

WARRANTY DEED

150 Stamp

THE STATE OF ALABAMA |

SHELBY COUNTY |

KNOW ALL MEN BY THESE PRESENTS, That in consideration of One hundred and no/100 Dollars and other good and valuable consideration to the undersigned grantors Florence Gardner and husband John H. Gardner in hand paid by Elna A. Smith and J. Martin Smith the receipt whereof is acknowledged we the said Florence Gardner and husband John H. Gardner do grant, bargain, sell and convey unto the said Elna A. Smith and J. Martin Smith, during their joint lives, and upon the death of either of them, then to the survivor of them in fee simple, and to the heirs and assigns of such survivor in fee simple the following described real estate, situated in Shelby County, Alabama:

The SE $\frac{1}{4}$ of NW $\frac{1}{4}$ and the NW $\frac{1}{4}$ of SE $\frac{1}{4}$ and 5 acres in the SW corner of the SW $\frac{1}{4}$ of NE $\frac{1}{4}$ described as beginning at the SW corner of said SW $\frac{1}{4}$ of NE $\frac{1}{4}$ and running east 660 feet, thence north to Powell Branch, thence west along Powell Branch to the west line of the said forty acres, thence south to the point of beginning; Also the surface right to all that part of the SW $\frac{1}{4}$ of SE $\frac{1}{4}$ and of the SE $\frac{1}{4}$ of SW $\frac{1}{4}$ lying north of the south bank of Yellow Leaf Creek; all in section 4, township 20, range 1 east, except 1 $\frac{1}{2}$ acres in the SW corner of the SE $\frac{1}{4}$ of SW $\frac{1}{4}$ sold to J. R. Nance by deed recorded in Book 53 page 301.

To have and to hold, to the said Elna A. Smith and J. Martin Smith, during their joint lives and upon the death of either of them then to the survivor of them in fee simple and to the heirs and assigns of such survivor in fee simple.

And we do, for ourselves and for our heirs, executors and administrators, covenant with the said Elna A. Smith and J. Martin Smith and upon the death of either then to the survivor in fee simple and the heirs and assigns of such survivor that we are lawfully seized in fee simple of said premises; that they are free from all encumbrances; that we have a good right to sell and convey the same as aforesaid; that we will, and our heirs, executors and administrators shall warrant and defend the same to the said Elna A. Smith and J. Martin Smith during their joint lives and upon the death of either of them then to the survivor in fee simple and the heirs and assigns of such survivor forever, against the lawful claims of all persons.

In witness whereof, we have hereunto set our hands and seals, this 22nd day of May, 1940.

Florence Gardner (SEAL)

John H. Gardner (SEAL)

State of Alabama |

SHELBY COUNTY |

STATE OF ALABAMA
SHELBY COUNTY
I hereby certify that
\$ 150 Property Tax
has been paid on the within
instrument as required by
law. L. C. WALKER,
JUDGE OF PROBATE

I, the undersigned, Justice of Peace in and for said County, in said State, hereby certify that Florence Gardner and husband John H. Gardner 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 22 day of May A. D. 1940.

J. W. Moore, Justice of Peace

STATE OF ALABAMA |

SHELBY COUNTY |

I, the undersigned authority, a Justice of Peace in and for said County, in said State, hereby certify that on the 22 day of May, 1940, came before me the within named Florence Gardner known to me (or made known to me), to be the wife of the within named John H. Gardner who, being examined separate and apart from the husband, touching her signature to the withing conveyance, acknowledged that she signed the same of her own free will and accord, and without fear, or threats on the part of the husband.

Given under my hand and official seal this 22 day of May A. D. 1940.

J. W. Moore, Justice of Peace

Filed in this office May 24, 1940 at 11 am and recorded in Deed Record 108 at page 392 and examined.

L. C. Walker, Judge of Probate