20051108000580780 1/2 $161.50
Shelby Cnty Judge of Probate,AL
11/08/2005 12:52:47PM FILED/CERT

This Instrument Prepared By:

Stewart & Associates, P.C.
3595 Grandview Parkway #345
Birmingham, Alabama 35243
NTC-05-00210

Send Tax Notice To:

Maynard C. Kinney
119 Holland Trail
Pelham, AL 35124

Shelby County, AL 11/08/2005
State of Alabama

Deed Tax:$147.50

**STATE OF ALABAMA )**
**COUNTY OF SHELBY )**

# STATUTORY WARRANTY DEED

**KNOW ALL PERSONS BY THESE PRESENTS**, that in consideration of One Hundred Forty Seven Thousand, Two Hundred Fifty and .00/100 Dollars ($147, 250.00) to the undersigned **Holland Lakes, Inc.,** an Alabama corporation ("Grantor"), in hand paid by **Maynard C. Kinney and Jo Ann H. Kinney**, husband and wife, as joint tenants with full rights of survivorship, ("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 64, 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 Place Declaration of Covenants, Conditions, and Restrictions executed by the Grantor and filed for record as Instrument No. 2005046000199570 in the Probate Office of Shelby County, Alabama (the "Declaration").

$0.00 of the Consideration was paid from the proceeds of a mortgage loan.

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.

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 , Stephen R. Chester, who is authorized to execute this conveyance, has hereto set its signature and seal, this the 4th day of November, 2005.

HOLLAND LAKES, INC., AN ALABAMA CORPORATION

By:_____
Stephen 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 Stephen 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 4th day of November, 2005.

Notary Public _____
My Commission Expires: 9-16-06

[SEAL]

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