This instrument was prepared by

(Name) W. A. Jenkins, Jr.

(Address) 300 Frank Nelson Bldg., Birmingham, Al 35201

1222

19790531000066830 1/1 $.00
Shelby Cnty Judge of Probate,AL
05/31/1979 12:00:00AM FILED/CERT

Form 1-1-7 Rev. 8-70 CORPORATION FORM WARRANTY DEED, JOINTLY FOR LIFE WITH REMAINDER TO SURVIVOR

LAWYERS TITLE INSURANCE CORPORATION, Birmingham, Alabama

STATE OF ALABAMA
COUNTY OF SHELBY } KNOW ALL MEN BY THESE PRESENTS.

That in consideration of Seventy-eight Thousand Five Hundred and no/100 -- -- -DOLLARS

to the undersigned grantor, Cate Construction, Inc. a corporation, (herein referred to as GRANTOR), in hand paid by the GRANTEES herein, the receipt of which is hereby acknowledged, the said GRANTOR does by these presents, grant, bargain, sell and convey unto

W. Randolph Smith and wife, Donna H. Smith

(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:

Lot 31, according to the Survey of Riverchase West Dividing Ridge-1st Addition, as recorded in Map Book 7, Page 3, in the Probate Office of Shelby County, Alabama. Situated in Shelby Co., Al.

This conveyance is subject to the following:
1. Taxes for the year 1979
2. Oil, gas, petroleum and sulfur, together with all rights incident thereto, as reserved in deed from Wesley W. West, et al, to George W. Young, recorded in Deed Book 127, Page 140, in Probate Office.
3. Easements as shown on recorded map of said subdivision
4. Agreement with Ala. Power Co. dated April 11, 1977 recorded in Misc. Book 21, Page 393.
5. Easements as to underground cables, dated April 11, 1977, recorded in misc. Book 21, Page 392
6. Transmission line permits to Ala. Power Co. recorded in Deed Book 101, Page 500; in Deed Book 101, Page 569; in Deed Book 130, Page 230, and in Deed Book 173, Page 359 in Probate Office
7. Right of way to Shelby County recorded in Deed Book 102, Page 441, and Deed Book 153, Page 190, in Probate Office
8. Declaration of Protective Covenants, easements, charges and liens and amended in Misc. Book 17, Page 550.

319 618

$ 67,500.00 of the purchase price recited above was paid from a mortgage loan closed simultaneously herewith

CATE CONSTRUCTION COMPANY and CATE CONSTRUCTION, INC. are in fact, one and the same.

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 said GRANTOR does for itself, its successors and assigns, covenant with said GRANTEES, their heirs and assigns, that is lawfully seized in fee simple of said premises, that they are free from all encumbrances, unless otherwise noted above, that it has a good right to sell and convey the same as aforesaid, and that it will and its successors and assigns shall, warrant and defend the same to the said GRANTEES, their heirs, executors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the said GRANTOR, by its President, Bill Cate who is authorized to execute this conveyance, has hereto set its signature and seal, this the 29 day of May 19 79.

~~ATTEST:~~ Cate Construction, Inc.

~~Secretary~~ By (Bill Cate, President)

MAY 31 AM 8:04

Deed 11.00
Rec. 1.50
Mtg. 1.00
13.50

Security 392 — 192

STATE OF ALABAMA
COUNTY OF SHELBY }

I, the undersigned Lillian W. Dodge a Notary Public in and for said County in said State, hereby certify that Bill Cate whose name as President of Cate Construction, Inc. a corporation, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation,

Given under my hand and official seal, this the 29 day of May 19 79.

Lillian W. Dodge
Notary Public

Commission Expires March 21, 1983

W. A. JENKINS, JR.
Attorney at Law
300 Frank Nelson Building
Birmingham, Alabama 35203