

THIS INSTRUMENT PREPARED BY:  
R. Timothy Estes, Esq.  
Estes, Sanders & Williams, LLC  
3800 Colonnade Parkway, Suite 330  
Birmingham, Alabama 35243

20071004000464650 1/1 \$71.00  
Shelby Cnty Judge of Probate, AL  
10/04/2007 11:11:27AM FILED/CERT

SEND TAX NOTICE TO:  
Terry Eugene Smith  
1082 Belvedere Cove

## STATUTORY WARRANTY DEED Joint Tenants with Rights of Survivorship

STATE OF ALABAMA )

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF SHELBY )

That in consideration of **Two Hundred Ninety-Nine Thousand Four Hundred Fifty and 00/100 Dollars (\$299,450.00)** and other good and valuable consideration paid in hand by the GRANTEES herein to the undersigned GRANTOR, the receipt and sufficiency whereof are acknowledged,

**D.R. Horton, Inc. - Birmingham**

(herein referred to as GRANTORS, whether one or more) do, grant, bargain, sell and convey unto

**Terry Eugene Smith, Dorothy F. Smith, and Austin W. Smith**

(herein referred to as GRANTEE, whether one or more), all of their right, title and interest in and to that certain real estate situated in SHELBY County, Alabama, to-wit:

**Lot 52, according to the Final Plat of Belvedere Cove Phase III, as recorded in Map Book 36, page 113, in the Probate Office of Shelby County, Alabama.**

Mineral and mining rights excepted. Subject to current taxes, easements and restrictions of record.

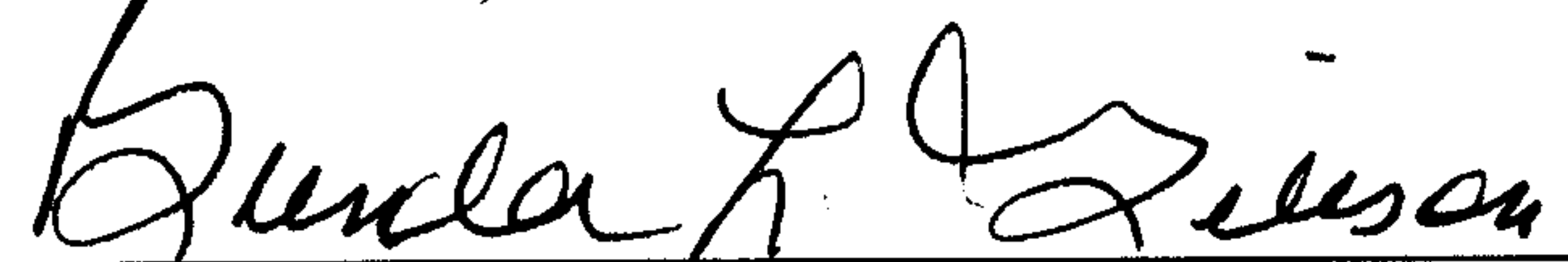
\$239,560.00 of the consideration was paid from a mortgage loan closed simultaneously herewith.

**TO HAVE AND TO HOLD**, unto the said GRANTEE as joint tenants, with right of survivorship, successively, their heirs and assigns forever; it being the intention of the parties to this conveyance, that (unless the joint tenancy hereby created is severed or terminated during the joint lives of the grantees herein), upon the death of any one of said GRANTEES the joint tenants, with right of survivorship, and that upon the death of either of the said two survivors, the said property shall vest in the survivor of them and that the entire interest in fee simple shall pass to and vest in the last surviving GRANTEE herein named, but if neither GRANTEE herein named survives the other or others, such as in case of death in a common accident, then the heirs and assigns of the GRANTEES herein shall take as tenants in common.

Grantor makes no warranty or covenant respecting the nature of the quality of the title to the property hereby conveyed other than that the Grantor has neither permitted or suffered any lien, encumbrance or adverse claim to the property described herein since the date of acquisition thereof by the Grantor.

**IN WITNESS WHEREOF**, the said GRANTOR by its Assistant Secretary who is authorized to execute this conveyance, hereto set her signature and seal this the 28th day of September, 2007.

D. R. HORTON, INC. - BIRMINGHAM



BY: Brenda L. Gibson

ITS: Assistant Secretary

Shelby County, AL 10/04/2007  
State of Alabama

Deed Tax: \$60.00

STATE OF ALABAMA )  
COUNTY OF JEFFERSON )

I, R. Timothy Estes, the undersigned, a Notary Public in and for said County in said State, hereby certify that Brenda L. Gibson whose name as Assistant Secretary of D.R. HORTON, INC. - BIRMINGHAM a 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, as such officer and with full authority, executed the same voluntarily on the day the same bears date. Given under my hand and official seal, the 28th day of September, 2007.



Notary Public - R. Timothy Estes

My Commission Expires: July 11, 2011