

This instrument was prepared by

Send Tax Notice To: Terry Eugene Smith  
name

(Name) DAVID F. OVSON, LLC

1020 Legacy Drive  
address

(Address) 1130 South 22nd Street  
Birmingham, Alabama 35205

Birmingham AL  
35242

WARRANTY DEED, JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

STATE OF ALABAMA

Jefferson COUNTY

} KNOW ALL MEN BY THESE PRESENTS,

That in consideration of FOUR HUNDRED FIFTY THOUSAND AND NO/100-----  
----- DOLLARS (\$450,000.00)  
to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt whereof is acknowledged, we,  
Roy W. Gilbert, Jr., a married man

(herein referred to as grantors) do grant, bargain, sell and convey unto Terry Eugene Smith and wife, Dorothy F. Smith

(herein referred to as GRANTEES) as joint tenants with right of survivorship, the following described real estate situated in  
Shelby County, Alabama to-wit:

See Exhibit "A" Attached Hereto and Incorporated Herein by Reference.

SUBJECT TO:

1. Ad valorem taxes for the year 2008, which are a lien, but not yet due and payable until October 1, 2008.
2. Easements, rights-of-ways, restrictions, conditions and covenants of record.

\$ 311,250.00 of the purchase price recited herein was derived from the proceeds of a mortgage loan closed simultaneously herewith.

The subject property is not the homeplace of the grantor or his spouse.

TO HAVE AND TO HOLD Unto the said GRANTEES as joint tenants, with right of survivorship, 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) in the event one grantee herein survives the other, the entire interest in fee simple shall pass to the surviving grantee, and if one does not survive the other, then the heirs and assigns of the grantees herein shall take as tenants in common.

And I (we) do for myself (ourselves) and for my (our) heirs, executors, and administrators covenant with the said GRANTEES, their heirs and assigns, that I am (we are) lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that I (we) have a good right to sell and convey the same as aforesaid; that I (we) will and my (our) heirs, executors and administrators shall warrant and defend the same to the said GRANTEES, their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, I have hereunto set my hand(s) and seal(s), this 30th  
day of June, 2008.

\_\_\_\_\_  
(Seal)

Roy W. Gilbert, Jr.  
Roy W. Gilbert, Jr. (Seal)

\_\_\_\_\_  
(Seal)

\_\_\_\_\_  
(Seal)

\_\_\_\_\_  
(Seal)

\_\_\_\_\_  
(Seal)

STATE OF ALABAMA

Jefferson COUNTY

General Acknowledgment

I, David F. Ovson, a Notary Public in and for said County, in said State, hereby certify that  
Roy W. Gilbert, Jr., a married man  
whose name(s) 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 executed the same voluntarily  
on the day the same bears date.

Given under my hand and official seal this 30th day of June A.D., 2008

David F. Ovson

Notary Public

A parcel of land situated in the Southeast 1/4 of the Southeast 1/4 of Section 21 and the Southwest 1/4 of the Southwest 1/4 of Section 22, Township 18 South, Range 1 West, Shelby County, Alabama, being more particularly described as follows:

Begin at the Southwest corner of Lot 101, Greystone Legacy 1st Sector, as recorded in Map Book 26, on page 79 A-C, in the Office of the Judge of Probate, Shelby County, Alabama, said point also being on the Northwest right of way line of Legacy Drive, a private roadway, in said Greystone Legacy 1st Sector; thence run in a Northwesterly direction along the Northwest line of said Lot 101 for a distance of 200.00 feet to a point at the Northwest corner of said Lot 101; thence turn an angle to the left of 90°00'00" and run in a Southwesterly direction along the Southeast line of a Golf Course for a distance of 300.00 feet to a point at the Easternmost corner of Common Area "A" in said Greystone Legacy 1st Sector; thence turn an angle to the left of 18°38'54" and run in a Southwesterly direction along the Southeast line of said Common Area "A" for a distance of 158.31 feet to a point; thence turn an angle to the left of 56°45'18" and run in a Southeasterly direction for a distance of 139.93 feet to a point on the Northwest right of way line of said Legacy Drive; said point also being on a curve to the left, having a central angle of 16°16'43" and a radius of 348.30 feet; thence turn an angle to the left to the chord of said curve of 96°27'27" and run in a Northeasterly direction along said Northwest right of way line and also along the arc of said curve for a distance of 98.96 feet to a point; thence run tangent to last stated curve in a Northeasterly direction along said Northwest right of way line for a distance of 387.63 feet to the point of beginning.

Less and except any portion of subject property lying within a road right of way.

Shelby County, AL 07/03/2008  
State of Alabama

Deed Tax: \$139.00