

(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:

ROBERT H. ELLIS
1919 CAHABA VALLEY ROAD
INDIAN SPRINGS, AL 35124

STATE OF ALABAMA)

COUNTY OF SHELBY)

JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

WARRANTY DEED

Know All Men by These Presents: That in consideration of TWO HUNDRED NINETY SEVEN THOUSAND and 00/100 (\$297,000.00) DOLLARS to the undersigned grantor or grantors in hand paid by the GRANTEEES herein, the receipt of which is acknowledged, we, HERBERT A. SMITH and ELIZABETH M. SMITH, HUSBAND AND WIFE (herein referred to as GRANTORS) do grant, bargain, sell and convey unto ROBERT H. ELLIS and MARIANNA M. ELLIS, HUSBAND AND WIFE, (herein referred to as GRANTEEES, as joint tenants, with right of survivorship, whether one or more) the following described real estate, situated in SHELBY County, Alabama, to-wit:

LOT 1, BLOCK 1, ACCORDING TO THE SURVEY OF INDIAN SPRINGS RANCH, RECORDED IN MAP BOOK 4 PAGE 29 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. Building setback line of 200 feet reserved from Cahaba Valley Road as shown by plat.
3. Easements as shown by recorded plat.
4. Restrictions, covenants and conditions as set out in instrument(s) recorded in Deed Book 195 page 467 and amended by Deed Book 224 page 436 in Probate Office.
5. Transmission Line Permit(s) to Alabama Power Company as shown by instrument(s) recorded in Deed Book 176 pages 71, 73 & 75 and Deed Book 198 page 491 in Probate Office.
6. Easement(s) to Alabama Power Company as shown by instrument recorded in Deed Book 225 page 966 in Probate Office.

\$227,150.00 of the consideration herein was derived from a mortgage closed simultaneously herewith.

TO HAVE AND TO HOLD Unto the said GRANTEEES as joint tenants, with right of survivorship, their heirs and assigns, forever; it being the intention of the parties to this conveyance, that (unless the joint tenancy hereby created is severed or terminated during the joint lives of the grantees herein) in the event one grantee herein survives the other, the entire interest in fee simple shall pass to the surviving grantee, and if one does not survive the other, then the heirs and assigns of the grantees herein shall take

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as tenants in common.

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, HERBERT A. SMITH and ELIZABETH M. SMITH, HUSBAND AND WIFE, have hereunto set his, her or their signature(s) and seal(s), this the 2nd day of June, 1998.

Herbert A. Smith
HERBERT A. SMITH

Elizabeth M. Smith
ELIZABETH M. SMITH

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that HERBERT A. SMITH and ELIZABETH M. SMITH, HUSBAND AND WIFE, 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 2nd day of June, 1998.

Mary Margaret Relfe
Notary Public

My commission expires: 02/28/2000

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