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SHELBY COUNTY ABSTRACT & TITLE CO., INC.

P. O. Box 752 - Columbiana, Alabama 35051
(205) 669-6204 (205) 669-6291 Fax(205) 669-3130

SEND TAX NOTICE TO:

(Name) Bobby Gene Smith, II

(Address) _____

This instrument was prepared by

(Name) Michael T. Atchison, Attorney at Law

(Address) P.O. Box 822 Columbiana, Al. 35051

Form 1-1-5 Rev. 5/92

WARRANTY DEED, JOINT TENANTS WITH RIGHT OF SURVIVORSHIP -- LAWYERS TITLE INSURANCE CORPORATION, Birmingham, Alabama

STATE OF ALABAMA

Shelby

COUNTY }

KNOW ALL MEN BY THESE PRESENTS,

That in consideration of Twenty Six Thousand Eight Hundred Twenty and no/100 DOLLARS

to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt whereof is acknowledged, we,

Fred Wayne Horton, a married man

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

Bobby Gene Smith, II and Marsha R. Smith

(herein referred to as GRANTEES) as joint tenants, with right of survivorship, the following described real estate situated in

Shelby County, Alabama to-wit:

SEE EXHIBIT "A" FOR LEGAL DESCRIPTION

Subject to restrictions, easements and rights of way of record.

THE PROPERTY BEING CONVEYED IS NOT THE HOMESTEAD OF THE GRANTOR OR OF HIS SPOUSE.

\$23,820.00 of the purchase price received above was paid from a first purchase money mortgage loan closed simultaneously herewith.

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TO HAVE AND TO HOLD Unto the said GRANTEES as joint tenants, with right of survivorship, their heirs and assigns, forever; it being the intention of the parties to this conveyance, that (unless the joint tenancy hereby created is severed or terminated during the joint lives of the grantees herein) in the event one grantee herein survives the other, the entire interest in fee simple shall pass to the surviving grantee, and if one does not survive the other, then the heirs and assigns of the grantees herein shall take as tenants in common.

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, 1 have hereunto set my hand(s) and seal(s), this 7

day of September, 19 94.

WITNESS:

(Seal)

(Seal)

(Seal)

Fred Wayne Horton
Fred Wayne Horton

(Seal)

(Seal)

(Seal)

STATE OF ALABAMA

Shelby

COUNTY }

I, the undersigned authority, a Notary Public in and for said County, in said State,

hereby certify that Fred Wayne Horton

whose name 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 executed the same voluntarily

on the day the same bears date.

Given under my hand and official seal this 7 day of September, A.D., 19 94

Paul J. Pason
Notary Public.

EXHIBIT "A"

PARCEL B:

Begin at the SE corner of the SE 1/4 of the NW 1/4 of section 10, Township 24 North, Range 14 East; thence South 87 degrees 48 minutes 51 seconds West along the south line of said 1/4-1/4 section a distance of 465.16 feet to the centerline of a dirt road; thence North 43 degrees 04 minutes 28 seconds West along said centerline a distance of 67.52 feet to a point on a curve to the left having a radius of 900.00 feet and a central angle of 3 degrees 43 minutes 32 seconds; thence along said centerline and the arc of said curve a distance of 58.52 feet, said arc subtended by a chord which bears North 44 degrees 56 minutes 14 seconds West a distance of 58.51 feet, to the curve's end; thence North 46 degrees 48 minutes 00 seconds West along said centerline a distance of 38.15 feet to a point on a curve to the right having a radius of 1200.00 feet and a central angle of 2 degrees 26 minutes 09 seconds; thence along said centerline and the arc of said curve a distance of 51.02 feet, said arc subtended by a chord which bears North 45 degrees 34 minutes 55 seconds West a distance of 51.01 feet, to the curve's end; thence North 44 degrees 21 minutes 50 seconds West along said centerline a distance of 67.28 feet to a point on a curve to the left having a radius of 3635.63 feet and a central angle of 3 degrees 09 minutes 04 seconds; thence along said centerline and the arc of said curve a distance of 199.95 feet, said arc subtended by a chord which bears North 45 degrees 56 minutes 22 seconds West a distance of 199.93 feet, to the curve's end; thence North 47 degrees 30 minutes 55 seconds West along said centerline a distance of 72.08 feet to a point on a curve to the right having a radius of 200.00 feet and a central angle of 11 degrees 21 minutes 17 seconds; thence along said centerline and the arc of said curve a distance of 39.64 feet, said arc subtended by a chord which bears North 41 degrees 50 minutes 16 seconds West a distance of 39.57 feet, to the curve's end; thence North 36 degrees 09 minutes 37 seconds West along said centerline a distance of 43.90 feet to a point on a curve to the left having a radius of 200.00 feet and a central angle of 6 degrees 48 minutes 59 seconds; thence along said centerline and the arc of said curve a distance of 23.79 feet, said arc subtended by a chord which bears North 39 degrees 34 minutes 07 seconds West a distance of 23.78 feet, to the curve's end; thence North 42 degrees 58 minutes 36 seconds West along said centerline a distance of 70.84 feet to a point on a curve to the right having a radius of 500.00 feet and a central angle of 30 degrees 03 minutes 46 seconds; thence along said centerline and the arc of said curve a distance of 262.35 feet, said arc subtended by a chord which bears North 27 degrees 56 minutes 43 seconds West a distance of 259.35 feet, to the curve's end; thence North 12 degrees 54 minutes 50 seconds West along said centerline a distance of 265.54 feet to a point on the southeasterly right-of-way line of Hiawatha Road (60' R.O.W), said point being a point on a curve to the left having a radius of 229.05 feet and a central angle of 11 degrees 32 minutes 30 seconds; thence along said right-of-way and the arc of said curve a distance of 46.14 feet, said arc subtended by a chord which bears North 23 degrees 01 minutes 52 seconds East a distance of 46.06 feet, to the curve's end; thence North 17 degrees 15 minutes 37 seconds East along said right-of-way a distance of 96.23 feet, to a point on a curve to the right having a radius of 106.99 feet and a central angle of 57 degrees 29 minutes 44 seconds; thence along said right-of-way and the arc of said curve a distance of 107.37 feet, said arc subtended by a chord which bears North 46 degrees 00 minutes 29 seconds East a distance of 102.92 feet, to a point on a compound curve to the right having a radius of 410.31 feet, and a central angle of 24 degrees 57 minutes 30 seconds; thence along said right-of-way and the arc of said curve a distance of 178.73 feet, said arc subtended by a chord which bears North 87 degrees 14 minutes 06 seconds East

a distance of 177.32 feet, to the curve's end; thence South 80 degrees 17 minutes 09 seconds East along said right-of-way a distance of 45.91 feet to a point on a curve to the left having a radius of 755.00 feet and a central angle of 26 degrees 21 minutes 04 seconds; thence along said right-of-way and the arc of said curve a distance of 347.24 feet, said arc subtended by a chord which bears North 86 degrees 32 minutes 19 seconds East a distance of 344.18 feet, to the curve's end; thence North 73 degrees 21 minutes 47 seconds East along said right-of-way a distance of 143.63 feet to a point on a curve to the left having a radius of 230.92 feet and a central angle of 17 degrees 57 minutes 57 seconds; thence along said right-of-way and the arc of said curve a distance of 72.41 feet, said arc subtended by a chord which bears North 64 degrees 22 minutes 48 seconds East a distance of 72.11 feet to the north line of said 1/4-1/4 section; thence North 87 degrees 20 minutes 26 seconds East leaving said right-of-way and along said north line a distance of 265.43 feet to the NE corner of said 1/4-1/4 section; thence South 0 degrees 32 minutes 39 seconds East along the east line of said 1/4-1/4 section a distance of 1305.23 feet to the Point of Beginning.

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