

WARRANTY DEED

This instrument was prepared by Steven R. Sears, attorney, 27 South Main Street, BX 557, Montevallo, AL 35115+0557, without benefit of title evidence.

State of Alabama)
County of Shelby)

Know all men by these presents, that in consideration of \$29,000.00 cash and execution of a real estate note, to the undersigned grantor in hand paid by the grantee herein, the receipt whereof is acknowledged, I, Jerry Wayne Ellison and wife Gwendolyn Marie Ellison, of Rt 3, BX 187D, Jemison, AL 35085, and Archie Roland Smitherman, Jr., an unmarried man, of Briarwood Apartments 5M, Montevallo, AL 35115 (herein referred to as grantor, whether one or more) do grant, bargain, sell, and convey unto Willie Steve Smitherman and wife Glennice Faye Smitherman, of Rt 4, BX 143, Montevallo, AL 35115 and Judith Ann Smitherman Stone, a married woman, of Rt 4, BX 143, Montevallo, AL 35115, (herein referred to as grantee, whether one or more) the following described real estate situated in Shelby County, Alabama, to-wit:

A certain parcel or tract of land, beginning at the NE corner of the SW 1/4 of the NE 1/4 of S2, Twp 22, R4W, and running in a southerly direction 345 feet to the N side of old Columbiana and Tuscaloosa public road, thence in a westerly direction running at an angle of 12° S of W, along the N side of said public road 900 feet to SE corner of William Pickett's 4 acres, thence running N ±440 feet to the northern boundary line of said forty, thence E to the point of beginning, containing 12.32 acres.

Also one tract of land described as follows: Beginning at the SW corner of NW 1/4 of NE 1/4 of S2, Twp 22, R4W, thence N 85 yards to point, thence E 440 yards to E boundary line of said forty acres, thence S 85 yards to SE corner of said NW 1/4 of NE 1/4 of S2, Twp 22, R4W, thence W 440 yards to beginning, containing 7.63 acres. Total number of acres ±19.95 and being that part of SW 1/4 of NE 1/4 of S2, Twp 22, R4W, lying N of said Columbiana and Tuscaloosa public road except four acres in SW corner of said tract belonging to W. M. Pickett, and situated in Shelby County, Alabama. Also being 7.63 acres off the S side of said NW 1/4 of NE 1/4 of S2, Twp 22, R4W.

Less and except two tracts described as follows:

Tract I

Beginning at the NW corner of SE 1/4 of NE 1/4 of S2, Twp 22, R4W; thence go N for a distance of 210 feet to a point; thence go W 384 1/2 feet to a point; thence go S 640 feet to a point; thence go E 161 feet to a point; thence go N 243 feet to a point; thence go E 210 feet to a point; thence go N 180 feet to point of beginning. Containing ±4.27 acres, partly in NW 1/4 of NE 1/4, and partly in SW 1/4 of NE 1/4, S2, Twp 22, R4W, Shelby County, Alabama.

Tract II

Commencing at the NW corner of SE 1/4 of NE 1/4 of S2, Twp 22, R 4W, thence go S for a distance of 180 feet to a point, the point of beginning; thence go W for a distance of 210 feet to a point; thence go S for a distance of 243 feet to a point; thence go E for a distance of 212 feet to a point; thence go N for a distance of 210 feet to the point of beginning. Containing ±1.10 acres situated in the SW 1/4 of NE 1/4 of S2, Twp 22, R4W, Shelby County, Alabama.

It is the intent of this instrument to convey all the land conveyed by Myrtle Smitherman on 13 April 1971 via a deed recorded 11 May 1971 at Book 267, page 662 in the Shelby County Probate Office, less those tracts conveyed by deeds recorded at book 324, page 539; and book 339, page 567 of the Shelby County Probate Office, whether or not correctly described, or described at all.

To have and to hold to the said grantee, his, her or their heirs and assigns forever.

I Jerry Wayne Ellison and wife Gwendolyn Marie Ellison, and Archie Roland Smitherman, Jr., do for myself and for my heirs, executors, and administrators covenant with the said grantee, his, her, or their heirs and

*Archie Smitherman
Rt. 4 Box - 143
Montevallo, Ala*

see reference to note Book 267 Page 662
347 100322
686 (3-16-84)

assigns, that I am lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that I have a good right to sell and convey the same as aforesaid; that I will and my heirs, executors, and administrators shall warrant and defend the same to the said grantee, his, her, or their heirs and assigns forever, against the lawful claims of all persons.

In witness whereof, I have set my hand and seal, this 26 February 1983.

Witness:

Steve Smitherman

Jerry Wayne Ellison (Seal)
Jerry Wayne Ellison

Mr. [unclear]

Gwendolyn Marie Ellison (Seal)
Gwendolyn Marie Ellison

Judith Ann Smitherman

Archie Roland Smitherman, Jr. (Seal)
Archie Roland SMitherman, Jr.

State of Alabama)
County of Shelby)

I, the undersigned notary public for the State of Alabama at Large, hereby certify that Jerry Wayne Ellison and wife Gwendolyn Marie Ellison, and, whose names are signed to the foregoing conveyance, and who are (made) known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 26 February 1983.

[Signature]
Notary public

My Commission Expires August 19, 1985

347 178 800

STATE OF ALA. SHELBY CO.
NOTARY PUBLIC

1983 MAY 23 AM 9:56

[Signature]

Deed tax 2900

Rec. 400

100

3400