

839

\$5.50

This instrument was prepared by

(Name) Linda L. Collier

(Address) Box 5003, Birmingham, Al 35239



This Form furnished by:

**Cahaba Title, Inc.**

1970 Chandalar South Office Park  
Pelham, Alabama 35124

Representing St. Paul Title Insurance Corporation

**WARRANTY DEED, JOINTLY FOR LIFE WITH REMAINDER TO SURVIVOR-**

STATE OF ALABAMA }  
Shelby } COUNTY

KNOW ALL MEN BY THESE PRESENTS,

That in consideration of Eleven thousand and no/100 Dollars (\$11,000.00) DOLLARS

to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt whereof is acknowledged, we,  
R. Byron McDonald and wife, Linda T. McDonald

(herein referred to as grantors) do grant, bargain, sell and convey unto

Earl R. Smitherman and wife, Carle L. Smitherman

(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:

lots 9 and 10, in Block 77, according to J. N. Dunstan's Map of the Town of Calera, Alabama, as recorded in the Probate Office of Shelby County, Alabama.

This conveyance is subject to easements and restrictions of record.

Grantees herein agree to assume and pay that certain mortgage from John Peter Westphall II and wife, Debbie J. Westphall to City Federal Savings and Loan Association in the amount of \$32,900.00 dated September 2, 1977 and recorded in Mortgage Book 369, Page 88, in the Probate Office of Shelby County, Alabama.

EIGHT THOUSAND AND NO/100 DOLLARS (\$8,000.00) of the above mentioned consideration was paid from the proceeds of a second mortgage to Central State Bank, executed simultaneously with the delivery of this deed.

BOOK 347 PAGE 855

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 15th day of June, 1983

WITNESS:

STATE OF ALA. SHELBY CO. (Seal)  
I CERTIFY THIS INSTRUMENT WAS FILED (Seal)  
1983 JUN 17 AM 11:10 (Seal)  
Thomas P. Shoups, Jr. (Seal)  
JUDGE OF PROBATE

R. Byron McDonald (Seal)  
Linda T. McDonald (Seal)

STATE OF ALABAMA }  
Shelby } COUNTY

General Acknowledgment

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that R. Byron McDonald and wife, Linda T. McDonald 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 15th day of June, A. D., 1983

RE 2 Box 434

[Signature] Notary Public