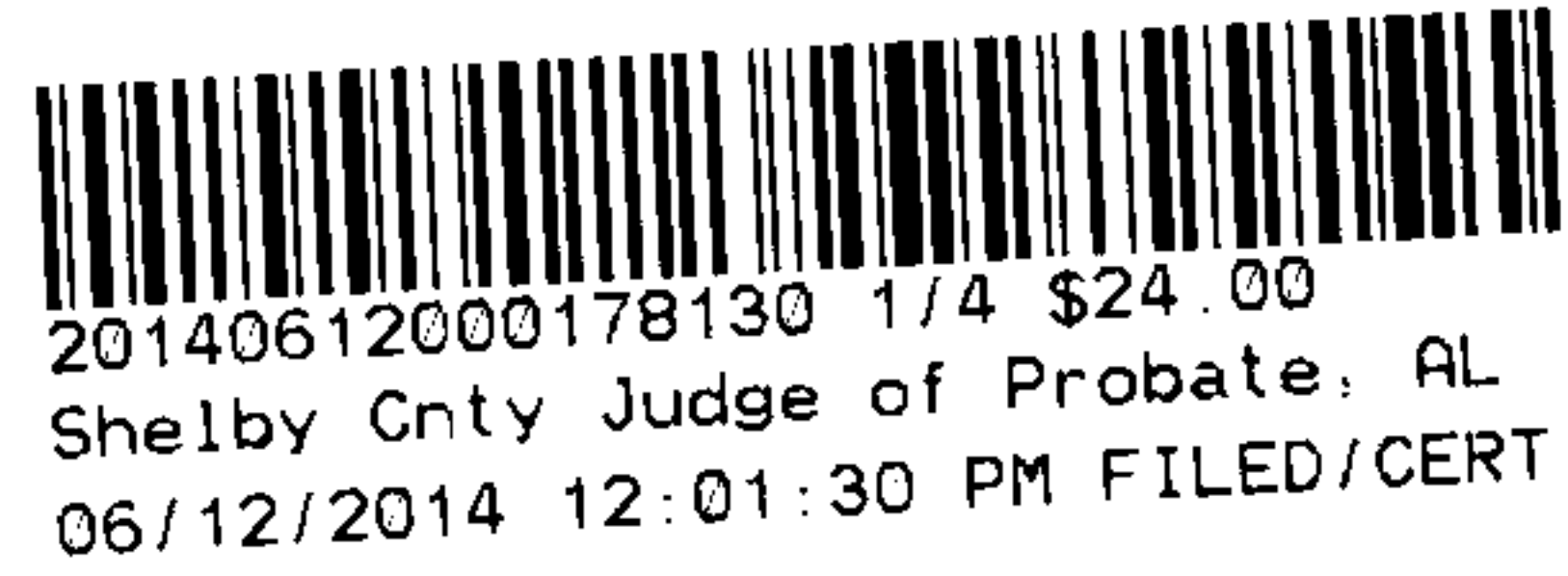


Yolene J. L. 082

Send tax notice to:  
Timothy and Angela Donovan  
5321 Chandler Mountain Road  
Steele, AL 35987

This Instrument Prepared By:  
Virginia S. Boliek, Esq.  
Dominick Feld Hyde, P.C.  
1130 22<sup>nd</sup> Street South  
Ridge Park, Suite 4000  
Birmingham, Alabama 35205



**THIS INSTRUMENT HAS BEEN PREPARED IN ACCORDANCE WITH THE INFORMATION SUPPLIED BY THE PARTIES HERETO. NO TITLE EXAMINATION AND/OR OPINION WAS REQUESTED OF DOMINICK FELD HYDE, P.C. BY EITHER GRANTOR OR GRANTEE, AND NONE WAS CONDUCTED AND/OR RENDERED. THIS INSTRUMENT MEETS THE REQUIREMENTS OF SECTION 40-22-1, CODE OF ALABAMA 1975, AS AMENDED (ALSO KNOWN AS ACT 2012-494).**

**PERSONAL REPRESENTATIVES' WARRANT DEED**  
**CREATING JOINT LIFE ESTATES WITH CROSS-CONTINGENT REMAINDERS AND**  
**ASSIGNMENT OF LEASE**  
(Hamburger Heaven)

STATE OF ALABAMA )

**KNOW ALL MEN BY THESE PRESENTS:**

SHELBY COUNTY )

WHEREAS, James F. Donovan ("James") died on October 5, 2012 and his Last Will and Testament ("Will") was admitted to probate in Shelby County Probate Court Case No. PR-2012-000656;

WHEREAS, Patricia Donovan Hope ("Pat") and Timothy Franklin Donovan ("Timothy") were appointed as Personal Representatives of James' Estate by Letters Testamentary issued October 26, 2012;

WHEREAS, James died seized and possessed of a ninety-nine percent (99%) interest, with Pat owning a one-half percent (0.5%) interest and Timothy owning a one-half percent (0.5%) interest in the real property hereinafter described (the "Property");

WHEREAS, in accordance with the terms of James' Will, his assets, including his interest in said Property, pass to his children, Pat and Timothy, in equal shares;

WHEREAS, Pat and Timothy desire that the entire Property pass solely to Timothy and that other property owned by James, Pat and Timothy will pass to Pat;

WHEREAS, Tim further desires to own the Property jointly with his wife, Angela Elaine Sparks Donovan; and

WHEREAS, rather than make a series of transfers in succession from the Estate to Pat and Timothy, then from Pat and Timothy to Timothy and his wife, the Property is being conveyed to Timothy and his wife by this single conveyance.

NOW THEREFORE, in consideration of the above recitals and the authority contained in the Last Will and Testament of James F. Donovan, deceased, the undersigned Grantors, Patricia Donovan Hope, whose mailing address is 4675 Bridgewater Road, Birmingham, Alabama, 35243-2645, and Timothy Franklin Donovan, whose mailing address is 5321 Chandler Mountain Road, Steele, Alabama 35987, individually and in their capacity as Personal Representatives of the Estate of said decedent, whose mailing address is 4675 Bridgewater Road, Birmingham, Alabama,



35243-2645, do grant, bargain, sell and convey unto Timothy Franklin Donovan and Angela Elaine Sparks Donovan, (hereinafter referred to as "Grantees"), as tenants in common and with equal rights and interests for the period or term that the Grantees shall both survive and unto the survivor of the said Grantees, at the death of the other, and to the heirs and assigns of such survivor in fee simple forever, the decedent's ninety-nine percent (99%) interest, Timothy's one-half percent (0.5%) interest, and Pat's one-half percent (0.5%) interest in and to the following described real estate situated in Shelby County, Alabama, to-wit:

Commence at the Southeast corner of Section 31, Township 18 South, Range 1 West, thence run North along the East line of said Section a distance of 1663.70 feet; thence turn an angle of 90 degrees 18 minutes 08 seconds to the left and run a distance of 533.53 feet to the point of beginning; thence continue in the same direction a distance of 265.53 feet; thence turn an angle of 90 degrees 00 minutes 00 seconds to the left and run a distance of 271.52 feet to the North right of way line of U. S. Highway 280; thence turn an angle of 96 degrees 52 minutes to the left and run along said Highway right of way a distance of 267.45 feet; thence turn an angle of 83 degrees 08 minutes to left and run a distance of 239.54 feet to the point of beginning. Situated in the Northeast quarter of the Southeast quarter of Section 31, Township 18 South, Range 1 West, Huntsville Meridian, Shelby County, Alabama; being situated in Shelby County, Alabama. LESS AND EXCEPT: Commence at the Southeast corner of Section 31, Township 18 South, Range 1 West; thence run North along the East line of said Section a distance of 1663.70 feet; thence turn left 90 degrees 18 minutes 08 seconds and run West 533.53 feet; thence turn left 90 degrees 00 minutes 00 seconds and run South 239.54 feet; thence turn 83 degrees 08 minutes 00 seconds right and run Westerly along the North right of Way line of U. S. Highway 280 24.75 feet to the Point of Beginning; thence continue Westerly 120.00 feet; thence turn 96 degrees 52 minutes 00 seconds right and run North 256.70 feet; thence turn 90 degrees 00 minutes 00 seconds right and run Easterly 119.14 feet; thence turn 90 degrees 00 minutes 00 seconds right and run South 242.36 feet to the Point of Beginning.

SOURCE OF TITLE: Instruments 1996-21512 and 20101228000434550.

Parcel IDs: 03 9 31 0 001 054.001 and 03 9 31 0 001 054.002

Tax Assessor's Value for the one percent (1%) in the Property being conveyed by Pat and Timothy is \$12,022.40.

The ninety-nine percent (99%) interest owned by the decedent is exempt from deed tax as the property passed pursuant to said decedent's Will.

TOGETHER WITH all right, title and interest in and to that certain Ground Lease of the Property, dated January 1, 1996, by and between James F. and Dorothy H. Donovan, as landlord, and Eli's, Inc., as tenant, which Ground Lease is evidenced by that certain Memorandum of Lease dated May 10, 1996, and recorded in the Office of the Judge of Probate of Shelby County as Instrument No. 1996-32295.

This conveyance is made subject to the following:

1. The lien for ad valorem taxes due in the current year or any subsequent year but not yet payable.
2. All easements, liens, encumbrances, restrictions, rights-of-way, any reservations of mineral rights, and other matters of record in the Probate Office of Shelby County, Alabama, together with any deficiencies in quantity of land, easements, discrepancies as to boundary lines, overlaps, etc., which would be disclosed by a true and accurate survey of the property conveyed herein.



The above property does not constitute the homestead of the Grantors.

TO HAVE AND TO HOLD to said Grantees, in the manner and interest as set forth and stated herein above, it being the express intention of the Grantors to create a life estate in each of the Grantees herein and a contingent remainder interest conditioned upon the survival of each Grantee by the other.

As to the ninety-nine percent (99%) interest owned by the decedent, this instrument is executed by the Grantors solely in their representative capacity named herein, and neither this instrument nor anything contained herein shall be construed as creating any indebtedness or obligation on the part of the Grantors in their individual capacity, and the liability of the Grantors is expressly limited to their representative capacity named herein.

As to the one percent (1%) interest owned by Pat and Timothy, no warranty or covenant respecting the nature of the quality of the title to the Property hereby conveyed is made by Pat or Timothy other than that neither of them has permitted nor suffered any lien, encumbrance or adverse claim to the Property described herein since the date of acquisition hereof by them.

IN WITNESS WHEREOF, the Grantors have hereunto set their hands and seals this 5<sup>th</sup> day of June, 2014.

Patricia Donovan Hope

Patricia Donovan Hope, individually and as  
Personal Representative of the Estate of  
James F. Donovan, deceased

Timothy Franklin Donovan

Timothy Franklin Donovan, individually and as  
Personal Representative of the Estate of  
James F. Donovan, deceased

I, the undersigned authority, a Notary Public in and for the State of Alabama at Large, hereby certify that Patricia Donovan Hope, individually and as Personal Representative of the Estate of James F. Donovan, deceased, 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, she, in her individual capacity and in her capacity as Personal Representative, executed the same voluntarily on the day the same bears date.

Given under my hand this 5<sup>th</sup> day of June, 2014.



Rebekah T Mize  
Notary Public

Rebekah T Mize  
Printed Name

My Commission Expires: 9-30-14



20140612000178130 3/4 \$24.00  
Shelby Cnty Judge of Probate, AL  
06/12/2014 12:01:30 PM FILED/CERT

I, the undersigned authority, a Notary Public in and for the State of Alabama at Large, hereby certify that Timothy Franklin Donovan, individually and as Personal Representative of the Estate of James F. Donovan, deceased, 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, in his individual capacity and in his capacity as Personal Representative, executed the same voluntarily on the day the same bears date.

Given under my hand this 5<sup>th</sup> day of June, 2014.



Rebekah T. Mize  
Notary Public

Rebekah T. Mize  
Printed Name

My Commission Expires: 9/30/14

20140612000178130 4/4 \$24.00  
Shelby Cnty Judge of Probate, AL  
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