

20090305000081660 1/2 \$24.50
Shelby Cnty Judge of Probate, AL
03/05/2009 03:46:56PM FILED/CERT

Shelby County, AL 03/05/2009
State of Alabama
Deed Tax: \$10.50

Send tax notice to:

LINDSAY KATE BROGDON
814 MORNING SUN DRIVE
BIRMINGHAM, AL, 35242

This instrument prepared by:
CHARLES D. STEWART, JR.
Executive Real Estate Group, LLC
4898 Valleydale Road, Suite A-2
Birmingham, Alabama 35242

STATE OF ALABAMA
Shelby COUNTY

2009151

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of One Hundred Two Thousand Five Hundred and 00/100 Dollars (\$102,500.00) in hand paid to the undersigned, DOUGLAS L. LENG, Married Not Joined By Spouse (hereinafter referred to as "Grantor") by LINDSAY KATE BROGDON (hereinafter referred to as Grantee), the receipt and sufficiency of which are hereby acknowledged, Grantors do, by these presents, grant, bargain, sell, and convey unto Grantee, the following described real estate situated in Shelby County, Alabama, to-wit:

UNIT 814, IN HORIZON, A CONDOMINIUM AS ESTABLISHED BY THAT CERTAIN DECLARATION OF CONDOMINIUM OF HORIZON, A CONDOMINIUM, WHICH IS RECORDED IN INSTRUMENT #2001-40927, TO WHICH DECLARATION OF CONDOMINIUM A PLAN IS ATTACHED AS EXHIBIT "A" THERETO, SAID PLAN BEING FILED FOR RECORD IN MAP BOOK 28, PAGE 141, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA, AND TO WHICH SAID DECLARATION OF CONDOMINIUM THE BY-LAWS OF THE HORIZON CONDOMINIUM ASSOCIATION, INC. IS ATTACHED AS EXHIBIT "D" TOGETHER WITH AN UNDIVIDED INTEREST IN THE COMMON ELEMENTS ASSIGNED TO SAID UNIT, AS SHOWN IN EXHIBIT "C" OF SAID DECLARATION OF CONDOMINIUM OF HORIZON, A CONDOMINIUM.

SUBJECT PROPERTY DOES NOT CONSTITUTE THE HOMESTEAD OF GRANTOR NOR HIS RESPECTIVE SPOUSE.

SUBJECT TO:

1. TAXES FOR THE YEAR BEGINNING OCTOBER 1, 2008 WHICH CONSTITUTES A LIEN BUT ARE NOT DUE AND PAYABLE UNTIL OCTOBER 1, 2009.
2. A STORM SEWER AND DRAINAGE EASEMENT BETWEEN DANIEL U.S. PROPERTIES, LTD. AND DANIEL PROPERTIES XV IN REAL VOLUME 86, PAGE 340.
3. SEWER LINE EASEMENT AND CONNECTION AGREEMENT BETWEEN DANIEL U.S. PROPERTIES, LTD AND DANIEL PROPERTIES XV IN REAL VOLUME 43, PAGE 611, MODIFIED IN REAL VOLUME 86, PAGE 355 AND FURTHER MODIFIED IN INSTRUMENT #1994-03406.
4. RESERVATION AS CONTAINED IN DEED IN INSTRUMENT #1994-03407
5. RIGHTS OF OWNERS OF PROPERTY ADJOINING PROPERTY IN AND TO THE JOINT OR COMMON RIGHTS IN BUILDING SITUATED ON SAID LOTS, SUCH RIGHTS INCLUDE BUT ARE NOT LIMITED TO ROOF, FOUNDATION, PARTY WALLS, WALKWAY AND ENTRANCE.
6. TITLE TO ALL MINERALS WITHINA AND UNDERLYING THE PREMISES, TOGETHER WITH ALL MINING RIGHTS AND OTHER RIGHTS, PRIVILEGES, IMMUNITIES AND RELEASE OF DAMAGES RELATING THERETO, AS RECORDED IN DEED BOOK 32, PAGE 48.
7. RIGHT OF WAY GRANTED TO ALABAMA POWER COMPANY BY INSTRUMENT(S) RECORDED IN REAL VOLUME 2, PAGE 797.
8. COVENANTS, CONDITIONS, RESTRICTIONS, RESERVATIONS, EASEMENTS, LIENS FOR ASSESSMENTS, OPTIONS, POWERS OF ATTORNEY, AND LIMITATIONS ON TITLE CREATED BY THE "CONDOMINIUM OWNERSHIP ACT", CHAPTER 8, SECTION 35-8-1 ET SEQ., CODE OF ALABAMA 1975, AND/OR THE "ALABAMA UNIFORM

CONDOMINIUM ACT OF 1991", CHAPTER 8A, SECTIONS 35-8A-101 ET SEQ., CODE OF ALABAMA 1975, OR SET FORTH IN THE DECLARATION OF CONDOMINIUM OF HORIZON, A CONDOMINIUM, DATED 09/19/0 AND RECORDED IN INSTRUMENT #2001-40927, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA; IN THE BY-LAWS OF HORIZON CONDOMINIUM ASSOCIATION, RECORDED IN INSTRUMENT #2001-40927, IN SAID PROBATE OFFICE; IN THE ARTICLES OF INCORPORATION OF HORIZON CONDOMINIUM DEVELOPMENT, INC. RECORDED IN INSTRUMENT #2001-40923, IN SAID PROBATE OFFICE; IN ANY INSTRUMENT CREATING THE ESTATE OR INTEREST INSURED BY THIS POLICY.

\$92,250.00 OF THE CONSIDERATION AS WAS PAID FROM THE PROCEEDS OF A MORTGAGE LOAN.

TO HAVE AND TO HOLD unto the Grantee, its successors and assigns forever. The Grantor does for itself, its successors and assigns, covenant with the Grantee, its successors and assigns, that it is lawfully seized in fee simple of said premises; that they are free from all encumbrances, except as shown above; that it has a good right to sell and convey the same as aforesaid; and that it will, and its successors and assigns shall, warrant and defend the same to the Grantee, their heirs, executors, administrators and assigns forever against the lawful claims of all persons.

IN WITNESS WHEREOF, said Grantor, has hereunto set his/her hand and seal this the 23rd day of February, 2009.

Douglas L. Leng acting by and through his atty Donna Wigg
DOUGLAS L. LENG, ACTING BY AND THROUGH HIS ATTORNEY IN FACT, DONNA WIGGIN

STATE OF ALABAMA
COUNTY OF SHELBY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that DONNA WIGGIN, whose name as Agent and Attorney in fact for DOUGLAS L. LENG 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 the said instrument, she executed the same voluntarily in her capacity as Attorney in fact for DOUGLAS L. LENG on the day the same bears date.

Given under my hand and official seal this the 23rd day of February, 2009.

