

SEND TAX NOTICES TO:

WAYNE N. HOAR
 7970 CHEROKEE ROAD
 BIRMINGHAM, AL 35223

WARRANTY DEED

STATE OF ALABAMA)
 SHELBY COUNTY)

KNOW ALL MEN BY THESE PRESENTS:

This Deed is made by and between Pumpkin Hollow Development Corp., an Alabama corporation, hereinafter called "Grantor," and Wayne N. Hoar and wife, Kathryn J. Hoar, hereinafter called "Grantees", as joint tenants, with right of survivorship.

The Grantor, for and in consideration of One Thousand Dollars and other good and valuable consideration, in hand paid by the Grantees, the receipt of which is hereby acknowledged, does hereby grant, bargain, convey and sell to Grantees the following described real estate located in Shelby County, Alabama to-wit:

Unit No. 31, as shown on the Resurvey of Pumpkin Hollow - A Condominium, as recorded in Map Book 18, pages 54-A through F, inclusive, in the Probate Office of Shelby County, Alabama, as established by that certain Declaration of Condominium of Pumpkin Hollow - A Condominium, which is recorded in Real Record 324, page 16, as amended by Amended and Restated Declaration of Condominium of Pumpkin Hollow - A Condominium, which is recorded as Instrument #1994-04159, as further amended by Second Amended and Restated Declaration of Condominium, which is recorded as Instrument #1994-10609, together with an undivided 1/42 interest in the common elements of the condominium, as set forth in said Declaration of Condominium of Pumpkin Hollow - A Condominium, which is recorded in Real Record 324, page 16, as amended by Amended and Restated Declaration of Condominium of Pumpkin Hollow - A Condominium, which is recorded as Instrument #1994-04159, as further amended by Second Amended and Restated Declaration of Condominium, which is recorded as Instrument #1994-10609, subject to dilution provisions set forth in Article VI, Item 4, and Article XXI of said amended declaration of condominium. Situated in Shelby County, Alabama.

SUBJECT TO:

1. Transmission line permits to Alabama Power Company as recorded in Deed Book 208, pages 572 and 593, in Probate Office as to that portion of caption lands lying in Sections 17 and 18, Township 18 South, Range 2 East.
2. Easement to Alabama Power Company as recorded in Deed Book 82, page 156 as to that portion of caption lands lying in Sections 19 and 20, Township 18 South, Range 2 East.
3. Title to minerals underlying caption lands situated in the E 1/2 of SE 1/4, and SW 1/4 of SE 1/4, Section 17, Township 18 South, Range 2 East, as reserved in Deed Book 25, page 445, in said Probate Office.
4. Title to minerals underlying a portion of caption lands as reserved in deed from Champion International Corporation, to Charlotte W. Poe, recorded in Real Record 123, page 278, and Deed Book 356, page 667, in said Probate Office.
5. Any portion of caption lands lying in Section 18 and 19, Township 18 South, Range 2 East, that may lie within a public road right of way.
6. Right of way to Southern Bell Telephone & Telegraph Company, as recited in Deed Book 90, page 345, in said Probate Office.

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 10:40 AM CERTIFIED
 SHELBY COUNTY JUDGE OF PROBATE
 003 MCD 163.50

Inst # 1994-15117

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7. Title to minerals underlying the N 1/2 of SW 1/4 of NE 1/4, Section 19, Township 18 South, Range 2 East, as reserved in Real Record 213, page 977, in said Probate Office.
8. Easement to Shelby County as recorded in Real Record 177, page 566, as to the SE 1/4 of SE 1/4 of SE 1/4, Section 18, Township 18 South, Range 2 East, in said Probate Office.
9. Transmission line permits to Alabama Power Company as recorded in Deed Book 208, page 593, as to the NW 1/4 of SE 1/4 of NE 1/4, Section 19, Township 18 South, Range 2 East, in said Probate Office.
10. Title to minerals underlying caption lands with mining rights and privileges belonging thereto, as reserved in Real Record 244, page 65, in said Probate Office.
11. Covenants, conditions, restrictions, reservations, easements, liens for easements, options, powers of attorney and limitation on title created by the Alabama Condominium Ownership Act, Sections 35-8-1 and 35-8A Code of Alabama, 1975, and as set forth in the Declaration of Condominium of Pumpkin Hollow - A Condominium, which is recorded in Real Record 324, page 16, as amended by Amended and Restated Declaration of Condominium of Pumpkin Hollow, A Condominium, which is recorded as Instrument #1994-04159, as further amended by Second Amended and Restated Declaration of Condominium, which is recorded as Instrument #1994-10609; in the Articles of Incorporation of Pumpkin Hollow Association, Inc., as recorded in Real Record 324, page 16, at page 661; and the ByLaws of Pumpkin Hollow Association, Inc. as recorded in Real Record 324, page 16, at page 50, and Amended and Restated By-Laws of Pumpkin Hollow Association, Inc., as recorded as Instrument #1994-04160, in said Probate Office.
12. Easements as shown on all recorded maps of Pumpkin Hollow - A Condominium, as last amended.

TO HAVE AND TO HOLD to the said Grantees as joint tenants, with right of survivorship, their heirs and assigns forever; it being the intention of the parties to this conveyance, that (unless the joint tenancy hereby created is severed or terminated during the joint lives of the Grantees herein) in the event one Grantee herein survives the other, the entire interest in fee simple shall pass to the surviving Grantee, and if one does not survive the other, then the heirs and assigns of the Grantees herein shall take as tenants in common.

And Grantor does for itself and its successors and assigns covenant with the said Grantees, their heirs and assigns, that it is lawfully seized in fee simple of said premises; that it is free from all encumbrances, unless otherwise noted above; that it has a good right to sell and convey the same as aforesaid; that it will and its successors and assigns shall, warrant and defend the same to the said Grantees, their heirs, executors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, Pumpkin Hollow Development Corp. has caused this conveyance to be signed by and through its President, Mary F. Roensch, who is authorized to execute this conveyance, on this the 6th day of May, 1994.

PUMPKIN HOLLOW DEVELOPMENT CORP.
an Alabama corporation

By: Mary F. Roensch
MARY F. ROENSCH, Its President

ACKNOWLEDGEMENT

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Mary F. Roensch, whose name as President of Pumpkin Hollow Development Corp., an Alabama corporation, 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 the conveyance, she, 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 6th day of May, 1994.


NOTARY PUBLIC

My Commission Expires: 6/13/96

1994-15117

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10:40 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 HCD 163.50

This conveyance was prepared by: Thomas A. Ritchie, Ritchie & Rediker, P.C., Attorneys at Law, 312 North 23rd Street, Birmingham, Alabama, 35203.