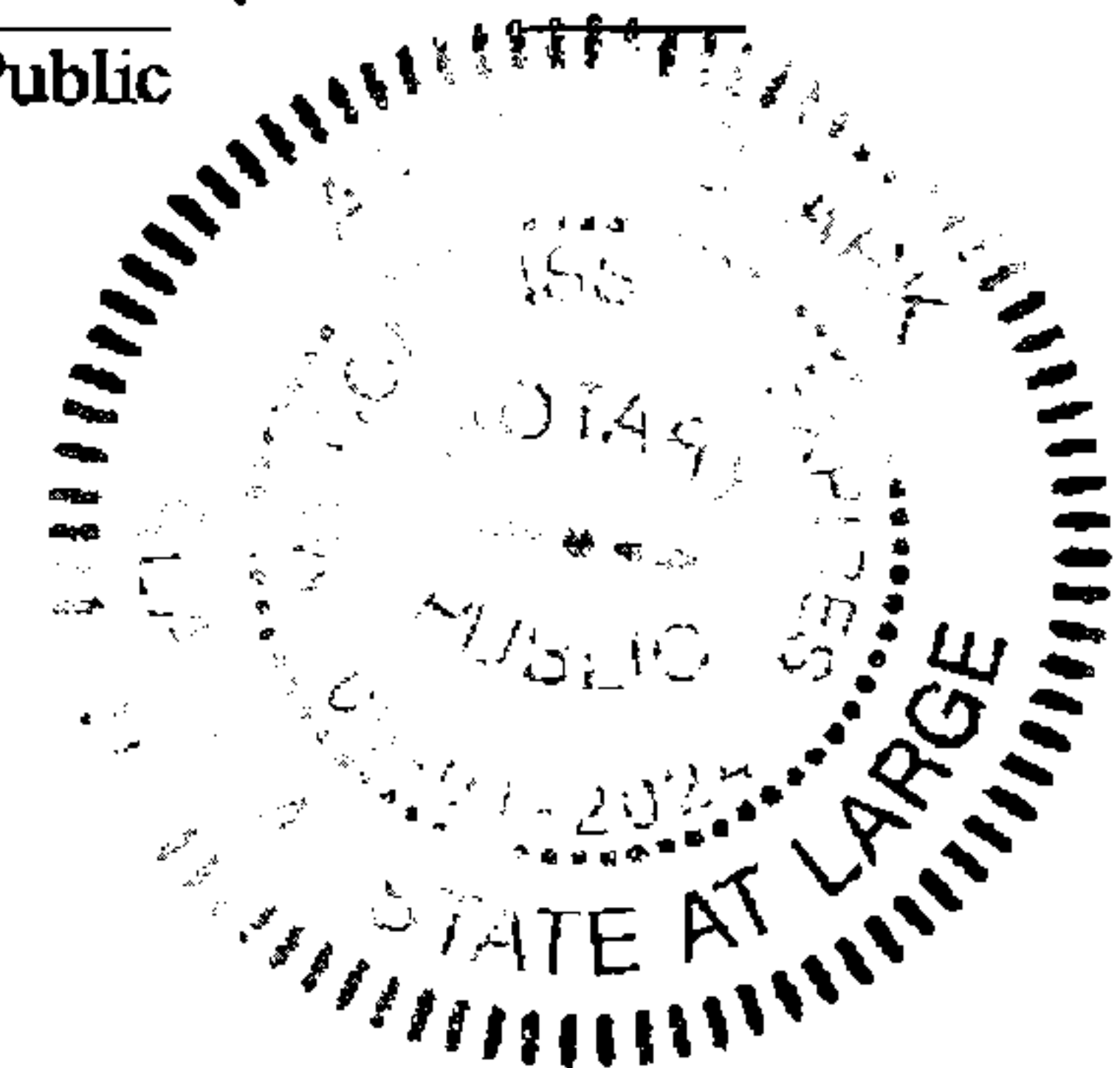


Notary Public

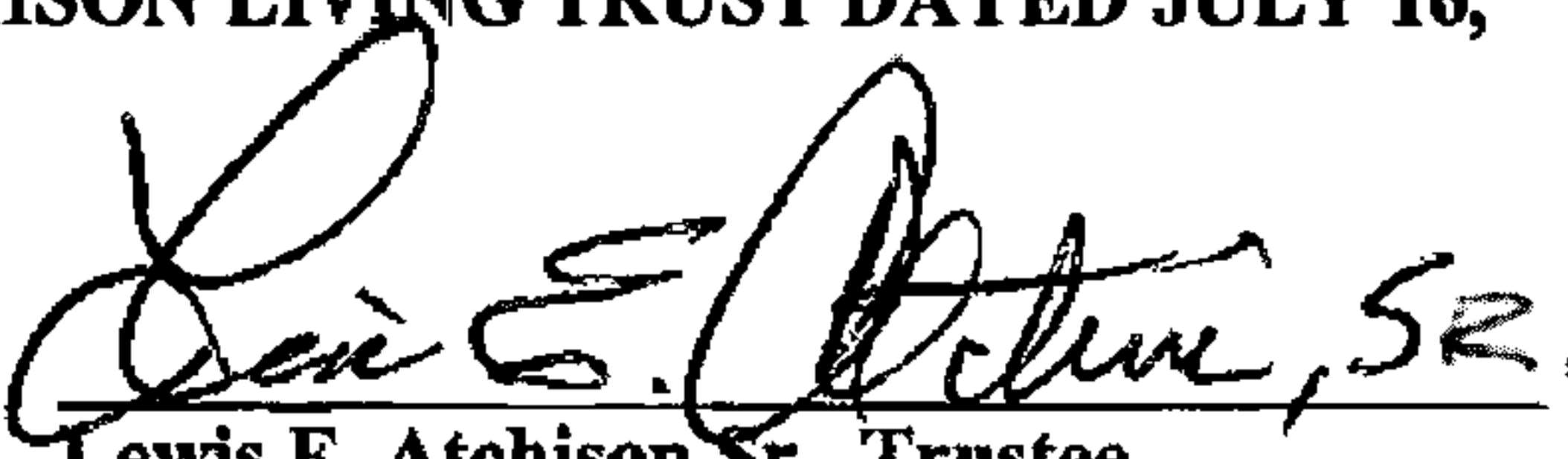
AFFIX SEAL

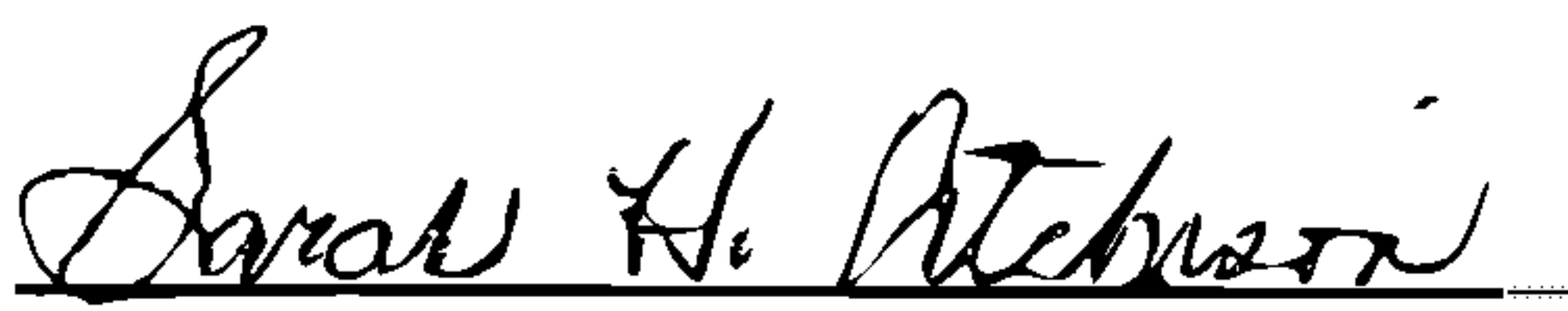
My commission expires: 9-1-2024

[Signatures continue on following page]



LEWIS E. ATCHISON SR. AND SARAH H.
ATCHISON, TRUSTEES UNDER THE
ATCHISON LIVING TRUST DATED JULY 16,
2013

By: 
Lewis E. Atchison Sr., Trustee

By: 
Sarah H. Atchison, Trustee

STATE OF ALABAMA)
COUNTY OF SHELBY)

I, the undersigned authority, a Notary Public in and for said county in said State, hereby certify that Lewis E. Atchison Sr., as Trustee, and Sarah H. Atchison, as Trustee of the Atchison Living Trust dated July 16, 2013, 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 said instrument, he/she, as such representative and with full authority, executed the same voluntarily for and as the act of said ~~United Realty Company~~ Trustees.

Given under my hand and official seal, this 15th day of May, 2024.


Notary Public

AFFIX SEAL

My commission expires: 9-1-2024

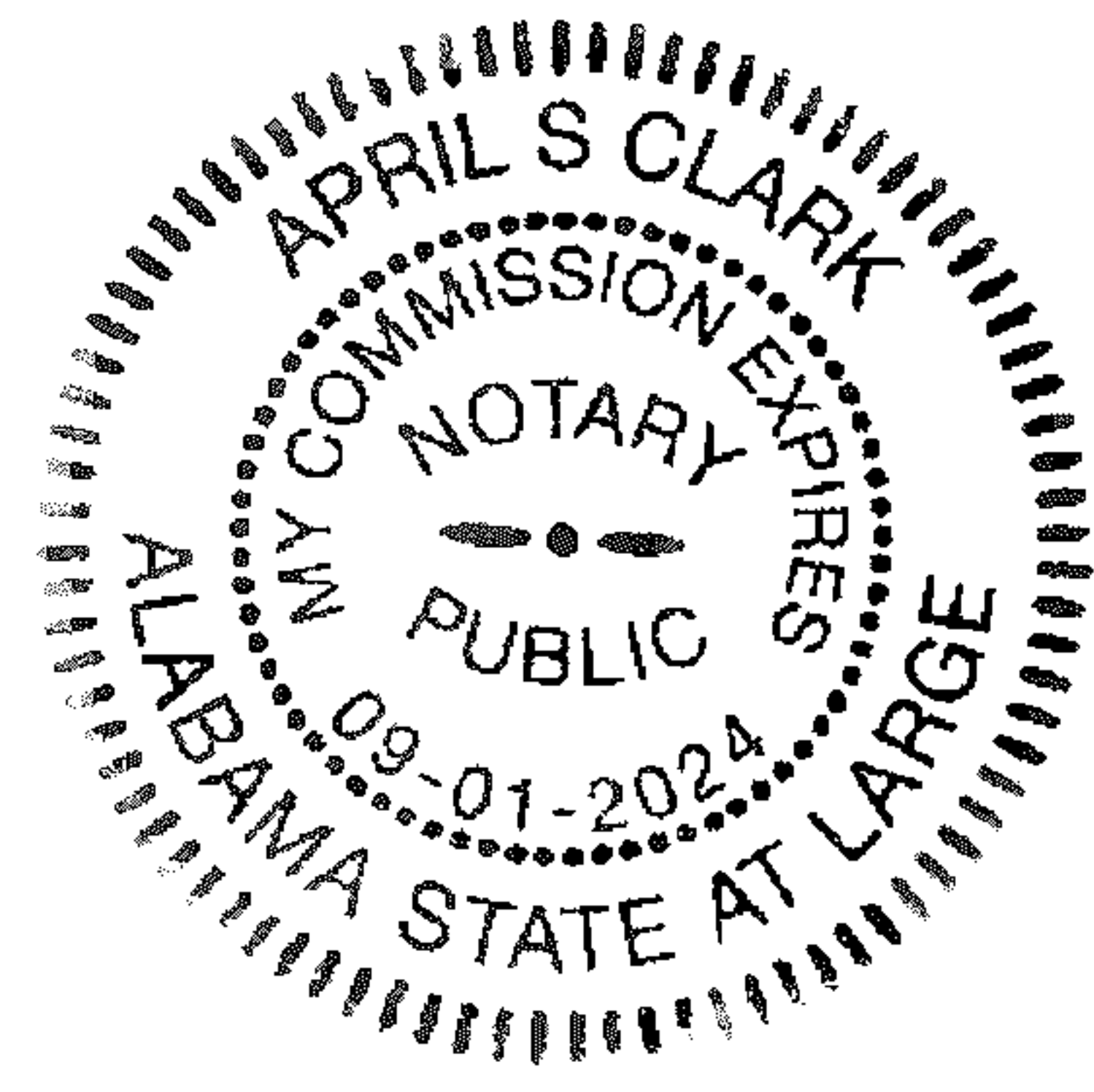


EXHIBIT A

Description of the Property

**LOT A-1, ACCORDING TO THE FINAL SUBDIVISION PLAT OF ATCHISON'S RESURVEY NO. 5, AS
RECORDED IN MAP BOOK 58, PAGE 41, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.**

EXHIBIT B

Exceptions

1. Taxes and assessments for the year 2024, and subsequent years, not yet due and payable.
2. Any minerals or mineral rights not owned by Grantor.
3. Easements, restrictions and setback lines as shown on recorded map in Map Book 58, Page 41.
4. Declaration of use of Restrictions appearing of record in Instrument No. 20230803000234760.
5. Easement Agreement as recorded in Instrument No. 20230804000235970.
6. Easement for Distribution Facilities granted to Alabama Power Company as recorded in Instrument No. 20080701000267130 and Instrument No. 20080701000267140.
7. Right of Way granted to the State of Alabama as set out in instrument(s) recorded in Book 296, Page 801.
8. Terms and conditions of the Annexation Ordinance of the City of Chelsea as recorded in Instrument No. 20061108000549430.

EXHIBIT C

Certificate of Trust Agreement

This
CERTIFICATE OF TRUST
prepared for
LEWIS E. ATCHISON, SR.
and
SARAH H. ATCHISON

KENDALL MADDUX AND ASSOCIATES
ATTORNEYS AND FINANCIAL PLANNERS

Kendall Maddux & Associates, LLC
2550 Acton Road, Suite 210
Birmingham, AL 35243
(205) 977-0013 FAX (205) 977-0011
www.wealthprotectionlaw.com

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ATCHISON LIVING TRUST

Name of Trust: ATCHISON LIVING TRUST

Date Established: July 16, 2013

Successor Trustees:

Successor Trustee designations for LEWIS E. ATCHISON, SR. and SARAH H. ATCHISON are located in Section 4 of Article Three of the ATCHISON LIVING TRUST.

Informal Trust Name: ATCHISON LIVING TRUST, dated July 16, 2013.

Formal Trust Name (Title to all assets in this Trust is vested in this name):

LEWIS E. ATCHISON, SR. and SARAH H. ATCHISON, Trustees, or their successors in trust, under the ATCHISON LIVING TRUST, dated July 16, 2013, and any amendments thereto.

THIS SUMMARY IS NOT PART OF THE TRUST

Certificate of Trust

The undersigned Trustors and Trustees hereby certify the following:

1. This Certificate of Trust refers to the ATCHISON LIVING TRUST, dated July 16, 2013, and any amendments thereto, executed by LEWIS E. ATCHISON, SR. and SARAH H. ATCHISON as Trustors. Property to be titled in this trust should be transferred to LEWIS E. ATCHISON, SR. and SARAH H. ATCHISON, Trustees, or their successors in trust, under the ATCHISON LIVING TRUST, dated July 16, 2013.

112 ARLINGTON ST.

2. The address of the Trustors is ~~2015 112~~ 112 ARLINGTON ST., Columbiana, AL 35051.

3. The settlors of the Trust are:

LEWIS E. ATCHISON, SR. and SARAH H. ATCHISON

4. The present Trustees are:

LEWIS E. ATCHISON, SR.

~~2015 112~~ 112 ARLINGTON ST.
Columbiana, AL 35051

SARAH H. ATCHISON

~~2015 112~~ 112 ARLINGTON ST.
Columbiana, AL 35051

5. Our Trust is a grantor trust under the provisions of Sections 673-677 of the Internal Revenue Code. Either LEWIS E. ATCHISON, SR.'s Social Security Number, 416-56-4024, or SARAH H. ATCHISON's Social Security Number, 423-56-5116, may be used as the tax identification number for our Trust.

6. If any of the undersigned, serving as a Co-Trustee of any Trust under our Trust Agreement, may make decisions and bind our Trust in the exercise of all powers and authority granted to the Trustees without the consent of any other Trustee:

LEWIS E. ATCHISON, SR.

SARAH H. ATCHISON

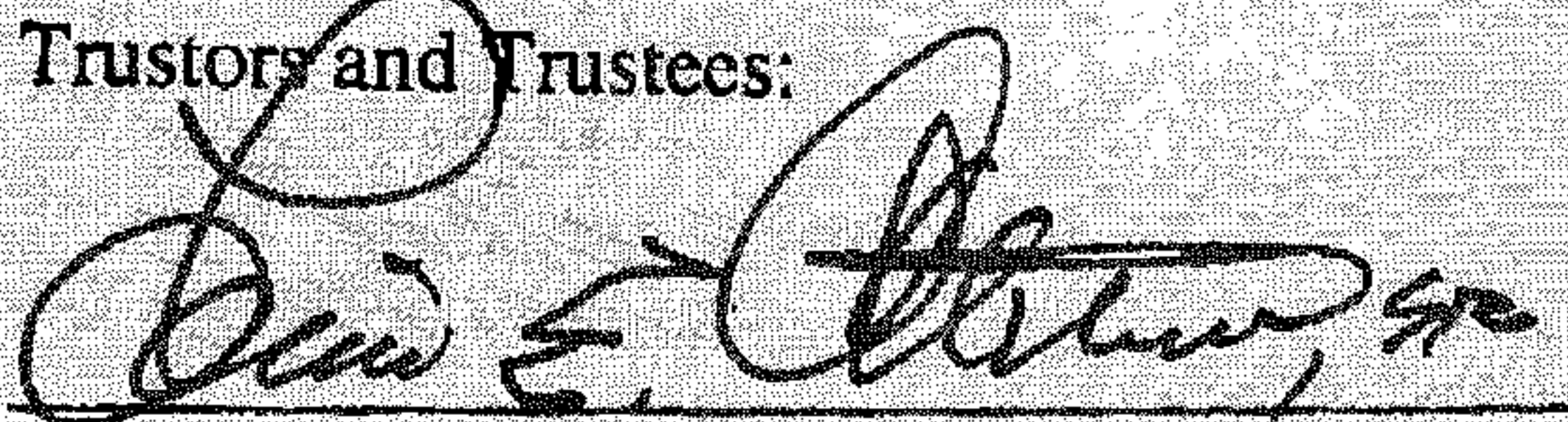
Our Trustees under our Trust Agreement are authorized to acquire, sell, convey, lease, mortgage, pledge, lease, borrow, manage and otherwise deal with interests in real and personal property in our Trust name. Our Trustees shall have full banking powers, including the authority to open, modify accounts or other banking arrangements, including but not limited to, deposit boxes, savings, checking, and CD accounts. Our Trustees shall have the authority to sell and trade in securities of any

nature, including options, futures contracts, short sales, and for such purposes, may maintain and operate margin accounts with brokers, and may pledge any securities held or purchased by our Trustees with such brokers as security for loans and advances made to our Trustees.

8. Our Trust is revocable and LEWIS E. ATCHISON, SR. and SARAH H. ATCHISON hold the power to revoke the Trust. Our Trust, executed on July 16, 2013, currently exists, has not been revoked, modified, or amended in any manner that would cause the representations contained in this certification of trust to be incorrect. There have been no amendments limiting the powers of our Trustees over trust property.
9. No person or entity paying money to or delivering property to our Trustees shall be required to see to its application. All persons relying on this document regarding our Trustees and their powers over trust property shall be held harmless for any resulting loss or liability from such reliance. A copy of this Certificate of Trust shall be just as valid as the original.

The undersigned certify that the statements in this Certificate of Trust are true and correct and that it was executed in the County of Jefferson, Alabama, on March 12, 2020.

Trustors and Trustees:



LEWIS E. ATCHISON, SR.



SARAH H. ATCHISON

Witnesses:



SIGNATURE OF FIRST WITNESS

Lindsay M. Klein

NAME OF FIRST WITNESS



SIGNATURE OF SECOND WITNESS

Rodney S. Parker

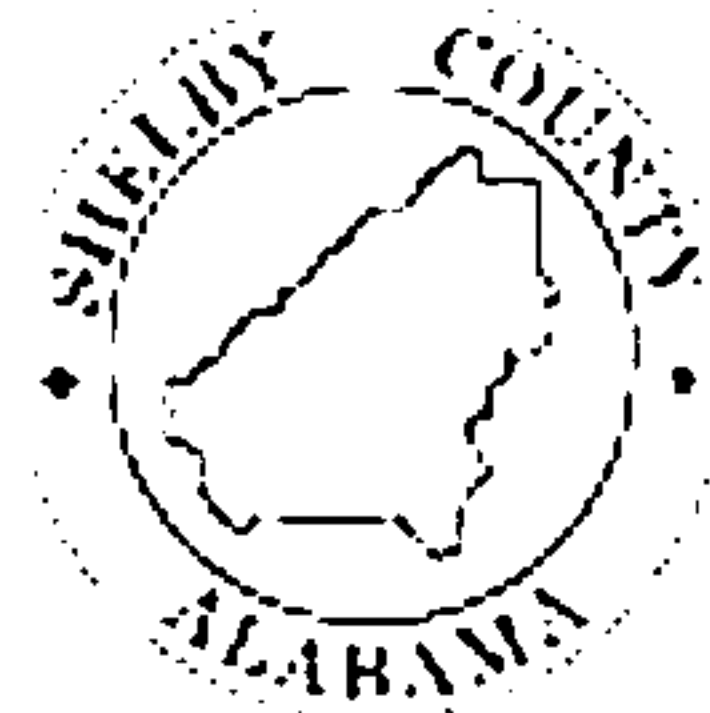
NAME OF SECOND WITNESS

2550 Acton Road, Suite 210
STREET ADDRESS

Birmingham, AL 35243
CITY, STATE, ZIP

2550 Acton Road, Suite 210
STREET ADDRESS

Birmingham, AL 35243
CITY, STATE, ZIP



Filed and Recorded
Official Public Records
Judge of Probate, Shelby County Alabama, County
Clerk
Shelby County, AL
05/22/2024 02:43:20 PM
\$59.00 JOANN
20240522000152210

Allen S. Bayl

STATE OF ALABAMA

COUNTY OF JEFFERSON

SS

I, Kendall W. Maddox, Notary Public in and for said County and State, hereby certify that LEWIS E. ATCHISON, SR. and SARAH H. ATCHISON, whose name(s) are signed to the foregoing conveyance and who are known to me, acknowledged before me on this day that, being informed of the contents of the instrument, they executed the same voluntarily on the day the same bears date.

Given under my hand on this March 12, 2020.

[Signature]
Notary Public

My Commission Expires: 12/19/2021

Prepared By:
Kendall W. Maddox
Kendall Maddox & Associates, LLC
2550 Acton Road, Suite 210
Birmingham, AL 35243
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