

This Instrument Prepared by  
and Return to:  
Jerome K. Lanning  
Johnston Barton Proctor & Powell LLP  
2900 AmSouth/Harbert Plaza  
1901 Sixth Avenue North  
Birmingham, Alabama 35203-2618

SEND TAX NOTICES TO:  
Robert M. Luttrell  
Kimberly P. Luttrell  
10 West Montcrest Drive  
Birmingham, Alabama 35213

Inst # 1999-16471

### WARRANTY DEED

STATE OF ALABAMA     )  
                                  )  
SHELBY COUNTY         )

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of One Hundred Sixty-Five Thousand Dollars (\$165,000.00) to the undersigned Jerome K. Lanning and Joyce A. Lanning, husband and wife, ("Grantors" herein), in hand paid by Robert M. Luttrell and Kimberly P. Luttrell, husband and wife ("Grantees" herein), the receipt whereof is hereby acknowledged by Grantors, Grantors do hereby grant, bargain, sell and convey to Grantees, as joint tenants with right of survivorship, the following described real estate located in Shelby County, Alabama, to-wit:

Unit No. 15, 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.

**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 South, Range 2 East.
2. Easement to Alabama Power Company as recorded in Deed Book 82, page 156 and instrument no. 1994-29780 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 ½ of SE ¼, and SW ¼ of SE ¼, Section 17, Township 18 South, Range 2 East, as reserved in Deed Book 25, page 455, in Probate Office.
4. Title to minerals underlying 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.
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 ½ of SW ¼ of NE ¼, 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 ¼ of SE ¼ of SE ¼, 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 ¼ of SE ¼ of NE ¼, Section 19, Township 18 South, Range 2 East, in Probate Office.
10. Title to all 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, 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.

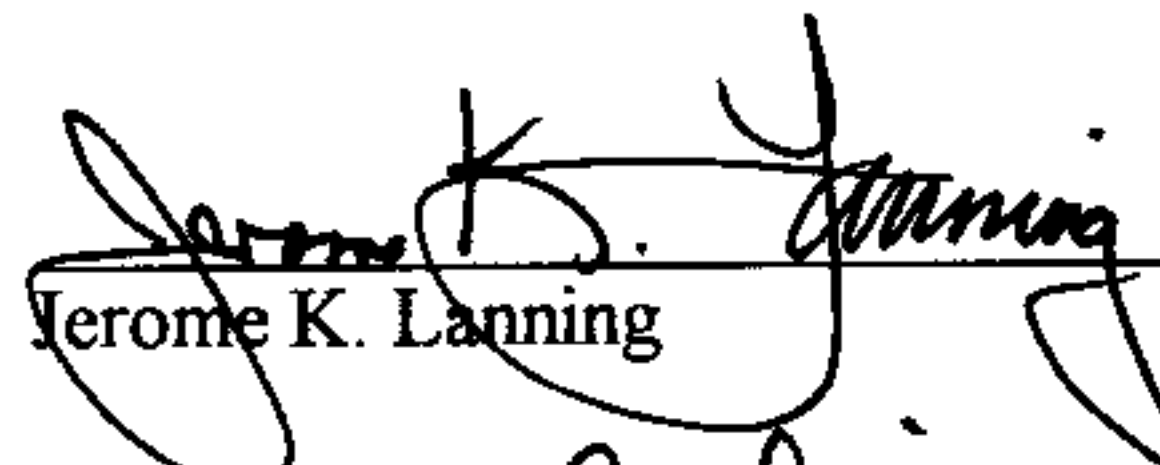
12. Easements as shown on all recorded maps of Pumpkin Hollow - A Condominium, as last amended.
13. Easement to Alabama Power Company recorded in Instrument No. 1995-12827 in Probate Office of Shelby County, Alabama.
14. Easement to Alabama Power Company and Southern Bell Telephone & Telegraph Company recorded in instrument No. 1995-1628 in Probate Office of Jefferson County, Alabama.
15. Taxes for 1999 and subsequent years.
16. The rights of upstream and downstream riparian owners with respect to Pumpkin Hollow Lake, bordering subject property.

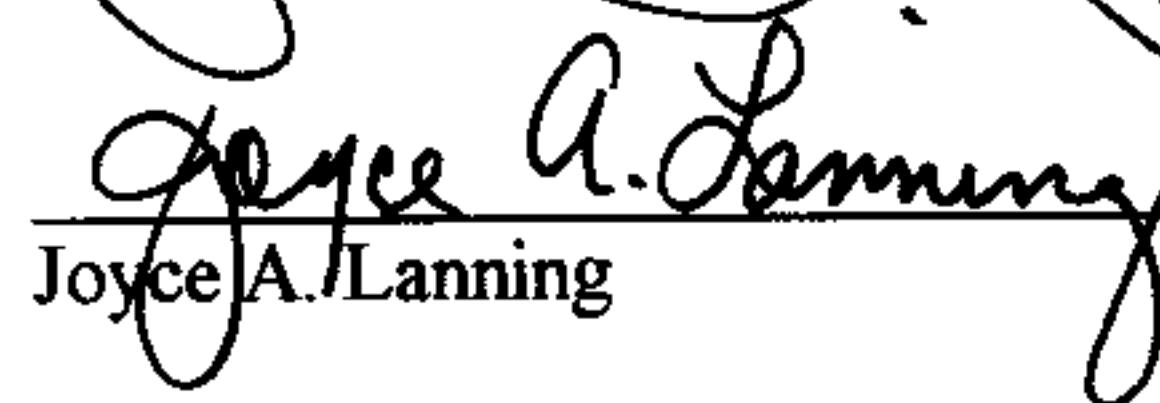
TO HAVE AND TO HOLD to the Grantees, as joint tenants with right of survivorship, and to their heirs and assigns, forever.

And Grantors do for themselves, and for their heirs and assigns, covenant with the Grantees, and their heirs and assigns, that they are lawfully seized in fee simple of said premises; that it is free from all encumbrances, unless otherwise noted above; that they have a good right to sell and convey the same as aforesaid; and that they will, and their heirs and assigns shall, warrant and defend the same to the Grantees, and their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the undersigned have signed, sealed and delivered this Warranty Deed on this 16th day of April, 1998.

SELLER:

  
Jerome K. Lanning


  
Joyce A. Lanning

**ACKNOWLEDGMENT**

STATE OF ALABAMA     )  
                                  )  
JEFFERSON COUNTY    )

I, Janet C. Newell, the undersigned Notary Public in and for said County and State, hereby certify that Jerome K. Lanning and Joyce A. Lanning, husband and wife, whose names are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, they executed the same voluntarily on the day the same bears date.

Given under my hand this 16<sup>th</sup> day of April, 1999.

  
\_\_\_\_\_  
Notary Public

My Commission Expires: 10/19/00

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