

This instrument was prepared by:
John C. Piazza, Attorney at Law
3305 Brittany Court, Hoover, Alabama 35226

send tax notice to: H.A. Cottingham, Jr/Trustee
314 Portobello Road
Birmingham, Alabama 35242

STATE OF ALABAMA
SHELBY COUNTY



20240830000271490 1/4 \$199.00
Shelby Cnty Judge of Probate, AL
08/30/2024 11:37:56 AM FILED/CERT

WARRANTY DEED WITH RESERVATION OF LIFE ESTATE FOR GRANTOR

KNOW ALL MEN BY THESE PRESENTS: That in consideration of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration to the undersigned Grantor and Trustee, in hand paid by the Grantee herein, the receipt whereof is acknowledged, I, **H.A. COTTINGHAM, JR.**, a single man (my wife and Co-grantor and Co-trustee June B. Cottingham predeceased me on January 25, 2024), as **THE GRANTOR AND TRUSTEE FOR THE COTTINGHAM LIVING TRUST dated July 28, 2008** (herein referred to as Grantor), do hereby grant, bargain, sell and convey (subject to the life estate set forth herein) unto my daughters the remainder into their respective revocable living trusts, namely The Sharon Cottingham Carter Revocable Living Trust and The Julie Cottingham Tharp Revocable Living Trust, in equal shares, the following described real estate, addressed by the U.S. Postal Service as 314 Portobello Road in the Edenton Condominium Complex situated in Shelby County, Alabama, to-wit:

Unit 14, Building 3, 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. Current Taxes due October 1, 2024; and,
2. Restrictions, public utility easements and building setback lines, as shown on the recorded map

Shelby County, AL 08/30/2024
State of Alabama
Deed Tax: \$167.00

and survey of Edenton, a condominium, as recorded in Map Book 38, page 77, 1st Amended Condominium Plat of Edenton, a condominium as recorded in Map Book 39, page 4, the 2nd Amended Condominium Plat of Edenton, a condominium as recorded in Map Book 39, Page 79, 3rd Amended Condominium Plat of Edenton, a condominium, as recorded in Map Book 39, page 137 and Fourth Amendment in Map Book 40, page 54, in the Probate Office of Shelby County, Alabama.

3. Minerals of whatsoever kind, subsurface and surface substances, including but not limited to coal, lignite, oil, gas, uranium, clay, rock, sand and gravel in, on, under and that may be produced from the Land, together with all rights, privileges, and immunities relating thereto, whether or not appearing in the Public Records, including those recorded in Real 41, page 83 and Deed Book 176, Page 186.
4. Right of way to Alabama Power Company as recorded in Deed Book 126, page 187; Deed Book 185, page 120; Real Volume 105, page 861 and Real 167, page 335.
5. Articles of Incorporation of Edenton Residential Association, Inc., as recorded in Instrument #2007041000016397 and instrument #20090210000045160.
6. Conditions, covenants and restrictions as recorded in instrument #20070817000390020; Instrument #20070522000237580; Instrument #20080411000148760; instrument #20090415000138180; Instrument #2007060600026379 and Instrument #20080514000196360.
7. Roadway Easement Agreement as recorded in Instrument Agreement #20051024000550530 and Instrument # 20061024000523450.
8. Restrictive Use Agreement recorded in Instrument #20051024000550540 and Instrument #20061024000523460.
9. Easement recorded in Instrument #20060817000404390.
10. Easement to Bell South recorded in Instrument #20060920000466950 and Instrument #20070125000038780.
11. Easement to Alabama Power Company recorded in Instrument #20061212000601050; Instrument #20061212000601060; Instrument #20060828000422250, Instrument #20061212000601460, Instrument #20070517000230870 and Instrument #20070517000231070.
12. Assignment and Conveyance with Development Agreements and Restrictive Covenants by and between Cahaba Land Associates LLC and Cahaba Beach Investments LLC as recorded in Instrument #20051024000550520.
13. Restrictions as set out in Real 54, page 199.
14. Declaration of Condominium, which is recorded in instrument #20070420000184480, In the Probate Office of Shelby County, Alabama, 1st Amendment recorded in Instrument #20070508000215560; 2nd Amendment recorded in Instrument #20070522000237580; 3rd Amendment recorded in Instrument #20070606000263790; 4th Amendment recorded in Instrument #20070626000297920; 5th Amendment recorded in instrument #20070817000390000; 6th Amendment recorded In Instrument #20071214000565780; 7th amendment recorded in instrument #20080131000039690; 8th Amendment recorded in instrument #20080411000148760; 9th Amendment recorded in instrument #20080514000196360; 10th Amendment recorded in instrument #20080814000326660; 11th amendment recorded in Instrument ##20081223000473570; 12th Amendment



Real Estate Sales Validation Form

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

Grantor's Name H. A. Cottingham Jr.
Mailing Address 314 Portobello Rd.
Bham, AL 35242

Grantee's Name H. A. Cottingham Jr.
Mailing Address Sharon Carter
Dulie Cottingham
314 Portobello Rd.
Bham, AL 35242


Property Address 314 Portobello Rd.
Bham, AL 35242

Date of Sale _____
Total Purchase Price \$ _____
or
Actual Value \$ _____
or
Assessor's Market Value \$ 166,800.00

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


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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 08/30/2024

Print

John C. Piazza/Atty

Unattested

Sign

John C. Piazza

(verified by)

(Grantor/Grantee/Owner/Agent) circle one

Form RT-1

recorded in Instrument #20090107000004030; 13th Amendment recorded in Instrument #20090107000004030; 14th Amendment recorded in Instrument #20090722000282160, and any additional amendments thereto.

**\$0.00 OF THE CONSIDERATION WAS PAID FROM THE PROCEEDS OF A MORTGAGE
LOAN**

This property is the homestead of the Grantor and his spouse and former joint tenant/co-trustee, June B. Cottingham, predeceased him on January 25, 2024.

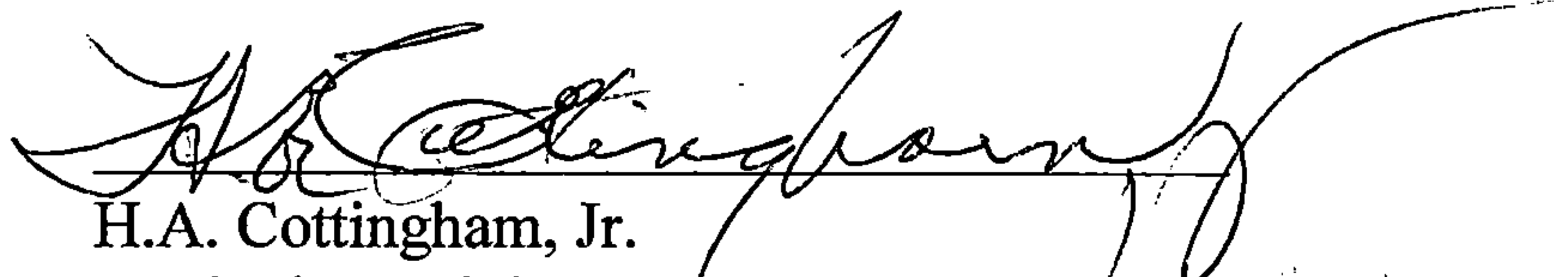
To HAVE AND TO HOLD unto the grantee, its successors and assigns forever.

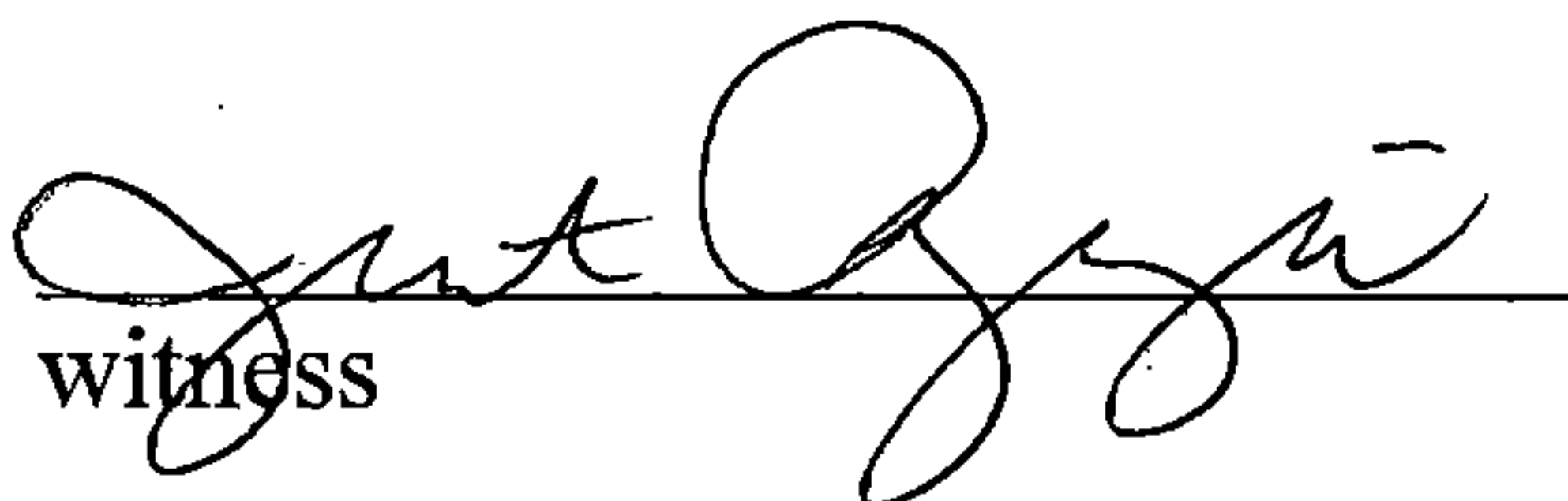
The Grantor does for himself, his successors and assigns, covenant with the Grantee, his successors and assigns, that he is lawfully seized in fee simple of said premises, that they are free from all encumbrances, except as shown above,; that he has a good right to sell and convey the same as aforesaid, and that he will his successors shall, warrant and defend the same to Grantees, their heirs, executors, administrators and assigns forever against lawful claims of persons.

IN WITNESS WHEREOF, said grantor, has hereunto set his hand and seal this 27th day of August, 2024.

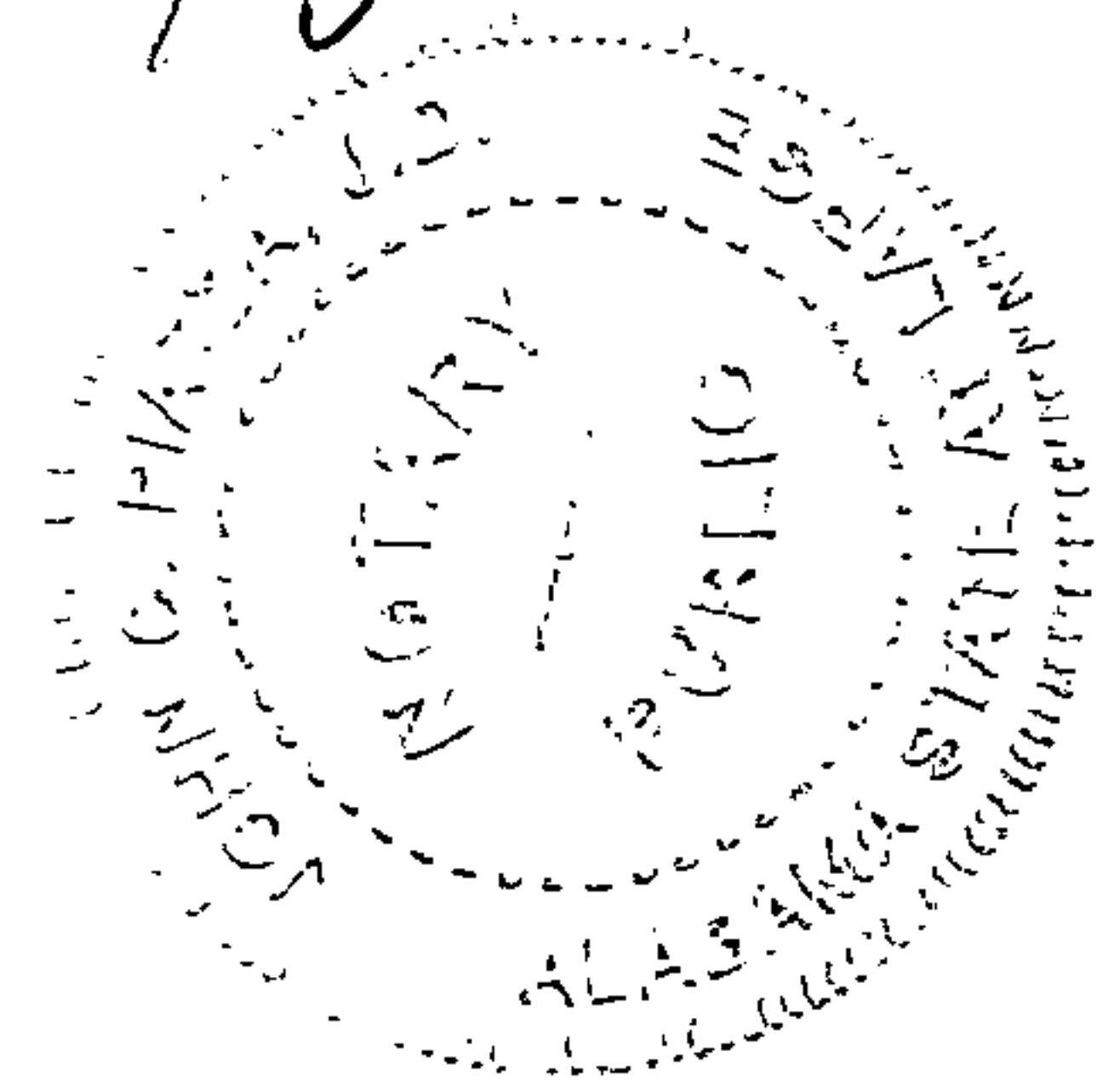


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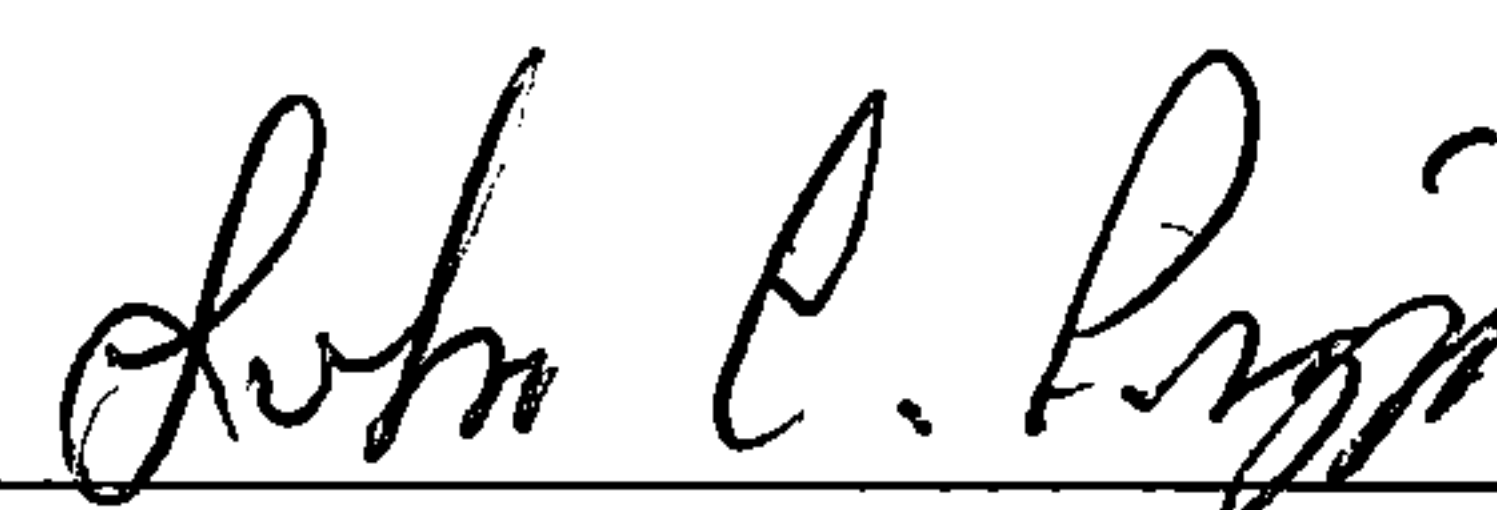

H.A. Cottingham, Jr.
Cottingham Living Trust
ITS: Trustee


witness

**State of Alabama
County of Shelby**



I, John C. Piazza, a Notary Public for said county in said state, hereby certify, that H.A. Cottingham, Jr. as Trustee of the Cottingham Living Trust 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 this conveyance, she as the Trustee and owner of said trust with full authority executed the same voluntarily for and as an act of said trust.


John C. Piazza
Notary Public
My commission expires: 10/27/2027