

SEND TAX NOTICES TO:

G. Garry and Katherine L. Ard

3630 Montevallo Road

Mountain Brook, AL 35213

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 G. Garry and wife, Katherine L. Ard, herein 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. 25, as shown on the Resurvey of Pumpkin Hollow - A Condominium, as recorded in Map Book 18, Page 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 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 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.

11/04/1994-32987
12:41 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 MCD 14.50

Inst # 1994-32987

6. Right of way to Southern Bell Telephone & Telegraph Company, as recited in Deed Book 90, page 345, in Probate Office.
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 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 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 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 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, and in any allied instrument referred to in any of the instruments aforesaid.
12. Easements as shown on all recorded maps of Pumpkin Hollow - A Condominium, as last amended.
13. Taxes for 1995 and subsequent years. 1995 ad valorem taxes are a lien but not due and payable until October 1, 1995.
14. Any loss, claim, damage, or expense including additional tax due, if any, arising from or due to the fact that ad valorem taxes for subject property have been paid under a current use assessment.

TO HAVE AND TO HOLD to the said Grantees, her heirs and assigns forever.

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 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 3rd day of November, 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 3rd day of November, 1994.

Thomas A. Ritchie

NOTARY PUBLIC
My Commission Expires: 1-10-96

Inst # 1994-32987

11/04/1994-32987
12:41 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 MCD 14.50

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