

**This Instrument Prepared By:**

C. Ryan Sparks, Attorney  
2635 Valleydale Road, Suite 200  
Birmingham, Alabama 35244  
DIRECT: 205-215-8433

**Send Tax Notice To Grantees Address:**

Wilburn D. Hester and Norma J. Hester  
120 Kingsley Road  
Alabaster, Alabama 35007

**WARRANTY DEED WITH JOINT RIGHT OF SURVIVORSHIP**

**STATE OF ALABAMA**

**COUNTY OF SHELBY**

**KNOW ALL MEN BY THESE PRESENTS,**

That for and in consideration of **TWO HUNDRED FIFTY THOUSAND AND NO/100 (\$250,000.00) DOLLARS**, and other good and valuable consideration, this day in hand paid to the undersigned the **JOHN B. SMITH, JR. AND WANDA L. SMITH, TRUSTEES, OR THEIR SUCCESSORS IN TRUST, UNDER THE SMITH LIVING TRUST, DATED FEBRUARY 16, 2006, AND ANY AMENDMENTS THERETO**), (herein referred to as "Grantor"), in hand paid by the Grantees herein, the receipt whereof is hereby acknowledged, the Grantor does hereby give, grant, bargain, sell and convey unto the Grantees, **WILBURN D. HESTER and NORMA J. HESTER**, (herein referred to as "Grantees"), for and during their joint lives and upon the death of either, then to the survivor of them in fee simple, together with every contingent remainder and right of reversion, all of the Grantor's interest in the following-described Real Estate situated in, **SHELBY COUNTY, ALABAMA**, to wit:

Lot 37, Block 2, according to the Survey of Norwick Forest Third Sector - First Phase, as recorded in Map Book 18, Page 15, in the Probate Office of Shelby County, Alabama.

Subject to:

1. General and special taxes or assessments for the year 2011 and subsequent years not yet due and payable.
2. Municipal improvements, taxes, assessments, and fire district dues against subject property, if any.
3. Mineral and mining rights not owned by Grantors.
4. Any applicable zoning ordinances.
5. Easements, encroachments, building set back lines, rights-of-ways as shown of record by recorded plat or other recorded instrument, including any amendments thereto.
6. Restrictions appearing of record in Instrument 1994-3062, in the Probate Office of Shelby County, Alabama, but omitting any covenant or restriction based on race, color, religion, sex, handicap, familial status or national origin.
7. Right of Way to Alabama Power Company and Southern Bell Telephone and Telegraph Company recorded in Real 224, Page 583, in the Probate Office of Shelby County, Alabama.
8. Right of Way to Alabaster Gas Board, recorded in Real 124, Page 255, in the Probate Office of Shelby County, Alabama.
9. Mineral and mining rights and rights incident thereto recorded in Volume 337, Page 885, in the Probate Office of Shelby County, Alabama.

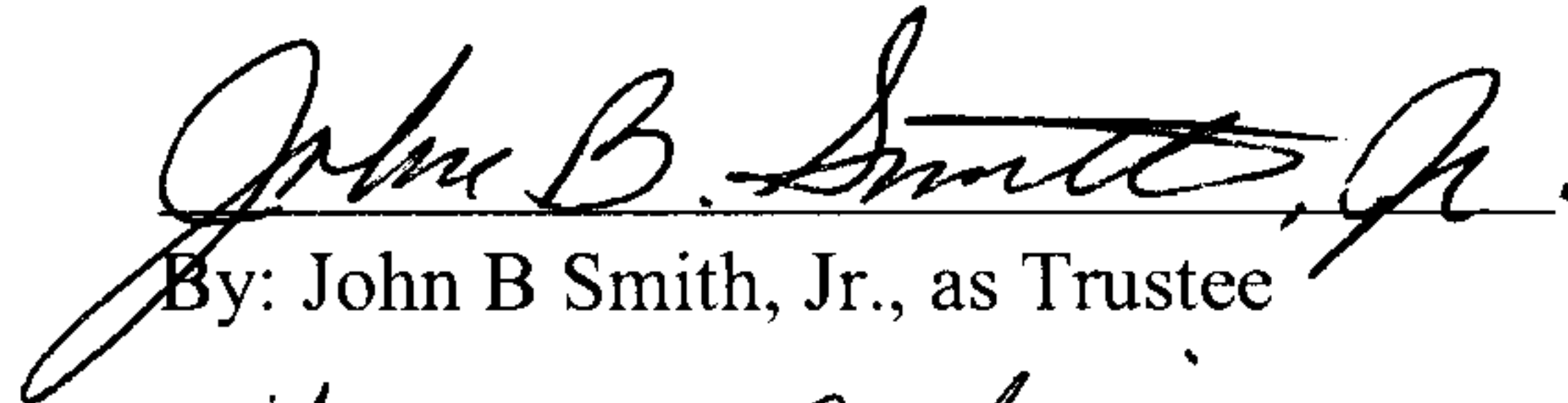
**TO HAVE AND TO HOLD**, the tract or parcel of land above described together with all and singular the rights, privileges, tenements, appurtenances, and improvements unto the said Grantees, for and during their joint lives as joint tenants and upon the death of either of them, then to the survivorship of them in fee simple, and to the heirs and assigns of such survivor, forever.

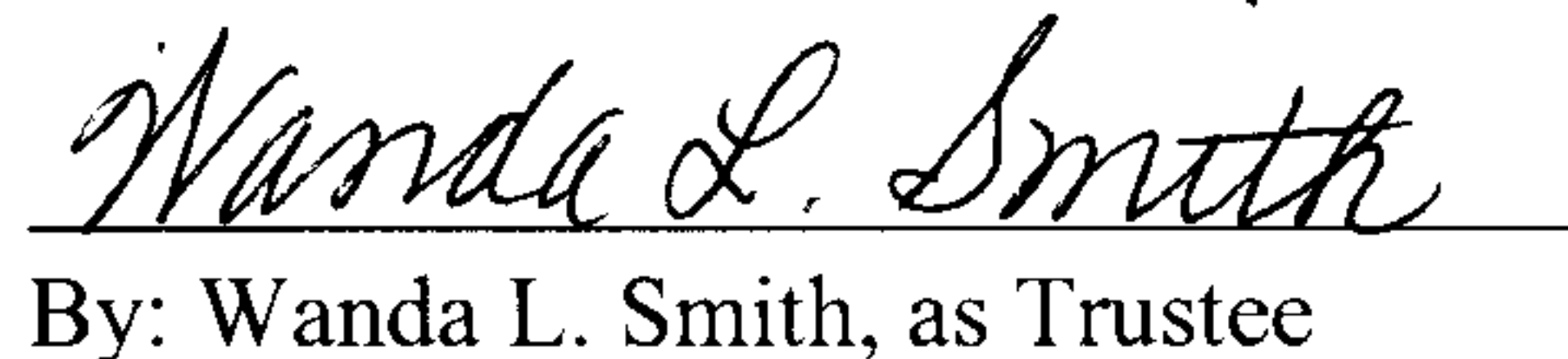
**AND SAID GRANTORS**, for said GRANTOR, GRANTOR'S heirs, successors, executors and administrators, covenants with GRANTEEES, and with GRANTEEES' heirs and assigns, that GRANTOR is lawfully seized in fee simple of the said Real Estate; that said Real Estate is free and clear from all liens and encumbrances, except as hereinabove set forth, and except for taxes due for the current and subsequent years, and except for any restrictions pertaining to the Real Estate of record in the Probate Office of **SHELBY COUNTY**; and that GRANTOR will, and GRANTOR'S heirs, executors and administrators shall, warrant and defend the same to said GRANTEEES, and GRANTEEES' heirs and assigns, forever against the lawful claims of all persons.

**IN WITNESS WHEREOF**, the said Grantor has hereunto set its hands and seals on this day of January 27, 2012.

**GRANTOR:**

John B. Smith, Jr. and Wanda L. Smith, Trustees, or their Successors in Trust, under the Smith Living Trust, dated February 16, 2006, and any amendments thereto)

  
By: John B Smith, Jr., as Trustee

  
By: Wanda L. Smith, as Trustee

**STATE OF ALABAMA  
COUNTY OF SHELBY**

I, the undersigned Notary Public, in and for said State and County, do hereby certify that **John B. Smith, Jr. and Wanda L. Smith**, whose names as the **Trustees of the of John B. Smith, Jr. and Wanda L. Smith, Trustees, or their Successors in Trust, under the Smith Living Trust, dated February 16, 2006, and any amendments thereto)** are signed to the above and foregoing instrument, and who are known to me, each acknowledged before me on this day, that, being informed of the contents of said instrument, they, as such Trustees and with full authority, executed the same voluntarily for and as the act of said trust on the day the same bears date.

**IN WITNESS WHEREOF**, the said Grantor has hereunto set its hand and seals on this day of January 27, 2012.

  
C. Ryan Sparks, Notary Public

My Commission Expires: December 14, 2015

