

This instrument is filed as a correction deed to Statutory Warranty Deed recorded April 30, 1996 as instrument number 1996-14060 in the Office of the Judge of Probate of Shelby County, Alabama, for the purpose of clarifying the intention of the parties with respect to the interests conveyed thereby.

THIS INSTRUMENT PREPARED BY:
S. Douglas Williams, Jr.
MAYNARD, COOPER & GALE, P.C.
1901 Sixth Avenue North, Suite 2400
Birmingham, Alabama 35203-2602

SEND TAX NOTICE TO:
Janice K. Newhoff
110 Southlake Lane
Birmingham, Alabama 35244

Inst # 1996-20351

STATE OF ALABAMA)
)
SHELBY COUNTY)

CORRECTION
STATUTORY WARRANTY DEED

WHEREAS Janice K. Newhoff, Merrill V. Newhoff, and Presha E. Newhoff (together, the "Owners" or "Grantors") paid jointly the purchase price for the real property described below, including all improvements and fixtures located thereon, and are record owners of said property in fee simple as joint tenants, with rights of survivorship, as set forth in that certain Statutory Warranty Deed recorded April 30, 1996 as instrument number 1996-14060 in the Office of the Judge of Probate of Shelby County, Alabama (the "Prior Deed");

WHEREAS the Owners wish to extinguish the joint tenancy and rights of survivorship created by the Prior Deed and to create a tenancy in common between Janice K. Newhoff, on one hand, and Merrill V. Newhoff and Presha E. Newhoff, on the other hand, as more fully set forth below; and

NOW THEREFORE, the Owners execute this Correction Statutory Warranty Deed to create their intended ownership interests in and to the real property described below.

KNOW ALL MEN BY THESE PRESENTS that the Grantors do hereby grant, bargain, sell and convey unto (i) Janice K. Newhoff an undivided one-half (1/2) interest, and (ii) to Merrill V. Newhoff and Presha E. Newhoff, the remaining undivided one-half (1/2) interest, as tenants in common, as more particularly set forth below, in and to the following described real estate lying and being situated in Shelby County, Alabama, to-wit:

Lot 37, Block 3, according to the Amended Map of Southlake Crest, 2nd Sector, as recorded in Map Book 19, Page 14, in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama. Mineral and mining rights excepted.

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06/24/1996-20351
10:27 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
004 MEL 19.00

It is expressly understood and agreed that this conveyance is made subject to the following:

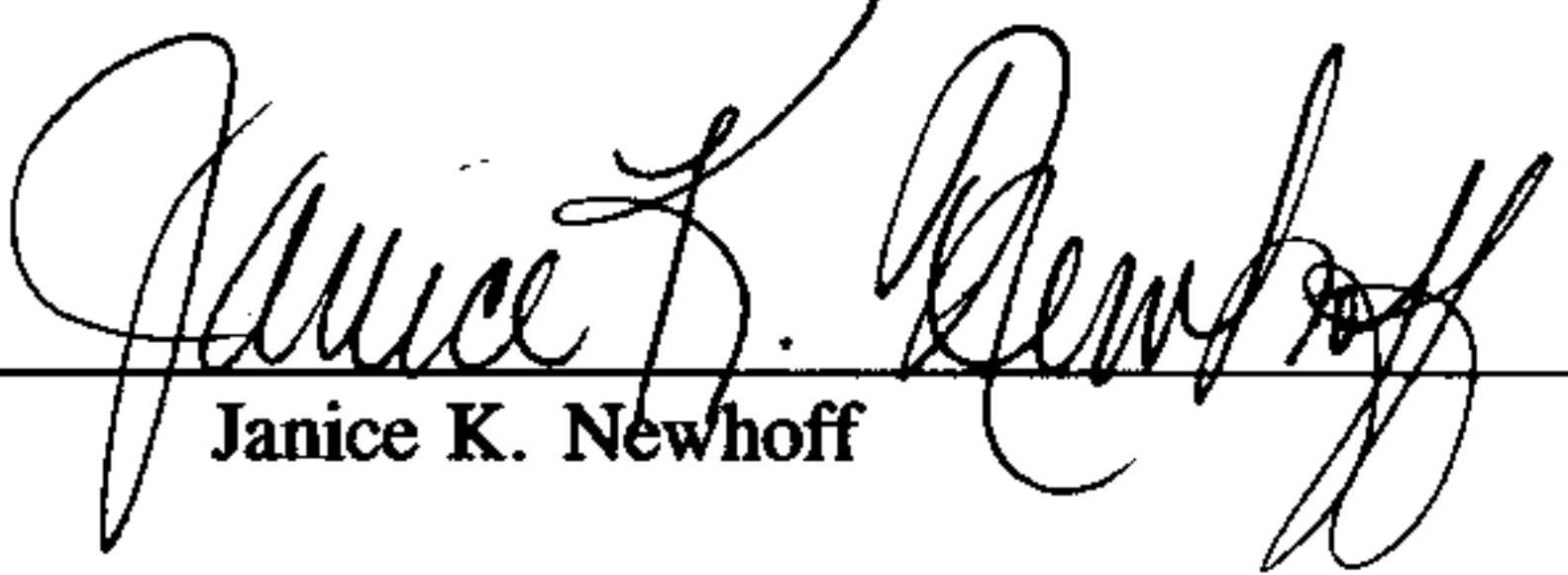
1. Taxes due and payable October 1, 1996, and in subsequent years.
2. Transmission line permit(s) to Alabama Power Company as shown by instrument (s) recorded in Deed Book 129, Page 572, and Deed Book 219, Page 734, in said Probate Office.
3. Easement(s) to Alabama Power Company as shown by instrument recorded in Real 142, Page 184, and Real 149, Page 12, in said Probate Office.
4. 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 121, Page 294, in said Probate Office.
5. Restrictions, covenants and conditions as set out in instruments(s) recorded in Real 160, Page 495, in the Declaration of Protective Covenants of Southlake Crest as recorded in Instrument #1993-30195, Instrument No. 1993-40742, Instrument No. 1993-40743 and Instrument #1993-22812 in said Probate Office.
6. Restrictions for use as set out in Real 160, Page 492 in said Probate Office.
7. Building setbacks lines and public utility easements as shown by recorded plat.
8. Articles of Incorporation of Southlake Crest Residential Association, Inc. as recorded as Instrument #1993-30196 in said Probate Office.
9. Bylaws of Southlake Crest Residential Association, Inc. as recorded as Instrument No. 1993-30197, in said Probate Office.
10. Easements, restrictions, covenants, reservations, and rights-of-way of record.

TO HAVE AND TO HOLD as tenants in common to (i) Janice K. Newhoff, a married woman, an undivided one-half (1/2) interest, and (ii) Merrill V. Newhoff and Presha E. Newhoff, husband and wife, the remaining undivided one-half (1/2) interest, such undivided one-half (1/2) interest to be held by Merrill V. Newhoff and Presha E. Newhoff as tenants in common for life with contingent remainder in fee to the survivor, it being the intention of the parties to this conveyance that the tenancy in common for life and contingent remainder in fee to the survivor between Merrill V. Newhoff and Presha E. Newhoff be indestructible during their joint lifetimes and that if one of them survives the other, their undivided one-half (1/2) interest shall pass to the survivor in fee, and if one does not survive the other, then their tenancy in common shall pass to their heirs and assigns forever.

This deed was prepared without benefit of title work and in reliance upon the legal description and exceptions to title reflected in the Statutory Warranty Deed recorded April 30, 1996 as instrument number 1996-14060 in the Probate Court of Shelby County, Alabama.

[End of Page]

IN WITNESS WHEREOF, each of the undersigned Grantors has executed this instrument on the 18th day of June, 1996.



Janice K. Newhoff

STATE OF ALABAMA)
COUNTY OF JEFFERSON)

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Janice K. Newhoff, a married woman, 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, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this 18 day of June, 1996.



Notary Public

[AFFIX SEAL]

My Commission Expires: 9-15-97

Merrill V. Newhoff
Merrill V. Newhoff

Presha E. Newhoff
Presha E. Newhoff

STATE OF ALABAMA)
COUNTY OF JEFFERSON)

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Merrill V. Newhoff and Presha E. Newhoff, husband and wife, whose names are signed to the foregoing instrument, and who are known to me, acknowledged before me on this day that, being informed of the contents of said instrument, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this 18 day of June, 1996.

Mrs. B. Jackson
Notary Public

[AFFIX SEAL]

My Commission Expires: 9-15-97 .

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