

THIS INSTRUMENT PREPARED BY:  
M. Glenn Perry, Jr., Esq.  
Burr & Forman  
3100 SouthTrust Tower  
Birmingham, Alabama 35203  
(205) 251-3000

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

Inst # 1995-18949

### WARRANTY DEED

STATE OF ALABAMA     )  
COUNTY OF SHELBY    )

**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 grantor, H. THOMAS SMITH, JR., a married man (herein referred to as "Grantor") do hereby grant, bargain, sell and convey unto CYNTHIA SMITH, wife of the Grantor (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 her successors and assigns forever.

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

**IN WITNESS WHEREOF**, the said Grantor, has hereunto set his hand and seal, this 12th day of July, 1995.

**GRANTOR:**

  
H. Thomas Smith, Jr.

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07/18/1995-18949  
03:45 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 MCD 125.00

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. 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 seal this the 12th day of July, 1995.

Marvin H. Pange Jr.  
Notary Public

My Commission Expires: 5-9-96

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