

This Instrument Was Prepared By:
DANIEL M. SPITLER
Attorney at Law
108 Chandalar Drive
Pelham, Alabama 35124

MAIL TAX NOTICE TO:

Mr. David E. Smith

113 Stonewall Rd.
Birmingham, AL 35210

210
PARTNERSHIP FORM WARRANTY DEED,
JOINTLY FOR LIFE WITH REMAINDER TO SURVIVOR

STATE OF ALABAMA)

SHELBY COUNTY)

KNOW ALL MEN BY THESE PRESENTS,

That in consideration of NINETEEN THOUSAND SIX HUNDRED THIRTY AND NO/100 DOLLARS (\$19,630.00) to the undersigned GRANTOR, WINDY OAKS, AN ALABAMA PARTNERSHIP, (herein referred to as GRANTOR), in hand paid by the GRANTEEES herein, the receipt whereof is acknowledged, the said GRANTOR does by these presents, grant, bargain, sell and convey unto

DAVID E. SMITH and wife, DELORES Y. SMITH

(herein referred to as GRANTEEES) 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:

A parcel of land situated in the SE 1/4 of the NE 1/4 of Section 16, Township 21 South, Range 3 West, described as follows: Commence at the NE corner of the SE 1/4 of the NE 1/4 of Section 16, and go South 89 deg. 33 min. 32 sec. West along the North boundary of said 1/4 1/4 Section 915.11 feet to the point of beginning; thence continue South 89 deg. 33 min. 32 sec. West for 216.00 feet; thence South 6 deg. 56 min. 40 sec. West for 647.91 feet to the North boundary of Big Oak Drive; thence North 88 deg. 51 min. 40 sec. East along said boundary 195.00 feet; thence North 8 deg. 49 min. 00 sec. East for 648.61 feet to the point of beginning; being situated in Shelby County, Alabama.

SUBJECT TO:

Building setback and side and rear setback as set out in the restrictions recorded in Real Volume 46 page 169 and Real 57 page 473 in Probate Office of Shelby County, Alabama.

Restrictions, covenants and conditions as set out in instrument recorded in Real Volume 46 Page 169 and Real 57 page 473 in Probate Office of Shelby County, Alabama.

Transmission Line Permit to Alabama Power Company as shown by instrument recorded in Deed Book 142 Page 45; Deed Book 119 Page 456; Deed Book 105 Page 252 and Deed Book 102 Page 256 in Probate Office of Shelby County, Alabama.

Right-of-Way granted to City of Alabaster by instrument recorded in Deed Book 57 Page 471 in Probate Office of Shelby County, Alabama.

Right-of-Way granted to Cahaba Coal Mining Company by instrument recorded in Deed Book 12 Page 50 in Probate Office of Shelby County, Alabama.

Subject to restrictions and conditions as to right of way and timber as shown by instrument recorded in Real 21 Page 302 in Probate Office of Shelby County, Alabama.

Easement to South Central Bell as shown by instrument recorded in Real 52 page 994 in Probate Office of Shelby County, Alabama.

\$18,033.00 of the purchase price recited above was paid from a mortgage loan closed simultaneously herewith.

TO HAVE AND TO HOLD to the said GRANTEEES 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 GRANTEEES, their heirs and assigns, that it is lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise stated above; that it has a good right to sell and convey the same as aforesaid; that it will, and its successors and assigns shall, warrant and defend the same to the said GRANTEEES, their heirs and assigns forever, against the lawful claims of all persons.

Box 059 Page 873
Daniel M. Spitler

IN WITNESS WHEREOF, the said GRANTOR, Windy Oaks, An Alabama Partnership, by its sole partners, Shelby Homes, Inc. and Roy Martin Construction, Inc. (by their respective Presidents), who are authorized to execute this conveyance, hereto set their signatures and seals, this 31st day of January, 1986.

WINDY OAKS,
An Alabama Partnership

By: SHELBY HOMES, INC.

By: *Reid Long*
Reid Long, President
(Partner)

By: ROY MARTIN CONSTRUCTION, INC.

By: *Roy Martin*
Roy Martin, President
(Partner)

STATE OF ALABAMA)
COUNTY OF SHELBY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Windy Oaks, an Alabama Partnership, composed of two partners, Shelby Homes, Inc. and Roy Martin Construction, Inc., Alabama corporations, by Reid Long, as President of Shelby Homes, Inc., and Roy Martin, as President of Roy Martin Construction, Inc., and who are known to me, acknowledged before me on this day that, being informed of the contents of the Deed, they, as such officers and with full authority, executed the same voluntarily for and as the act of said respective corporations as sole partners of Windy Oaks, an Alabama Partnership.

Given under my hand and official seal, this the 31st day of January, 1986.

(SEAL)

[Signature]
Notary Public

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED

1986 FEB -6 AM 8:58

[Signature]
JUDGE OF PROBATE

RECORDING FEES

Mortgage Tax	\$	<u> </u>
Deed Tax		<u>200</u>
Mineral Tax		<u> </u>
Recording Fee		<u>500</u>
Index Fee		<u>100</u>
TOTAL	\$	<u>800</u>