

This instrument was prepared by

Mitchell A. Spears

ATTORNEY AT LAW

P.O. Box 119

Montevallo, AL 35115-0091

205/665-5102

205/665-5076

Send Tax Notice to:

(Name)

OWEN SCOTT SMITHERMAN

(Address)

491 Tecumseh

Montevallo AL 35115

WARRANTY DEED

STATE OF ALABAMA

SHELBY

COUNTY

KNOW ALL MEN BY THESE PRESENTS,

That in consideration of THIRTY EIGHT THOUSAND and 00/100-----(\$38,000.00)-----DOLLARS

to the undersigned grantor (whether one or more), in hand paid by the grantee herein, the receipt whereof is acknowledged, I or we, MERLE LAWLEY FARRINGTON CLARK, formerly known as MERLE LAWLEY FARRINGTON, a married woman (herein referred to as grantor, whether one or more), grant, bargain, sell and convey unto

OWEN SCOTT SMITHERMAN

(herein referred to as grantee, whether one or more), the following described real estate, situated in SHELBY County, Alabama, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED
HEREWITH, AS THOUGH FULLY SET OUT HEREIN.

Inst # 1997-13315

04/30/1997-13315
12:26 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 NCD 16.00

TO HAVE AND TO HOLD, To the said GRANTEE, his, her or their heirs and assigns forever.

And I (we) do, for myself (ourselves) and for my (our) heirs, executors and administrators, covenant with said grantee, his, her or 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 stated 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 grantee, his, her or their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, I (we) have hereunto set my (our) hand(s) and seal(s) this 25th
day of APRIL, 19 97

(Seal)

Merle Lawley Farrington Clark
MERLE LAWLEY FARRINGTON CLARK (Seal)

(Seal)

(Seal)

(Seal)

(Seal)

STATE OF ALABAMA

SHELBY

County

General Acknowledgment

I, the undersigned authority
in said State, hereby certify that MERLE LAWLEY FARRINGTON CLARK

a Notary Public in and for said County.

whose name(s) 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 25th day of APRIL, 19 97

My Commission Expires: 9/97

[Signature]
Notary Public

1997-13315

EXHIBIT "A"

The NW 1/2 of Lots 44 and 45, according to the original plan of Montevallo, that is to say the 1/2 of said lots which front on Main Street, also all that land lying between said lots and Shoal Creek, being situated in Shelby County, Alabama, being more particularly described as follows:

Begin at the NE corner of Lot 44, according to the original plan of Montevallo; thence run SW along the NW line of Lots 44 & 45 and the SE right of way of Main street to the point of commencement of a curve to the left having a central angle of 33 deg., 17 min., 02 sec. and radius of 251.54 ft.; thence run along the arc of said curve along the SE right of way for 146.12 ft.; thence turn an angle from the tangent if extended to said curve to the left of 80 deg., 03 min., 50 sec., and run SE for 113.30 ft.; thence turn an angle to the left of 61 deg., 02 min., 20 sec. and run NE for 215.42 ft.; thence turn an angle to the left of 93 deg., 28 min., 21 sec. and run NW for 166.47 ft. to the point of beginning. Being situated in Shelby County, Alabama.

MERLE LAWLEY FARRINGTON IS THE SURVIVING GRANTEE OF DEED RECORDED IN INST. NO. 1993-19634 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA, THE OTHER GRANTEE, JAMES EDGAR FANCHER HAVING DIED ON OR ABOUT THE 19TH DAY OF OCTOBER, 1995.

SUBJECT TO:

GENERAL AND SPECIAL TAXES OR ASSESSMENTS FOR 1997 AND SUBSEQUENT YEARS NOT YET DUE AND PAYABLE.

BUILDING SETBACK LINE AS SHOWN BY PLAT.

PUBLIC EASEMENTS AS SHOWN BY RECORDED PLAT.

EASEMENT(S) TO ALABAMA POWER COMPANY AS SHOWN BY INSTRUMENT RECORDED IN DEED BOOK 222 PAGE 702 and INST. NO. 1995-7115 IN PROBATE OFFICE.

RIPARIAN RIGHTS, IF ANY, IN AND TO THE USE OF SHOAL CREEK.

LESS AND EXCEPT ANY PORTION OF SUBJECT PROPERTY LYING WITHIN SHOAL CREEK.

RIGHT OF WAY GRANTED TO THE CITY OF MONTEVALLO AS SHOWN BY DEED BOOK 147 PAGE 126 IN PROBATE OFFICE.

ENCROACHMENT OF STEPS OFF OF PROPERTY AS SHOWN ON SURVEY BY STEVEN H. GAY, DATED APRIL 23, 1997.

MINERAL AND MINING RIGHTS ARE NOT ENSURED.

MORTGAGE FROM GRANTEE TO GRANTOR HEREIN IN THE SUM OF \$33,000.00 GRANTED ON EVEN DATE HERewith.

THE REAL ESTATE HEREIN CONVEYED DOES NOT CONSTITUTE THE HOMESTEAD OF GRANTOR, NOR THAT OF HER SPOUSE, NEITHER IS IT CONTIGUOUS THERETO.

DATED: APRIL 25, 1997


MERLE LAWLEY FARRINGTON CLARK

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