

THIS INSTRUMENT PREPARED BY:

ELIZABETH S. PARSONS

Blair and Parsons, P. C.

1711 Cogswell Avenue

Pell City, Alabama 35125

Send Tax Notice To:

MARK CHARLES SMITH

BEVERLY BAKER SMITH

277 HAVEN HILL LANE

STERRETT, AL 35147

SURVIVORSHIP DEED

STATE OF ALABAMA

SHELBY COUNTY



20181001000350370 1/5 \$122.00
Shelby Cnty Judge of Probate, AL
10/01/2018 03:56:39 PM FILED/CERT

KNOW ALL MEN BY THESE PRESENTS, That in consideration of Ninety Three Thousand Seven Hundred Fifty and 00/100 (\$93,750.00) Dollars to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt whereof is acknowledged, I/we, ROBERT LESTER WHITMORE and wife, ELIZABETH RUTH WHITMORE, (herein referred to as grantors) do grant, bargain, sell and convey Twenty Five percent (25%) undivided interest unto MARK CHARLES SMITH AND BEVERLY JANE BAKER SMITH A/K/A BEVERLY BAKER 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:

A PARCEL OF LAND SITUATED IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 4 AND PARTLY IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 5 AND PARTLY IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 8, ALL IN TOWNSHIP 18 SOUTH, RANGE 2 EAST AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE CORNER OF SECTIONS 4, 5, 8 AND 9, TOWNSHIP 18 SOUTH, RANGE 2 EAST AND RUN ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 4, NORTH 89 DEGREES, 11 MINUTES 59 SECONDS EAST 1307.91 FEET TO THE SOUTHEAST CORNER OF SAID QUARTER-QUARTER; THENCE RUN NORTH 00 DEGREES 03 MINUTES 40 SECONDS WEST 1315.68 FEET TO THE NORTHEAST CORNER OF SAID QUARTER-QUARTER; THENCE RUN NORTH 89 DEGREES 54 MINUTES 56 SECONDS WEST 1321.74 FEET TO THE NORTHWEST CORNER OF SAID QUARTER-QUARTER AND THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 5; THENCE RUN ALONG THE NORTH LINE OF SAID QUARTER-QUARTER NORTH 89 DEGREES 59 MINUTES 08 SECONDS WEST 613.20 FEET TO THE POINT OF A CURVE TO THE LEFT HAVING A DELTA OF 16 DEGREES 53 MINUTES 04 SECONDS AND A RADIUS OF 548.17 FEET; THENCE RUN ALONG THE ARC OF SAID CURVE 161.54 FEET (CHORD BEARING = SOUTH 14 DEGREES 40 MINUTES 20 SECONDS EAST, CHORD - 160.96 FEET); THENCE RUN SOUTH 32 DEGREES 55 MINUTES 02 SECONDS EAST 186.66 FEET TO THE POINT OF A CURVE TO THE LEFT HAVING A DELTA OF 12 DEGREES 32 MINUTES 11 SECONDS AND A RADIUS OF 548.17 FEET; THENCE RUN ALONG THE ARC OF SAID CURVE 119.94 FEET (CHORD

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BEARING - SOUTH 48 DEGREES 59 MINUTES 16 SECONDS EAST, CHORD - 119.70 FEET); THENCE RUN SOUTH 44 DEGREES 34 MINUTES 55 SECONDS WEST 1354.65 FEET TO THE SOUTHWEST CORNER OF SAID QUARTER-QUARTER AND THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 8; THENCE RUN ALONG THE WEST LINE OF SAID QUARTER-QUARTER SOUTH 00 DEGREES 01 MINUTE 44 SECONDS WEST 205.00 FEET; THENCE RUN SOUTH 27 DEGREES 23 MINUTES 20 SECONDS EAST 114.31 FEET; THENCE RUN SOUTH 33 DEGREES 22 MINUTES 14 SECONDS EAST 277.25 FEET; THENCE RUN SOUTH 07 DEGREES 09 MINUTES 56 SECONDS EAST 566.13 FEET; THENCE RUN SOUTH 00 DEGREES 13 MINUTES 07 SECONDS EAST 194.77 FEET TO THE SOUTH LINE OF SAID QUARTER-QUARTER; THENCE RUN ALONG SAID SOUTH LINE NORTH 89 DEGREES 54 MINUTES 31 SECONDS EAST 1045.44 FEET TO THE SOUTHEAST CORNER OF SAID QUARTER-QUARTER; THENCE RUN ALONG THE EAST LINE OF SAID QUARTER-QUARTER NORTH 01 DEGREES 05 MINUTES 46 SECONDS EAST 1312.83 FEET TO THE POINT OF BEGINNING.

ALSO INCLUDED IS A 30 FT EASEMENT, THE CENTERLINE OF WHICH IS DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 18 SOUTH, RANGE 2 EAST AND RUN ALONG THE SOUTH LINE OF SAID QUARTER-QUARTER NORTH 89 DEGREES 09 MINUTES 39 SECONDS EAST 7.84 FEET TO THE POINT OF BEGINNING OF SAID CENTERLINE, SAID POINT BEING ON A CURVE TO THE LEFT HAVING A DELTA OF 09 DEGREES 11 MINUTES 48 SECONDS AND A RADIUS OF 422.81 FEET; THENCE RUN ALONG THE ARC OF SAID CURVE 67.87 FEET (CHORD BEARING - NORTH 01 DEGREES 40 MINUTES 32 SECONDS WEST, CHORD - 67.79 FEET); THENCE RUN NORTH 06 DEGREES 16 MINUTES 26 SECONDS WEST 530.04 FEET TO THE POINT OF A CURVE TO THE RIGHT HAVING A DELTA OF 06 DEGREES 45 MINUTES 04 SECONDS AND A RADIUS OF 1082.22 FEET; THENCE RUN ALONG THE ARC OF SAID CURVE 127.52 FEET (CHORD BEARING - NORTH 01 DEGREE 20 MINUTES 10 SECONDS WEST, CHORD - 127.44 FEET); THENCE RUN NORTH 03 DEGREES 42 MINUTES 58 SECONDS EAST 554.90 FEET TO THE SOUTHERLY RIGHT OF WAY OF SHELBY COUNTY ROAD 55 AND THE END OF SAID CENTERLINE.

ALSO, INCLUDED IS A 40 FOOT RIGHT OF WAY ALONG AN UNNAMED SHELBY COUNTY ROAD THE CENTERLINE OF WHICH IS DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 18 SOUTH, RANGE 2 EAST AND RUN ALONG THE NORTH LINE OF SAID QUARTER-QUARTER NORTH 89 DEGREES 59 MINUTES 08 SECONDS WEST 593.20 FEET TO THE POINT OF BEGINNING OF SAID CENTERLINE; THENCE RUN ALONG SAID CENTERLINE THE FOLLOWING COURSES; NORTH 05 DEGREES 04 MINUTES 28 SECONDS WEST 169.90 FEET; THENCE NORTH 06 DEGREES 11 MINUTES 55 SECONDS WEST 99.85 FEET; NORTH 15 DEGREES 40 MINUTES 21 SECONDS



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WEST 217.43 FEET TO THE SOUTHERLY RIGHT OF WAY OF HOWARD BRANCH ROAD AND THE END OF SAID CENTERLINE.

ALSO, SUBJECT TO A 30 FOOT EASEMENT ALONG THE WESTERLY BOUNDARY OF SAID PARCEL IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 18 SOUTH, RANGE 2 EAST.

SUBJECT TO:

- 1. MINERAL AND MINING RIGHTS NOT OWNED BY GRANTORS.**
- 2. EXISTING EASEMENTS FOR PUBLIC UTILITIES, INCLUDING BUT NOT LIMITED TO WATER, GAS, ELECTRICAL, TELEPHONE AND SEWERAGE.**
- 3. ROAD AGREEMENT AS RECORDED IN DEED VOLUME 234, PAGE 142 AS TO PROPERTY IN SECTION 8-18-2E.**
- 4. TITLE TO MINERALS UNDERLYING CAPTION LANDS WITH MINING RIGHTS AND PRIVILEGES BELONGING THERETO AS TO PROPERTY IN SECTION 5, TOWNSHIP 18 SOUTH, RANGE 2 EAST.**
- 5. ANY PART OF CAPTION LANDS LYING WITHIN A ROADWAY.**
- 6. FINAL DECREE ESTABLISHING A PUBLIC ROAD ACROSS CAPTION LANDS IN DEED VOLUME 281, PAGE 274.**
- 7. RIGHT OF WAY FOR HOWARD ROAD AS SHOWN ON TAX MAP OF SHELBY COUNTY.**

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.



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Pursuant to and in accordance with Section 40-22-1 of the Code of Alabama (1975), the following information is offered in lieu of submitting Form RT-1:

Grantor: ROBERT LESTER WHITMORE AND ELIZABETH RUTH WHITMORE
Grantor's Address: 277 HAVEN HILL LANE, STERRETT, AL 35147
Grantee: MARK CHARLES SMITH AND BEVERLY BAKER SMITH
Grantee's Address: 277 HAVEN HILL LANE, STERRETT, AL 35147
Tax Parcel ID No.: 05-2-04-0-001-006.000
Purchase Price: \$375,000.00
Property Address: 277 HAVEN HILL LANE, STERRETT, AL 35147
The Purchase Price or actual value claimed in this Deed can be verified by a Settlement Statement.

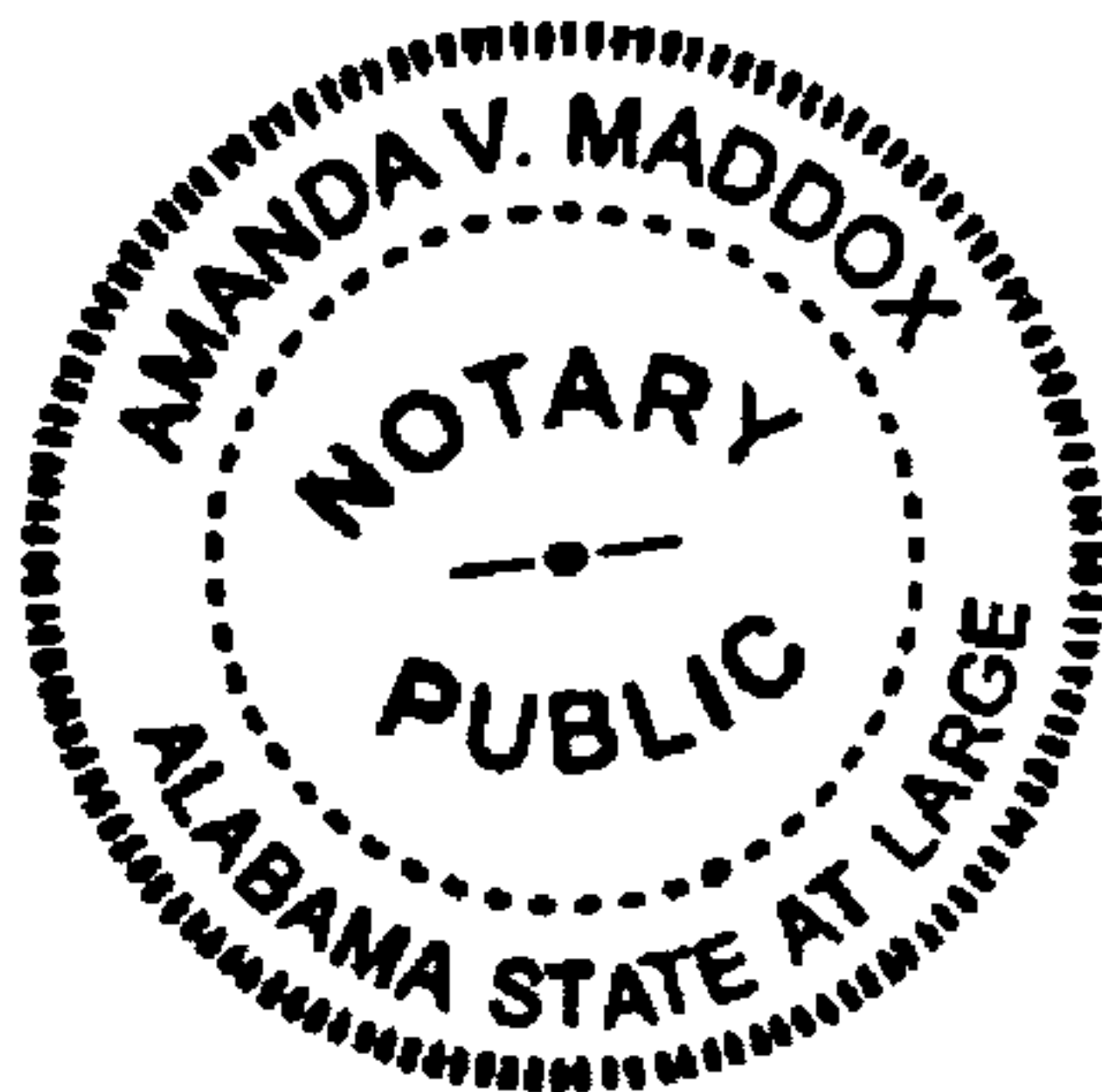
IN WITNESS WHEREOF, I (we) have hereunto set my (our) hand(s) and seal(s), this the 28 day of September, 2018.

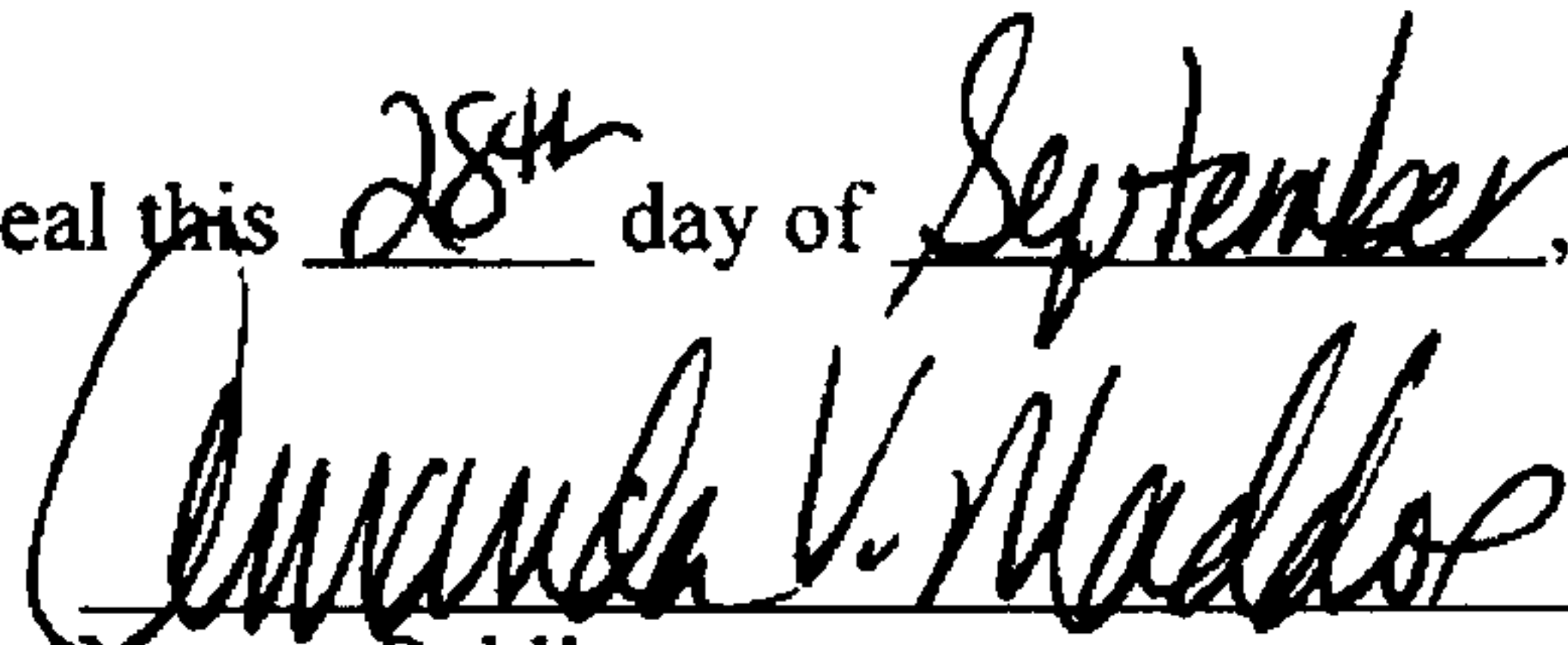

ROBERT LESTER WHITMORE


STATE OF ALABAMA
ST. CLAIR COUNTY

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that ROBERT LESTER WHITMORE, whose name(s) is/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, he/she/they, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 28th day of September, 2018.




Notary Public
My Commission Expires: 6-7-21


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IN WITNESS WHEREOF, I (we) have hereunto set my (our) hand(s) and seal(s), this the 25 day of September, 2018.


ELIZABETH RUTH WHITMORE

STATE OF Iowa
COUNTY OF Buena Vista

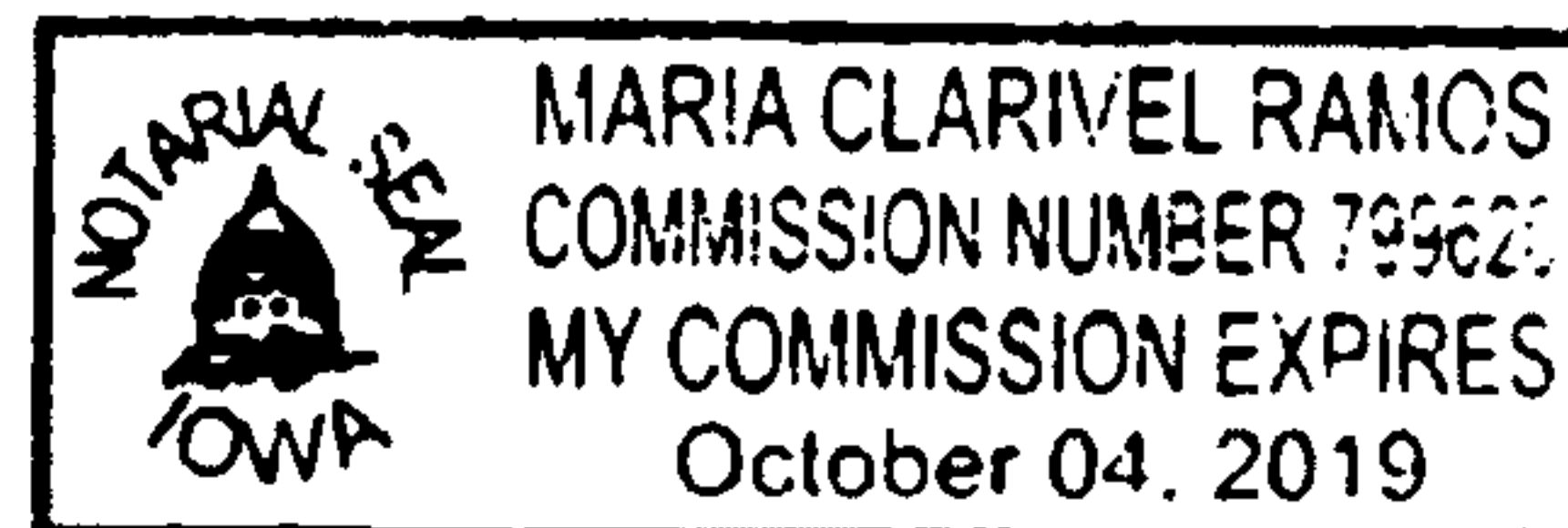
I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that ELIZABETH RUTH WHITMORE, whose name(s) is/are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance, he/she/they, executed the same voluntarily on the day the same bears date.


Given under my hand and official seal this 25 day of September, 2018.



Notary Public
My Commission Expires: _____

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