20050729000382620 1/2 $52.50
Shelby Cnty Judge of Probate,AL
07/29/2005 03:00:16PM FILED/CERT

This Instrument Prepared By:

Stewart & Associates, P.C.
3595 Grandview Parkway #345
Birmingham, Alabama 35243
BHM050609G4

Send Tax Notice To:

Larry J. Uptain
120 Holland Cove
Pelham, Alabama 35124

STATE OF ALABAMA)
COUNTY OF SHELBY)

STATUTORY WARRANTY DEED

KNOW ALL PERSONS BY THESE PRESENTS, that in consideration of One Hundred Ninety Thousand One Hundred Eighteen Dollars ($190,118.00) to the undersigned Holland Lakes, Inc., an Alabama corporation ("Grantor"), in hand paid by Larry J. Uptain ("Grantee"), the receipt and sufficiency of which are hereby acknowledged, the said Grantor does by these presents, grant, bargain, sell and convey unto Grantee the following described real estate, situated in Shelby County, Alabama, to-wit:

Lot 113 according to the Final Plat of Holland Lakes, Sector One as recorded in Map Book 34 Page 85, in the Probate Office of Shelby County, Alabama (the "Property").

Together with the nonexclusive easement to use the Common Areas as more particularly described in Holland Lakes Declaration of Covenants, Conditions, and Restrictions executed by the Grantor and filed for record as Instrument No. 20050425000196100 in the Probate Office of Shelby County, Alabama (the "Declaration").

Subject to: (1) Ad valorem taxes due and payable October 1, 2005 and all subsequent years thereafter; (2) Mineral and mining rights not owned by Grantor; (3) The easements, restrictions, assessments, covenants, agreements and all other terms and provisions of the Declaration and in Map Book 34 page 85 in the Probate Office of Shelby County, Alabama; (4) All easements, restrictions, reservations, agreements, rights-of-way, building setback lines and any other matters of record.

$152,000.00 of the consideration as was paid from the proceeds of a mortgage loan.

Grantee, by acceptance of this deed, acknowledges, covenants and agrees for itself and for its successors and assigns, that Grantor shall not be liable for and Grantee hereby waives, releases and forever discharges Grantor, its officers, agents, employees, directors, shareholders, partners, predecessors, contractors, subcontractors, mortgagees and each of their respective successors and assigns, from any and all liability claims and causes of action of any nature on account of loss, damage, or injuries to buildings, structures, improvements, personal property or to Grantee or any owner, occupants or other person who enters upon any portion of the Property as a result of or arising out of any past, present or future soil, surface and/or subsurface conditions, known or unknown, (including, without limitation, radon, 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.

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IN WITNESS WHEREOF, the said Holland Lakes, Inc., an Alabama corporation, by its Vice President, Steven R. Chester, who is authorized to execute this conveyance, has hereto set its signature and seal, this the 28th day of July 2005.

HOLLAND LAKES, INC., AN ALABAMA CORPORATION

By: _____
Steven R. Chester
Vice President

STATE OF ALABAMA)
COUNTY OF JEFFERSON)

I, the undersigned, a Notary Public in and for said County and State, hereby certify that Steven R. Chester, whose name as Vice President of Holland Lakes, Inc., 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, 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 seal this the 28th day of July, 2005.

_____
Notary Public Mary Pamela Short
My Commission Expires: 9-16-06

[SEAL]

MARY PAMELA SHORT
MY COMMISSION EXPIRES
SEPTEMBER 16 2006
ALABAMA
NOTARY PUBLIC

Shelby County, AL 07/29/2005
State of Alabama

Deed Tax:$38.50