

THIS DEED PREPARED WITHOUT BENEFIT OF A TITLE SEARCH

Send Tax Notice to:
Joseph B. and Cornelia B. LaRussa
2524 Canterbury Road
Birmingham, Alabama 35223

STATE OF ALABAMA)
)
SHELBY COUNTY)

**STATUTORY WARRANTY DEED
TENANTS IN COMMON WITH CROSS CONTINGENT REMAINDERS**

KNOW ALL MEN BY THESE PRESENTS, that for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable considerations to the undersigned, **JOSEPH B. LARUSSA** and wife, **CORNELIA B. LARUSSA** (hereinafter referred to collectively as "Grantors"), in hand paid by **JOSEPH B. LARUSSA** and wife, **CORNELIA B. LARUSSA** (hereinafter referred to each singularly as "Grantee" and collectively as "Grantees"), the receipt of which is hereby acknowledged, the said Grantors do by these presents GRANT, BARGAIN, SELL AND CONVEY unto the said Grantees, as tenants in common with equal rights and interests for the period or term that the said Grantees shall both survive, and, upon the death of any one of the said Grantees, then unto the last survivor of the said Grantees, and to the heirs and assigns of such survivor in fee simple forever, such tenancy expressly intended to create co-tenants in common for life with a cross-contingent remainder in fee in favor of the last survivor of the said Grantees, the following described real estate situated in Shelby County, Alabama, to-wit:

Unit No. 28, 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 XII, of said amended declaration of condominium.
Situated in Shelby County, Alabama.

TOGETHER WITH ALL AND SINGULAR the rights, members, privileges, improvements, hereditaments, tenements and appurtenances thereto belonging or in anywise appertaining and all right, title and interest of Grantors in and to any and all roads, alleys and ways bounding said premises.

This conveyance is made subject to the following:

1. 2005 ad valorem taxes, a lien due and payable October 1, 2005, and taxes for subsequent years not yet due and payable.
2. Any and all previous reservations or conveyances, if any, of oil, gas and other minerals in, on and under said real property, together with all rights in connection therewith; all recorded mortgages, if any; all recorded encumbrances, if any; recorded or unrecorded easements, liens, restrictions, covenants, declarations, set-back lines, rights-of-way, regulations, and other matters of record in the Probate Office of Shelby County, Alabama; any rights of parties in possession, and any encroachments, overhangs, deficiencies in quantity of land, discrepancies as to boundary lines, overlaps, etc., which would be disclosed by a true and accurate survey of the property conveyed herein.

NOTE: The property herein conveyed is the homestead property of the Grantors.


NOTE: The Grantors named herein are one and the same as the within-named Grantees. The property herein conveyed is the same property conveyed to Grantors from Pumpkin Hollow Development Corp. in that certain Warranty Deed dated November 30, 1998, and recorded on December 15, 1998, under Inst. #1998-50000 in the Office of the Judge of Probate of Shelby County, Alabama. This instrument is being executed by the Grantors for the expressed purpose of converting their form of ownership from joint tenancy with right of survivorship to tenancy in common with cross-contingent remainders in fee.

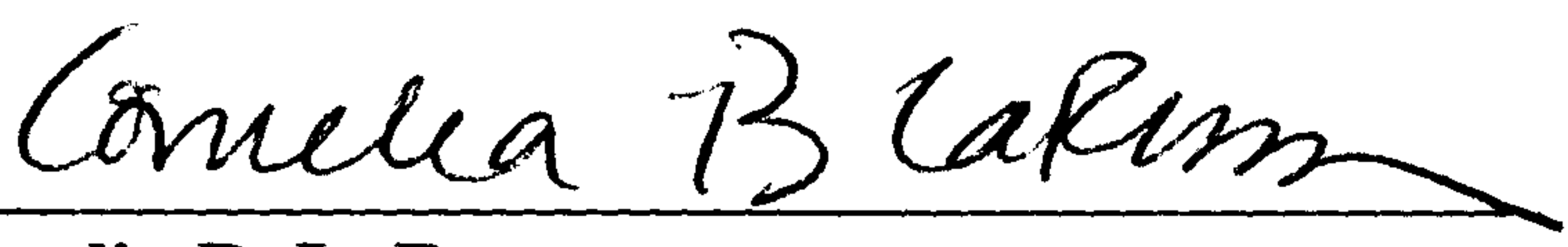
By the execution and delivery of this Deed, Grantors and Grantees acknowledge that it is not their intention to create a joint tenancy with right of survivorship, but, on the contrary, it is their intention to create and they do hereby create a form of concurrent ownership in property as tenants in common during the respective lives of the Grantees, with a cross-contingent remainder in fee to and in favor of the last survivor of the said Grantees at the death of the other of said Grantees, and to the heirs and assigns of such last survivor, which interests so created in the Grantees are indestructible by the act of one of the Grantees.

TO HAVE AND TO HOLD to the said Grantees, as tenants in common and with equal rights and interest for the period or term that the said Grantees shall both survive, and then unto the last survivor of the said Grantees at the death of the other and to the heirs and assigns of such last survivor in fee simple forever, such tenancy expressly intended to create co-tenants in common for life with a contingent remainder in fee in favor of the last survivor of the Grantees.

IN WITNESS WHEREOF, the said Grantors have hereto set their hands and seals on this the 24 day of August, 2005.

"Grantors"


Joseph B. LaRussa


Cornelia B. LaRussa

20050928000504660 3/3 \$18.00
Shelby Cnty Judge of Probate, AL
09/28/2005 09:59:21AM FILED/CERT

STATE OF ALABAMA)
:
JEFFERSON COUNTY)

I, the undersigned authority, a Notary Public in and for said county in said state, hereby certify that Joseph B. LaRussa, 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 such instrument, he executed the same voluntarily on the day the same bears date.

GIVEN under my hand and seal, this 24th day of August, 2005.

[NOTARIAL SEAL]

Notary Public
My Commission Expires

NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: Oct 30, 2006
BONDED THRU NOTARY PUBLIC (7/28/2005)

STATE OF ALABAMA)
:
JEFFERSON COUNTY)

I, the undersigned authority, a Notary Public in and for said county in said state, hereby certify that Cornelia B. LaRussa, 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 such instrument, she executed the same voluntarily on the day the same bears date.

GIVEN under my hand and seal, this 24th day of August, 2005.

[NOTARIAL SEAL]

Notary Public
My Commission Expires

NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: Oct 30, 2006
BONDED THRU NOTARY PUBLIC (7/28/2005)

This document prepared by:
Judith F. Todd, Esq.
Sirote & Permutt, P.C.
2311 Highland Avenue South
Birmingham, Alabama 35205