

SEND TAX NOTICE TO:  
500 Cloudland Drive  
Hoover, Alabama 35226

This instrument prepared by:

Howard Donovan  
1 Independence Plaza  
Suite 510  
Birmingham, Alabama 35209

WARRANTY DEED

STATE OF ALABAMA )  
JEFFERSON COUNTY )

KNOW ALL MEN BY THESE PRESENTS,

THIS STATUTORY WARRANTY DEED is executed and delivered on this 17<sup>th</sup> day of November, 1993, by LAKE HEATHER DEVELOPMENT CO., INC., an Alabama corporation ("Grantor"), in favor of P. CHARLES HUDSON and CAROLYN B. HUDSON, husband and wife, ("Grantees").

KNOW ALL MEN BY THESE PRESENTS, that in consideration of the sum of Ten and NO/100 Dollars (\$10.00), in hand paid by Grantees to Grantor and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by Grantor, Grantor does by these presents, grant, bargain, sell and convey unto Grantees, as joint tenants with right of survivorship, the following described real property (the "Property"), situated in Shelby County, Alabama:

Lot 19 and part of Lot 20 as shown on attached Exhibit A, according to the Survey of Lake Heather Estates (Givianpour's Addition to Inverness) as recorded in Map Book 16, Page 121 A/B/C, in the Office of the Judge of Probate of Shelby County, Alabama.

Subject to:

1. Ad valorem taxes due and library district assessments payable October 1, 1994, and all years thereafter;
2. Fire district dues as and when due and payable, for all periods after September 30, 1993;
3. Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto, including rights set out in Deed Book 5, Page 355 and Deed Book 4, Page 442 and Deed Book 48, Page 427 in Probate Office;
4. Declaration of Protective Covenants attached to and made a part of the deed from Metropolitan Life Insurance Company to Lake Heather Development Co., Inc., recorded as Inst. #1992-18226, as amended by Inst. #1992-26078 in the Probate Office of Shelby County, Alabama and Map Book 16, Page 121;
5. Private Subdivision Agreement with the City of Hoover, recorded at Inst. #1992-26077 in the Office of the Judge of Probate of Shelby County, Alabama.
6. Covenants and provisions regarding Road Improvements as set out in the deed from Metropolitan Life Insurance Company to Lake Heather Development Co., Inc. recorded in Inst. #1992-18226 in the Probate Office of Shelby County, Alabama.
7. Public Utility easements as shown on recorded plat, including 7.5 feet on the Southeasterly side of Lot 19.
8. Rights of riparian owners in and to the use of Lake Heather.

Inst # 1993-38518  
12/03/1993-38518  
08:35 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
003 MEL 14.50

T.A.  
P.O. Box 10247

1993-38518  
Inst # 1993-38518

**TOGETHER WITH** a nonexclusive easement to use the private roadways, Access Easements and other easements, all as more particularly described in the Declaration of Protective Covenants for Lake Heather Estates recorded at Inst. #1992-18226, as amended by Inst. #1992-26078, in the Probate Office of Shelby County, Alabama (which, together with all amendments thereto, is hereinafter collectively referred to as the "Declaration").

**TOGETHER WITH** a nonexclusive easement for access to the Property along those lands described as Tract II in that certain deed from Metropolitan Life Insurance Company to Grantor recorded as Inst. #1992-18226 in the Office of the Judge of Probate of Shelby County, Alabama.

Grantor shall not be liable for and Grantees, jointly and severally, hereby waive and release Grantor, its officers, agents, employees, directors, shareholders, partners, mortgagees and their respective successors and assigns from any liability of any nature on account of loss, damage or injuries to buildings, structures, improvements, personal property or to Grantees or any owner, occupants or other person who enters upon any portion of the Property as a result of any past, present or future soil, surface and/or subsurface conditions, known or unknown (including, without limitation, sinkholes, underground mines, tunnels and limestone formations and deposits) under or upon the Property or any property surrounding, adjacent to or in close proximity with the Property which may be owned by Grantor.

**TO HAVE AND TO HOLD**, unto the said Grantees, for and during their joint lives and upon the death of either of them, then to the survivor of them in fee simple, and to the heirs and assigns of such survivor forever, together with every contingent remainder and right of revision.

**IN WITNESS WHEREOF**, the undersigned Grantor, **LAKE HEATHER DEVELOPMENT CO. INC.** has executed this instrument as of the day and year first above written.

**LAKE HEATHER DEVELOPMENT CO., INC.,**  
an Alabama corporation

By: C. S. S.

Its PRESIDENT

STATE OF ALABAMA )  
COUNTY OF JEFFERSON )

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Charles S. Givian, Jr., whose name as President of **LAKE HEATHER DEVELOPMENT CO., INC.**, an Alabama corporation, 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, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal this the 17<sup>th</sup> day of November, 1993.

[NOTARIAL SEAL]

James L. Pugh  
Notary Public

My Commission Expires:

EXHIBIT A

Lot 19 according to the Survey of Lake Heather Estates (Givianpour's Addition to Inverness), as recorded in Map Book 16, Page 121 A/B/C in the Office of the Judge of Probate of Shelby County, Alabama, and part of Lot 20, Lake Heather Estates, more particularly described as follows:

Begin at the southeast corner of Lot 20, Lake Heather Estates as recorded in Map Book 16, Page 121B, in the Office of the Judge of Probate, Shelby County, Alabama; thence run in a northeasterly direction along the common lot line of Lots 19 and 20 of said survey for a distance of 40.00 feet; thence turn an angle to the left of 43 degrees 30 minutes 51 seconds and run in a northwesterly direction along the common lot line of Lots 19 and 20 for a distance of 30.00 feet; thence turn an angle to the left of 154 degrees 58 minutes 47 seconds and run in a southeasterly direction for a distance of 65.12 feet to the point of beginning.

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