

This Instrument was prepared by:
Thomas J. Thornton
1119 Willow Run Road
Birmingham, Alabama 35209

Send Tax Notice to:
Ted I. Smith
2524 20th Pl. W.
Bham AL 35208

WARRANTY DEED
JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

STATE OF ALABAMA
SHELBY COUNTY

KNOW ALL MEN BY THESE PRESENTS, That in consideration of Thirty Five Thousand Sixty Seven and 00/100 Dollars (\$35,067.00) and other good valuable consideration, in hand paid by Ted I. Smith and wife Wendy A. Smith (GRANTEE) receipt of which is hereby acknowledged, Weatherly Joint Venture, L.L.C., (GRANTOR) does grant, bargain, sell and convey unto the GRANTEE as Joint Tenants with Right of Survivorship, the following described real estate situated, lying and being in the County of Shelby, State of Alabama, and being more particularly described as follows:

Lot 39, according to the Survey of Weatherly-Windsor Sector 11, as recorded in Map Book 18, Page 80, in the Probate Office of Shelby County, Alabama.

Subject to:

1. Taxes for the year 1995 and subsequent years.
2. Setback lines, easements and restrictions as shown on the record map.
3. Restrictive Covenants as recorded in Instrument #1994-15531 in the Probate Office of Shelby County, Alabama.
4. Easement for ingress, egress and utilities as recorded in Inst. #1993-37546, Inst. #1993-39001 and Inst. #1993-39916, in the Probate Office of Shelby County, Alabama.

\$28,280.00 of the above recited purchase purchase was paid from a mortgage loan closed simultaneously herewith.

TO HAVE AND TO HOLD unto the said GRANTEE, their heirs and assigns, forever.

And the said GRANTOR does for itself and for its successors and assigns, covenant with the said GRANTEE, their heirs and assigns, that it is lawfully seized in fee simple of said Premises, and that it has a good right to grant and convey the aforesaid property.

IN WITNESS WHEREOF, the Managing Members of the Grantor, in their capacity as such Managing Members, and with full authority to do so, have hereunto set their hands and seals, this 14th day of December, 1994.

WEATHERLY JOINT VENTURE, L.L.C.

By: Thomas J. Thornton (SEAL)
Thomas J. Thornton, Managing Member

By: Jack H. Harrison (SEAL)
Jack H. Harrison, Managing Member

Inst # 1994-36880

12/19/1994-36880
01:14 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 NCD 18.00

Inst # 1994-36880

STATE OF ALABAMA
COUNTY OF JEFFERSON

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Thomas J. Thornton, Managing Member of Weatherly Joint Venture L.L.C., 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 foregoing conveyance, he, in his capacity as such Managing Member and with full authority to do so, executed the same voluntarily on the day the same bears date.

Given under my hand and seal this 14 day of December, 1994.

Bridget D. Rupert
Notary Public

My Commission expires 5-23-98

STATE OF ALABAMA
COUNTY OF JEFFERSON

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Jack H. Harrison, Managing Member of Weatherly Joint Venture L.L.C., 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 foregoing conveyance, he, in his capacity as such Managing Member and with full authority to do so, executed the same voluntarily on the day the same bears date.

Given under my hand and seal this 14 day of December, 1994.

Bridget D. Rupert
Notary Public

My Commission expires 5-23-98

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WEATHWD