

THIS INSTRUMENT WAS PREPARED BY:

SEND TAX NOTICE TO:

Richard C. Shuleva, Attorney
P.O. Box 607
Pelham, Alabama 35124

Mary C. Martin
161 Highgate Hill
Pelham, Alabama 35124

WARRANTY DEED

STATE OF ALABAMA)
COUNTY OF SHELBY)

KNOW ALL MEN BY THESE PRESENTS,

That in consideration of **One Hundred Ninety-Nine Thousand Nine Hundred Dollars (\$199,900.00)** and other good and valuable consideration, to the undersigned grantor (whether one or more), in hand paid by the grantee herein, the receipt whereof is acknowledged, we, **Kurt H.B. Herbst and wife, Lisbeth H.B. Herbst**, (herein referred to as grantor, whether one or more), grant, bargain, sell and convey unto, **Mary C. Martin, a widow, an undivided one-half interest subject to the interest of Addie Smith set out hereinafter, Jean C. Pryor, a widow, an undivided one-half interest subject to the interest of Addie Smith set out hereinafter, Addie Smith, a widow, the right to live in and occupy the property so long as she shall choose, provided that the right of Addie Smith to live in and occupy the house shall cease in the event Addie Smith shall move from house and property for a period of ninety continuous days, (herein referred to as grantee, whether one or more), the following described real estate situated in Shelby County, Alabama, to-wit:**

Estate No. 10, according to the Survey of Wildwood Park, Residential Estates, as recorded in Map Book 5, Page 78, in the Probate Office of Shelby County, Alabama. Mineral and mining rights excepted.

Subject to building setback line of 40 feet reserved from Highgate Hill and Indian Crest Drive as shown by plat.

Public utility easements as shown by recorded plat, including a 10 foot easement on the Southeasterly and Southwesterly sides of lot.

Restrictions, covenants and conditions as set out in instrument(s) recorded in Deed Book 269 Page 534 and Map Book 5 Page 78 in Probate Office.

Right(s)-of-Way(s) granted to Alabama Power Company by instrument(s) recorded in Deed 124, Page 493 and Deed 214 Page 631 in Probate Office.

Right(s)-of-Way(s) granted to Alabama Power Company and Southern Bell Telephone & Telegraph Co. by instrument(s) recorded in Deed 271 Page 557 in Probate Office.

Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto, including rights set out in Deed 331, Page 699 and Deed 42, Page 246 in Probate Office.

Right(s)-of-Way(s) granted to Indian Crest Drive by instrument(s) recorded in Deed 255 Page 645 in Probate Office.

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The legal description set out herein were furnished to preparer by the grantors herein without the benefit of survey.

TO HAVE AND TO HOLD to the said GRANTEE, his, her or their heirs and assigns forever.

And we do for ourselves and for our heirs, executors, and administrators, covenant with the said grantee, his, her or their heirs and assigns, that we are lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; 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 GRANTEE, his, her or their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this 2 day of May, 1994.

Kurt H.B. Herbst
Kurt H.B. Herbst

Lisbeth H.B. Herbst
Lisbeth H.B. Herbst

STATE OF ALABAMA)
COUNTY OF SHELBY)

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that **Kurt H.B. Herbst and wife, Lisbeth H.B. Herbst**, 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 2nd day of May, 1994.

1/8/98
My Commission Expires

[Signature]
Notary Public

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