

(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:
BARRY CRAIG SMITH
496 OLDE TOWNE LANE
ALABASTER, AL 35007

Inst # 1998-23795
06/26/1998-23795
09:56 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
15.50
003 HEL

STATE OF ALABAMA)

COUNTY OF SHELBY)

JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

WARRANTY DEED

Know All Men by These Presents: That in consideration of ONE HUNDRED FOURTEEN THOUSAND NINE HUNDRED and 00/100 (\$114,900.00) DOLLARS to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, we, JON BRODY BLACK and GIDGE BLACK, HUSBAND AND WIFE (herein referred to as GRANTORS) do grant, bargain, sell and convey unto BARRY CRAIG SMITH and JANET W. SMITH, HUSBAND AND WIFE, (herein referred to as GRANTEES, as joint tenants, with right of survivorship, whether one or more) the following described real estate, situated in SHELBY County, Alabama, to-wit:

A PARCEL OF LAND BEING A PART OF LOTS 1, 2, AND 3, BLOCK 12, OF ALABASTER GARDENS, AS RECORDED IN MAP BOOK 3, PAGE 156 IN THE OFFICE OF THE JUDGE OF PROBATE OF SHELBY COUNTY, ALABAMA. DESCRIBED AS FOLLOWS: BEGIN AT THE SOUTHWEST CORNER OF SAID LOT 3; THENCE RUN EAST ALONG THE SOUTH LINE OF SAID LOT 3, A DISTANCE OF 50 FEET; THENCE LEFT 29 DEGREES 33 MINUTES 27 SECONDS A DISTANCE OF 30.63 FEET; THENCE RIGHT 11 DEGREES 40 MINUTES 44 SECONDS A DISTANCE OF 132.87 FEET; THENCE LEFT 109 DEGREES 32 MINUTES 40 SECONDS A DISTANCE OF 118.49 FEET TO THE NORTH LINE OF SAID LOT 1; THENCE LEFT 14 DEGREES 16 MINUTES 01 SECONDS A DISTANCE OF 128.32 FEET THENCE LEFT 38 DEGREES 18 MINUTES 36 SECONDS A DISTANCE OF 35.19 FEET TO THE EAST SIDE OF OLDE TOWNE LANE (SEVENTH STREET, NW); SAID POINT BEING ON A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 15 DEGREES 55 MINUTES 01 SECONDS AND A RADIUS OF 125.00 FEET; THENCE LEFT 97 DEGREES 53 MINUTES 59 SECONDS TO THE CHORD OF SAID CURVE, A DISTANCE OF 34.61 FEET ALONG SAID CHORD TO THE END OF SAID CURVE; THENCE RIGHT 07 DEGREES 57 MINUTES 30 SECONDS ALONG SAID STREET A DISTANCE OF 195.27 FEET TO THE POINT OF BEGINNING, BEING SITUATED IN 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. MUNICIPAL IMPROVEMENTS, ASSESSMENTS AND FIRE DISTRICT DUES AGAINST SUBJECT PROPERTY, IF ANY.
3. TITLE TO ALL OIL, GAS AND MINERALS WITHIN AND UNDERLYING THE PREMIS TOGETHER WITH ALL OIL AND MINING RIGHTS AND OTHER RIGHTS, PRIVILEGE 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.
4. BUILDING LINES, RIGHT OF WAYS, EASEMENTS, RESTRICTIONS,

RESERVATIONS AND CONDITIONS, IF ANY, AS RECORDED IN BOOK, PAGE.

5. SUBJECT TO COVENANTS, CONDITIONS AND RESTRICTIONS (DELETING THEREFROM, ANY RESTRICTIONS INDICATING ANY PREFERENCE, LIMITATION OR DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILY STATUS OR NATIONAL ORIGIN) AS SET FORTH IN THE DOCUMENT RECORDED IN DEED BOOK 175, PAGE 68 IN THE OFFICIAL RECORDS OF SHELBY COUNTY.
6. TRANSMISSION LINE PERMIT TO ALABAMA POWER COMPANY AS SHOWN BY INSTRUMENT RECORDED IN DEED BOOK 181, PAGE 34.
7. PERMIT TO ALABAMA POWER COMPANY AND SOUTH CENTRAL TELEPHONE AND TELEGRAPH COMPANY IN REAL BOOK 25, PAGE 135.
8. POWER LINE AND POLE AS SHOWN ON SURVEY BY AMOS CORY, DATED OCTOBER 19, 1988.
9. SUBJECT TO SPECIAL FLOOD HAZARD AREA AS SHOWN ON SURVEY BY AMOS CORY, DATED OCTOBER 19, 1988.

\$113,215.00 of the consideration herein was derived from a mortgage closed simultaneously herewith.

TO HAVE AND TO HOLD Unto the said GRANTEES 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 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, JON BRODY BLACK and GIDGE BLACK, HUSBAND AND WIFE, have hereunto set his, her or their signature(s) and seal(s), this the 27th day of May, 1998.


JON BRODY BLACK

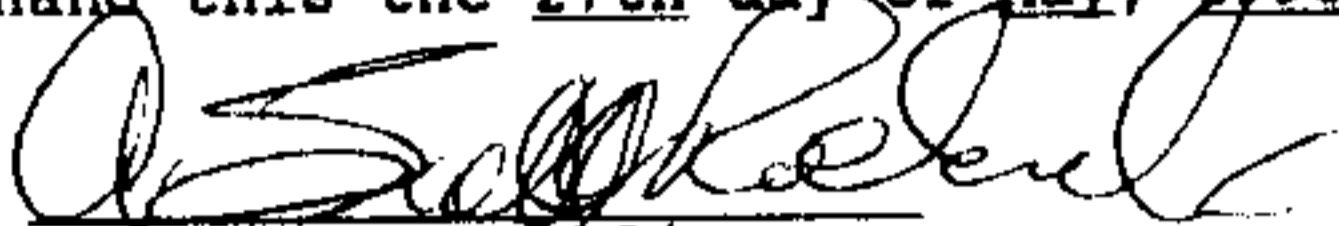

GIDGE BLACK

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that JON BRODY BLACK and GIDGE BLACK, 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 27th day of May, 1998.


Notary Public

My commission expires: 5-20-00

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