


This instrument was prepared by:  
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#1 Independence Plaza - Suite 704  
Birmingham, AL 35209

Send Tax Notice To:  
Robert Pearlman  
1109 S. Cove Circle  
Vestavia, AL 35242

  
20110630000189830 1/2 \$295.00  
Shelby Cnty Judge of Probate, AL  
06/30/2011 10:15:24 AM FILED/CERT

WARRANTY DEED, JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

STATE OF ALABAMA )

KNOW ALL MEN BY THESE PRESENTS,

COUNTY OF SHELBY )

That in consideration of Two Hundred Eighty Thousand and No/100 (\$280,000.00) Dollars

to the undersigned grantor or grantors in hand paid by the GRANTEE/S herein, the receipt whereof is acknowledged, I/we,

Sidney W. Smyer, Jr., a married man and Sidney Smyer, III, a married man  
(herein referred to as GRANTORS) do grant, bargain, sell and convey unto  
Robert Pearlman and Jo L. Herzog

(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 attached Exhibit "A" for legal description of the property which is incorporated herein for all purposes.

Subject to:

(A) Covenants and restrictions contained in that certain Declaration of Covenants and Restrictions; Quitclaim Deed; and Agreements dated June 2, 1998 and recorded in the Office of the Judge of Probate of Shelby County, Alabama as Instrument No. 1998-20485, as amended by First Amendment to Declaration of Covenants and Restrictions; Quitclaim Deed; and Agreements dated June 2, 1998 and recorded in said Probate Office as Instrument No. 1998-20486.

(B) Covenants and restrictions contained in that certain Declaration of Covenants, Conditions and Restrictions dated June 28, 1999 and recorded in the Office of the Judge of Probate of Shelby County, Alabama as Instrument No. 1999-44786.

(C) Provisions contained in those certain restrictions applicable to the Survey of Hollybrook Lake, as recorded in Real Volume 222, Page 175, in the Office of the Judge of Probate of Shelby County, Alabama.

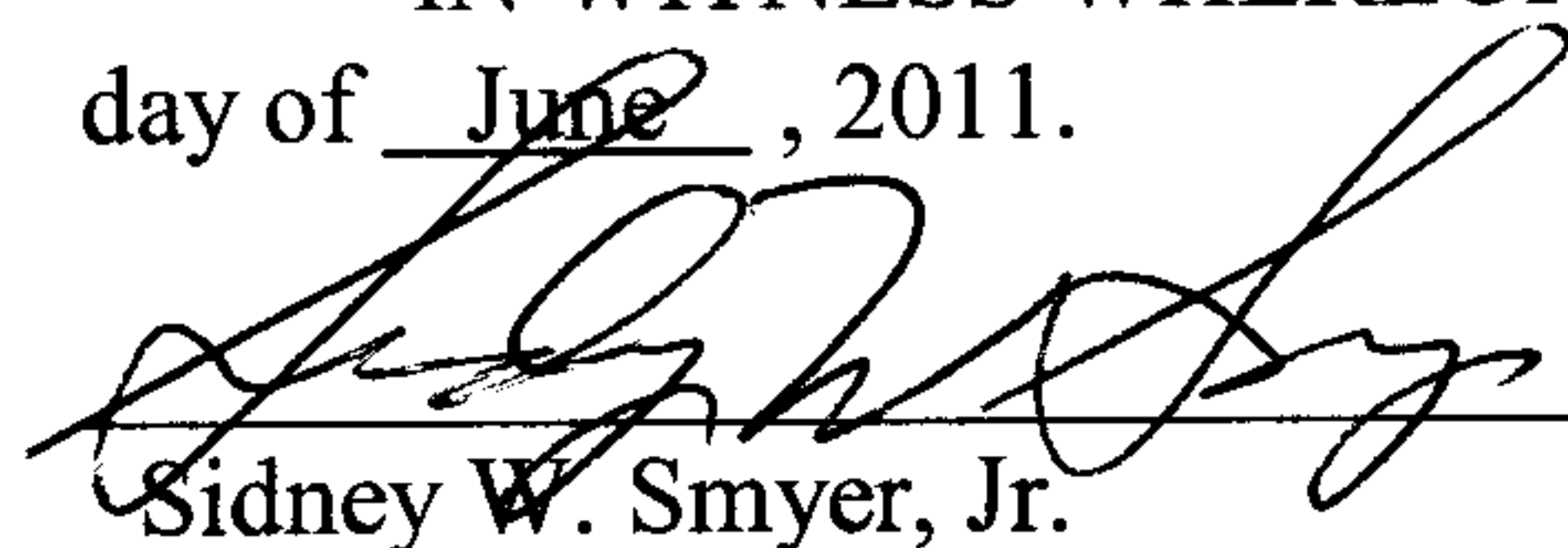
(D) Current taxes, easements, restrictions and liens of record.

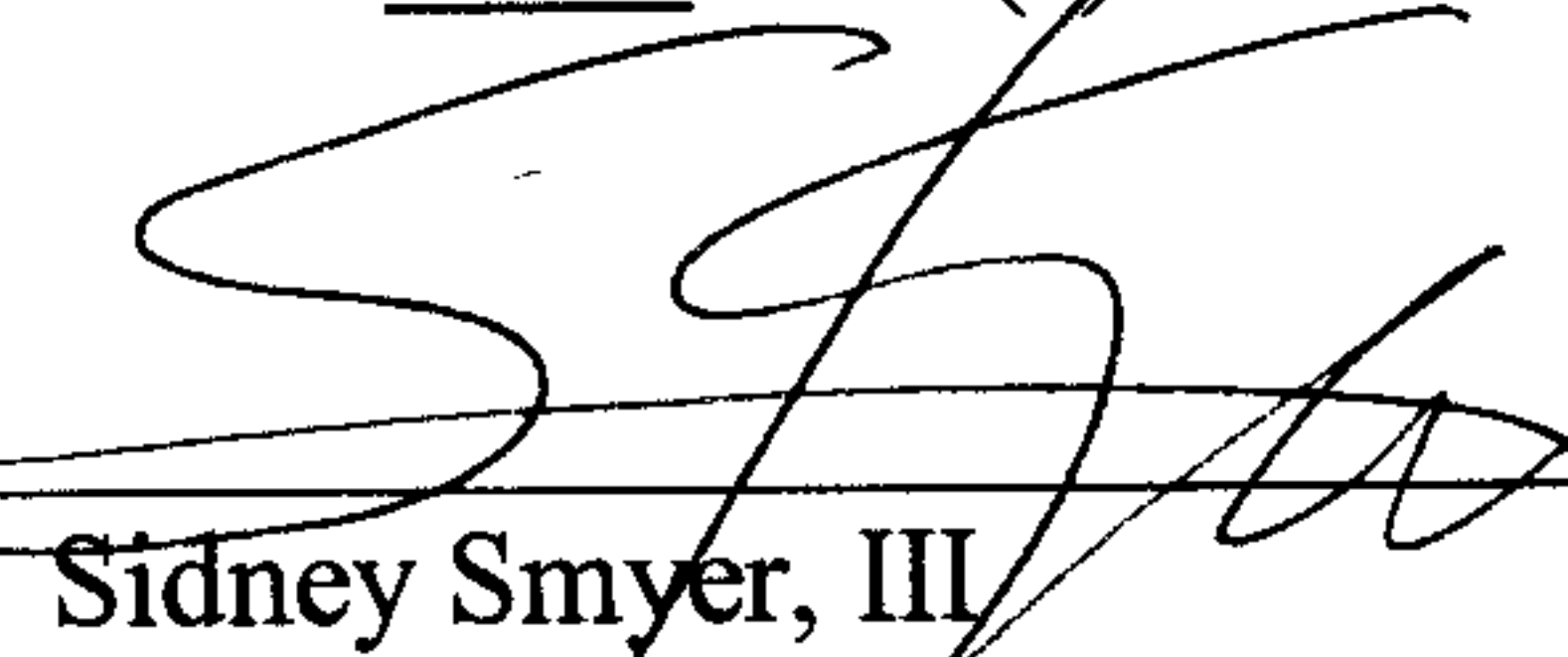
The above described property does not constitute the homestead of the grantors, nor their spouses.

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, we have hereunto set our hand(s) and seal(s), this 17th day of June, 2011.

 (Seal)  
Sidney W. Smyer, Jr.

 (Seal)  
Sidney Smyer, III

STATE OF ALABAMA )

)

JEFFERSON COUNTY )

General Acknowledgment

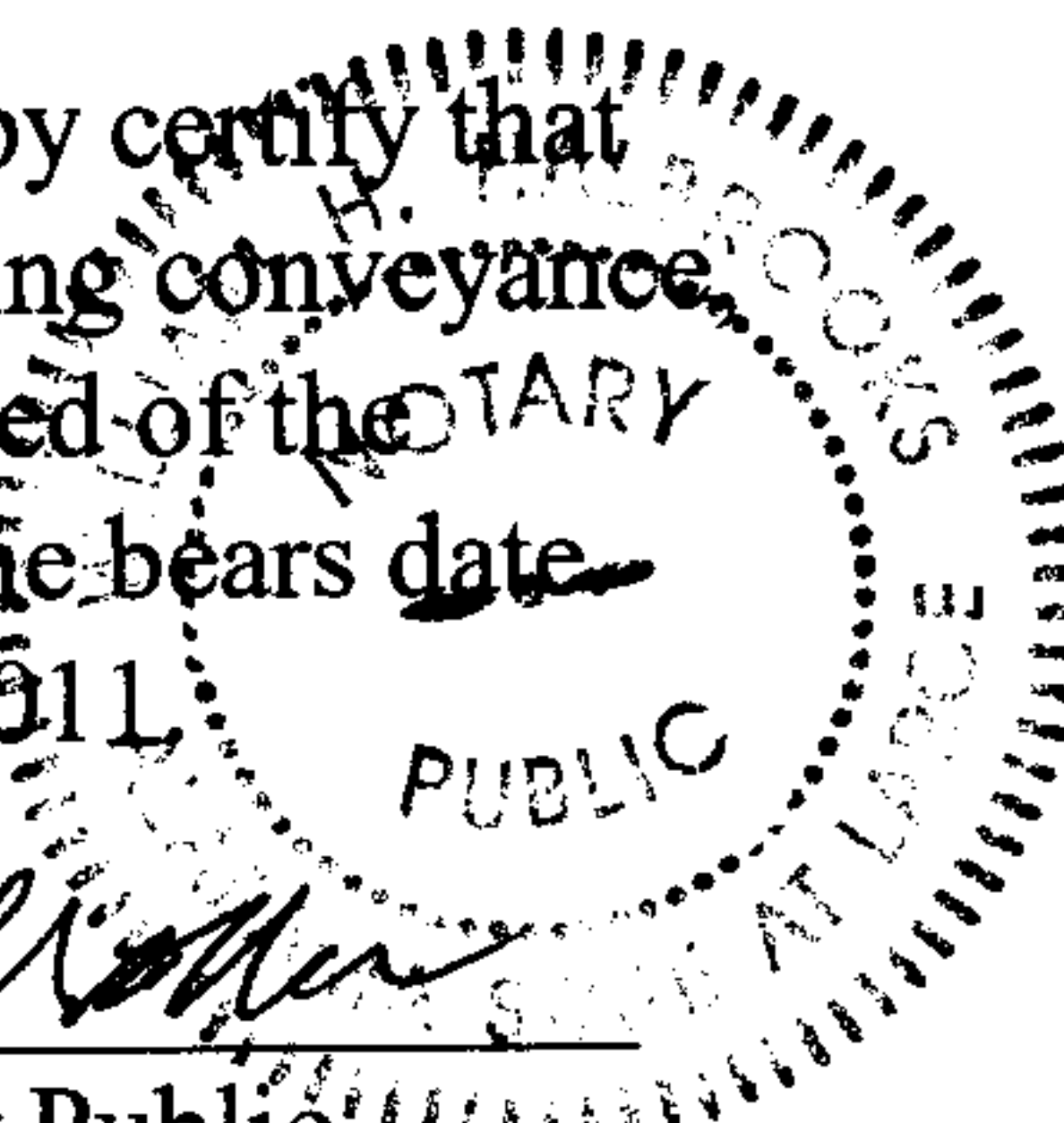
Shelby County, AL 06/30/2011  
State of Alabama  
Deed Tax: \$280.00

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Sidney W. Smyer, Jr. and Sidney Smyer, III, whose names are signed to the foregoing conveyance, and who are 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 17th day of June, A.D., 2011.

My Commission Expires: 4/21/12

  
William H. Halbrooks, Notary Public





## Exhibit "A"

### Attached Legal Description

#### Description of Lot

Commence at the East most corner of Lot 1, according to the Survey of Brower's Addition to Hollybrook Lake, as recorded in Map Book 12, Page 60, in the Probate Office of Shelby County, Alabama; thence run Northwesternly along the boundary line of said Lot 1, (said boundary line being an extension of the South Most boundary line of Lot 14-B, according to the Resurvey of Hollybrook Lake, as recorded in Map Book 12, Page 69, in the Probate Office of Shelby County, Alabama), a distance of 119.09 feet; thence turn 90° 01' 36" left and run Southwesterly 255.86 feet; thence turn 90° 00' 00" left and run Southeasterly 275.00 feet to a point on the West edge of Hollybrook Slough and the point of beginning of Lot-D herein described; thence turn 180° 00' 00" and run Northwesternly 275.00 feet; thence turn 90° 00' 00" right and run Northeasterly 34.93 feet; thence turn 56° 43' 54" left and run Northwesternly 155.87 feet to a point on a curve to the right, said curve having a radius of 249.20 feet; thence turn 59° 51' 05" left to the tangent to said curve at said point and run Westerly along said curve 84.73 feet to the point of a tangent to said curve; thence run along said tangent 20.80 feet to the point of beginning of a curve to the left, said curve having a radius of 87.04 feet; thence run along said curve 88.18 feet to the point of a tangent to said curve; thence run along said tangent 45.21 feet to the point of beginning of a curve to the right, said curve having a radius of 285.35 feet; thence run along said curve 67.37 feet to the point of tangent to said curve; thence run along said tangent 30.28 feet to the point of beginning of a curve to the left, said curve having a radius of 200.39 feet; thence run along said curve 59.12 feet to the point of a tangent to said curve; thence run along said tangent 77.40 feet to a point on a curve to the right, said curve having a radius of 147.64 feet; thence turn 75° 15' 19" left to the tangent to said curve at said point and run along said curve 81.68 feet to the point of a tangent to said curve; thence run along said tangent 108.22 feet to the point of beginning of a curve to the left, said curve having a radius of 593.23 feet; thence run along said curve 75.90 feet to the point of a tangent to said curve; thence run along said tangent 60.52 feet to the point of beginning of a curve to the right, said curve having a radius of 172.59 feet; thence run along said curve 95.05 feet to the point of a tangent to said curve; thence run along said tangent 35.97 feet; thence turn 87° 56' 27" left and run Southeasterly 621.21 feet; thence turn 17° 39' 48" left and run Easterly 103.00 feet to a point on the West edge of said Hollybrook Slough; thence turn left and run Northerly along the edge of said Hollybrook Slough to the point of beginning.

#### Description of Lot

Commence at the East most corner of Lot 1, according to the Survey of Brower's Addition to Hollybrook Lake, as recorded in Map Book 12, Page 60, in the Probate Office of Shelby County, Alabama; thence run Northwesternly along the boundary line of said Lot 1, (said boundary line being an extension of the South most boundary line of Lot 14-B, according to the Resurvey of Hollybrook Lake, as recorded in Map Book 12, Page 69, in the Probate Office of Shelby County, Alabama), a distance of 119.09 feet; thence turn 90° 01' 36" left and run Southwesterly 220.93 feet; thence turn 123° 16' 06" right and run Northwesternly 155.87 feet to a point on a curve to the right, said curve having a radius of 249.20 feet; thence turn 59° 51' 05" left to the tangent to said curve at said point and run Westerly along said curve 84.73 feet to the point of a tangent to said curve; thence run along said tangent 20.80 feet to the point of beginning of a curve to the left, said curve having a radius of 87.04 feet; thence run along said curve 88.18 feet to the point of a tangent to said curve; thence run along said tangent 45.21 feet to the point of beginning of a curve to the right, said curve having a radius of 285.35 feet; thence run along said curve 67.37 feet to the point of a tangent to said curve; thence run along said tangent 30.28 feet to the point of beginning of a curve to the left, said curve having a radius of 200.39 feet; thence run along said curve 59.12 feet to the point of a tangent to said curve; thence run along said tangent 77.40 feet to a point on a curve to the right, said curve having a radius of 147.64 feet; thence turn 75° 15' 19" left to the tangent to said curve at said point and run along said curve 81.68 feet to the point of a tangent to said curve; thence run along said tangent 108.22 feet to the point of beginning of a curve to the left, said curve having a radius of 593.23 feet; thence run along said curve 75.90 feet to the point of a tangent to said curve; thence run along said tangent 60.52 feet to the point of beginning of a curve to the right, said curve having a radius of 172.59 feet; thence run along said curve 95.05 feet to the point of a tangent to said curve; thence run along said tangent 35.97 feet to the point of beginning of Lot -E herein described; thence turn 87° 56' 27" left and run Southeasterly 621.21 feet; thence turn 17° 39' 48" left and run Easterly 103.00 feet; thence turn 106° 06' 44" right and run Southerly 98.98 feet; thence turn 19° 54' 09" right and run 56.80 feet; thence turn 20° 41' 20" right and run 61.60 feet; thence turn 11° 50' 06" left and run 39.20 feet; thence turn 28° 20' 52" right and run 151.79 feet; thence turn 59° 38' 21" right and run 17.40 feet; thence turn 90° 00' 00" left and run 11.50 feet; thence turn 86° 20' 41" right and run 13.10 feet to the point of beginning of a curve to the left, said curve having a radius of 149.40 feet; thence run along said curve 47.71 feet to the point of a tangent to said curve; thence run along said tangent 101.02 feet; thence turn 00° 51' 57" right and run Northwesternly 163.55 feet to the point of beginning of a curve to the right, said curve having a radius of 150.00 feet; thence run along said curve 39.37 feet to the point of a tangent to said curve; thence run along said tangent 99.56 feet to the point of beginning of a curve to the right, said curve having a radius of 60.47 feet; thence run along said curve 72.61 feet to the point of a tangent to said curve; thence run along said tangent 165.34 feet to the point of beginning.