

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was
prepared by:

R. Shan Paden
PADEN & PADEN
Attorneys at Law
100 Concourse Parkway, Suite 130
Birmingham, Alabama 35244

SEND TAX NOTICE TO:

J. TIMOTHY SMITH
784 DIVIDING RIDGE DRIVE
BIRMINGHAM, AL 35244

STATE OF ALABAMA)

COUNTY OF SHELBY)

Inst # 1998-00714
01/09/1998-00714
10:25 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
DOE MEL 43.00

WARRANTY DEED

Know All Men by These Presents: That in consideration of ONE HUNDRED FIFTY EIGHT THOUSAND NINE HUNDRED and 00/100 (\$158,900.00) DOLLARS to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, we, BRIAN BYRNE JAEGER and JULIE L. JAEGER, HUSBAND AND WIFE (herein referred to as GRANTORS) do grant, bargain, sell and convey unto J. TIMOTHY SMITH, AN UNMARRIED PERSON, (herein referred to as GRANTEES, whether one or more) the following described real estate, situated in SHELBY County, Alabama, to-wit:

LOT 59, ACCORDING TO THE SURVEY OF RIVERCHASE WEST-DIVIDING RIDGE, FIRST ADDITION, AS RECORDED IN MAP BOOK 7, PAGE 3, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

SUBJECT TO:

1. Taxes for the year beginning October 1, 1997 which constitutes a lien but are not yet due and payable until October 1, 1998.
2. Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto, together with any release of liability for injury or damage to persons or property as a result of the exercise of such rights as recorded in Deed Volume 127, page 140.
3. Restrictive Covenants in favor of Alabama Power Company, as recorded in Misc. Volume 21, page 392.
4. Restrictions appearing of record in Misc. Volume 14, page 536 and amended in Misc. Volume 17, page 550.
5. Agreement with Alabama Power Company for Underground Residential Distribution as shown by instrument(s) recorded in Misc. Volume 21, page 393.
6. A 10 foot easement along the Westerly lot line, as shown on recorded map.

\$127,100.00 of the consideration herein was derived from a mortgage closed simultaneously herewith.

TO HAVE AND TO HOLD Unto the said GRANTEES, 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 the said GRANTEES, 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 noted 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 GRANTEES, his, her, or their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the said GRANTORS, BRIAN BYRNE JAEGER and JULIE L. JAEGER, HUSBAND AND WIFE, have hereunto set his, her or their signature(s) and seal(s), this the 31st day of December, 1997.


BRIAN BYRNE JAEGER


JULIE L. JAEGER

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that BRIAN BYRNE JAEGER, JULIE L. JAEGER whose name(s) is (are) signed to the foregoing conveyance, and who is (are) known to me, acknowledged before me on this day that, being informed of the contents of the conveyance he, she, or they executed the same voluntarily on the day the same bears date.

Given under my hand this the 31st day of December, 1997.


Notary Public

My commission expires: 7/16/98

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