

This instrument was prepared by:  
Roy M. Johnson, III  
4315 Highway 160  
Post Office Box 499  
Hayden, Alabama 35079  
(205) 647-9400

Send Tax Notice To:  
Jesse W. Smitherman  
Nelda S. Smitherman  
383 Hwy. 8  
Montevallo, AL 35117

STATE OF ALABAMA )  
SHELBY COUNTY )

**WARRANTY DEED  
JOINT TITLE WITH RIGHT OF SURVIVORSHIP**

KNOW ALL MEN BY THESE PRESENTS, That in consideration of Nine Thousand Dollars (\$9,000.00) equity, and the assumption of that certain mortgage in favor of Jim Walter Homes, Inc., said mortgage being recorded at Mortgage Book 420, Page 763, and subsequently assigned to Mid State Homes, Inc., in Misc. Record 187, Page 867, all in the Office of the Judge of Probate of Shelby County, Alabama, and having a balance owing of \$30,973.00, to the undersigned grantors, in hand paid by the grantees herein, the receipt whereof is hereby acknowledged, I, Nickie C. Freeman and wife, Linda Freeman, (herein referred to as GRANTORS), grant, bargain, sell and convey unto Jesse W. Smitherman and wife, Nelda S. Smitherman, (herein referred to as GRANTEES) for and during their joint lives and upon the death of either of them, then to the survivor of them in fee simple, together with every contingent remainder and right of reversion, the following described real estate, situated in Shelby County, Alabama, to-wit:

Lot No. 3, according to the Survey of Carrie Mae Wooley Subdivision, as recorded in Map Book 7, Page 46, in the Probate Office of Shelby County, Alabama, said property being located in Shelby County, Alabama.

Subject to easements, restrictions, protective covenants and rights-of-way of record and subject to, current taxes, a lien but not yet payable.

Note: As a reference deed, please refer to that instrument recorded in the Probate Office of Shelby County, Alabama, at Deed Book 339, Page 909, for historical information only.

**PREPARED WITHOUT BENEFIT OF A SURVEY.**

TO HAVE AND TO HOLD to said Grantees during their joint lives and upon the death of either of them, then to the survivor of them in fee simple, together with every contingent remainder and right of reversion.

02/19/1996-05315  
04:10 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
003 MCD 22.50

Inst # 1996-05315

And the undersigned, separately and severally, for the heirs, executors, and administrators of the undersigned, separately and severally covenant with the said Grantees, their heirs and assigns, that the undersigned are lawfully seized in fee simple of said premises; that said premises are free from all encumbrances, unless otherwise noted above; that the undersigned has a good right to sell and convey the same as aforesaid; that the undersigned will and 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, the undersigned hereunto set their hands and seals, this the 19 day of Feb., 1996.

Witnesses:

Roy Johnson

Roy Johnson

Nickie C. Freeman (SEAL)  
Nickie C. Freeman

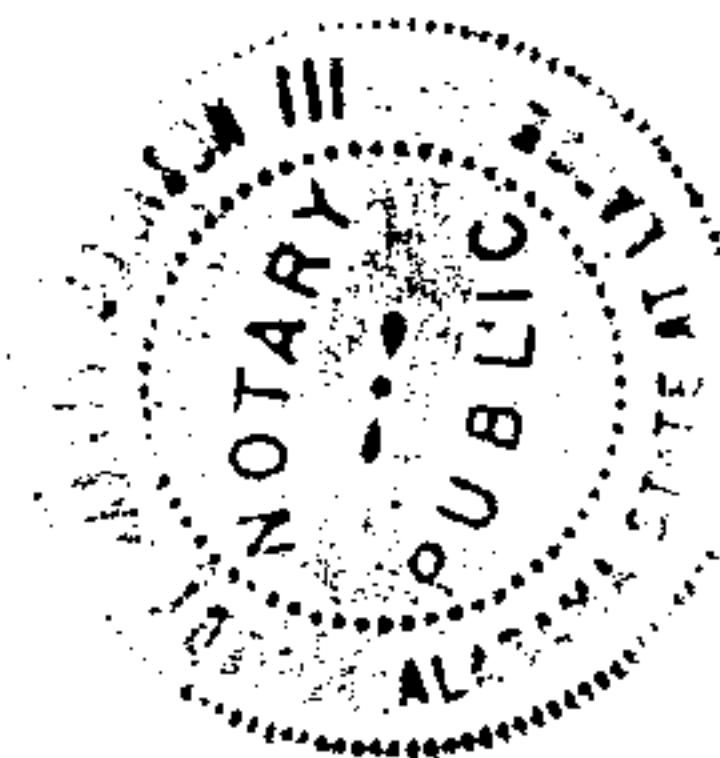
Linda Freeman (SEAL)  
Linda Freeman

THE STATE OF ALABAMA )  
SHELBY COUNTY )

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that Nickie C. Freeman, husband of Linda Freeman, 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 19 day of Feb., 1996.

Roy Martin Johnson  
Notary Public  
My commission expires 4-23-96



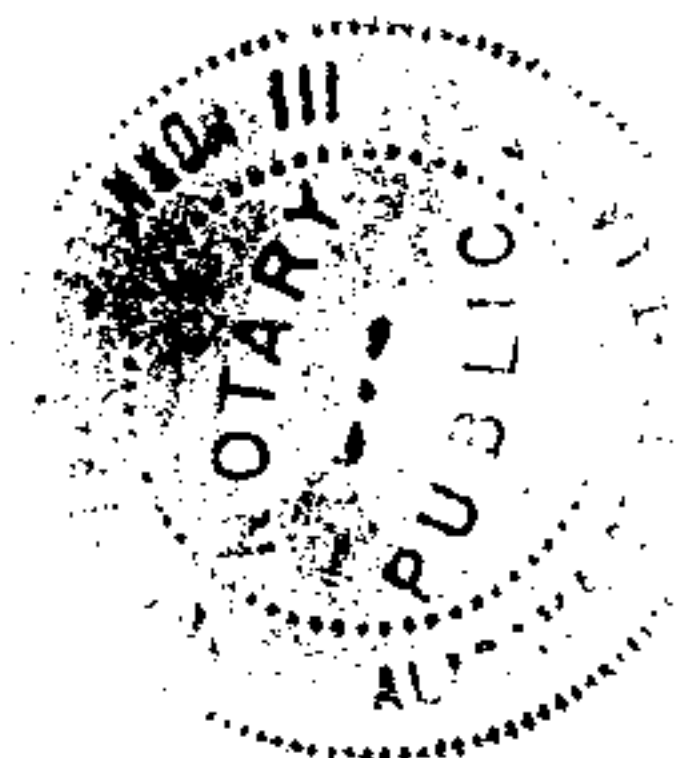
THE STATE OF ALABAMA )  
SHELBY COUNTY )

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that Linda Freeman, wife of Nickie C. Freeman, 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, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 19 day of Feb, 1996.

Ray Marvin Johnson  
Notary Public

My commission expires 4-23-96



Inst # 1996-05315

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JUDGE OF PROBATE  
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