

THIS INSTRUMENT PREPARED BY:
M. Glenn Perry, Jr., Esq.
Burr & Forman
3000 SouthTrust Tower
Birmingham, Alabama 35203
(205) 251-3000

SEND TAX NOTICE TO:
H. Thomas Smith, Jr.
637 Highland Lakes Drive
Birmingham, AL 35242

WARRANTY DEED

114,000

STATE OF ALABAMA)
COUNTY OF SHELBY)

Inst # 1995-05894

KNOW ALL MEN BY THESE PRESENTS, that in consideration of the sum of One and No/100 Dollars (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the undersigned grantors, H. THOMAS SMITH, JR. and CYNTHIA SMITH, husband and wife (herein collectively referred to as "Grantors") do hereby grant, bargain, sell and convey unto H. THOMAS SMITH, JR. (herein referred to as "Grantee") the following described real estate, situated in Shelby County, Alabama:

Lot 127, according to the survey of Highland Lakes, 1st Sector, an Eddleman Community, as recorded in Map Book 18, page 37 in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama. Mineral and mining rights excepted.

This conveyance is made subject to the following:

1. Taxes due in the year 1995, a lien, but not yet payable.
2. Subject to rights of way, easements, reservations, covenants, conditions, agreements, declarations, building and setback lines and restrictions of record.
3. Grantee hereby acknowledges and accepts those certain covenants and restrictions set forth in that certain warranty deed dated March 11, 1994, by Highland Lakes Development, Ltd., to DKM Enterprises, Inc., and filed for record by the Judge of Probate in Shelby County, Alabama as Instrument Number 1994-009159.

TO HAVE AND TO HOLD to the said Grantee and his successors and assigns forever.

And Grantors do for themselves and for their heirs, executors and administrators, covenant with said Grantee, his successors and assigns, that they are lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise stated above; that they have a good right to sell and convey the same as aforesaid; that they will, and their heirs, executors and administrators shall warrant and defend the same to the said Grantee, his successors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the said Grantors, have hereunto set their hands and seals, this 6 day of March, 1995.

GRANTORS:

H. Thomas Smith, Jr.
H. Thomas Smith, Jr.

Cynthia Smith
Cynthia Smith

STATE OF ALABAMA)
COUNTY OF JEFFERSON)

I, the undersigned Notary Public in and for said County in said State, hereby certify that H. THOMAS SMITH, JR. and CYNTHIA SMITH, husband and wife, 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 seal this the 6th day of March, 1995.

Marian H. Patey Jr.
Notary Public

My Commission Expires: 5-9-96

Inst # 1995-05894

03/07/1995-05894
02:15 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 MCD 125.50