

This instrument was prepared by

(Name) Karl C. Harrison

(Address) Columbiana, Alabama

Form 1-1-5 Rev. 1-68

WARRANTY DEED, JOINTLY FOR LIFE WITH REMAINDER TO SURVIVOR—LAWYERS TITLE INSURANCE CORPORATION, Birmingham, Alabama

STATE OF ALABAMA

SHELBY COUNTY

KNOW ALL MEN BY THESE PRESENTS,

That in consideration of Five Thousand and no/100----- DOLLARS other good and valuable consideration and the assumption of unpaid balance due on mortgage to Merchants & Planters Bank dated 9/13/66 recorded in Mtg. Book 303 page 16 in Probate Office to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt whereof is acknowledged, we,

Michael D. Smith and Jo Ellen Smith (formerly being husband and wife, but now divorced and unmarried), (herein referred to as grantors) do grant, bargain, sell and convey unto

Dean R. Upson and Rose Upson

(herein referred to as GRANTEES) for and during their joint lives and upon the death of either of them, then to the survivor of them in fee simple, together with every contingent remainder and right of reversion, the following described real estate situated in Shelby County, Alabama to-wit:

Begin at the southeast corner of Lot 1, Block 1 according to a Resurvey of Farris-Smith Subdivision as recorded in Map Book 4 on page 48 in the Probate Office of Shelby County, Alabama, and run thence in a westerly direction along the south line of said Lot 1, Block 1 a distance of 175.8 feet to the southwest corner of said Lot 1; thence turn an angle of 83 deg. 44 min. to the left and run southerly 296.63 feet to the north line of Helena-Alabaster Road (also known as 5th Avenue in said Subidivision); thence run in an easterly direction along the north right-of-way line of said Helena-Alabaster road to the west right-of-way line of 29th Street according to said subdivision map; thence run north 2deg. 15 min. west 296 feet to the point of beginning.

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED
1970 DEC - 1 AM 9:49
U.C.C. FILE NUMBER OR
REC. BK. & PAGE AS SHOWN ABOVE
JUDGE OF PROBATE

TO HAVE AND TO HOLD to the said GRANTEES for and 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 forever, together with every contingent remainder and right of reversion.

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 28th day of November, 1970

WITNESS:

(Seal)

(Seal)

(Seal)

Michael D. Smith (Seal)

Jo Ellen Smith (Seal)

(Seal)

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General Acknowledgment

I, H. G. Murrell, a Notary Public in and for said County, in said State, hereby certify that Michael D. Smith and Jo Ellen Smith 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 28 day of November, A. D., 1970

H. G. Murrell
Notary Public.