

Send Tax Notice To:
Walter Gilbert Brush, IV and wife,
Tamara L. Brush
1252 Willow Creek Place
Alabaster, Alabama 35007

This instrument was prepared by:
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& Kimbrough, L.L.C.
P. O. Box 380275
Birmingham, AL 35238

Inst # 1999-00014

01/04/1999-00014

09:41 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
DEC. 13.00

Warranty Deed, Jointly For Life With Remainder To Survivor

STATE OF ALABAMA)

KNOW ALL MEN BY THESE PRESENTS,

COUNTY OF SHELBY)

THAT IN CONSIDERATION OF One Hundred Fourteen Thousand Nine Hundred Dollars (\$114,900.00) and other good and valuable consideration to the undersigned Grantors in hand paid by the Grantees herein, the receipt of which is hereby acknowledged, **MICHAEL E. SMITH AND WIFE, CAROLYN D. SMITH**, (herein referred to as Grantors, whether one or more) do grant, bargain, sell and convey unto **WALTER GILBERT BRUSH, IV AND WIFE, TAMARA L. BRUSH**, (herein referred to as Grantees, whether one or more), as joint tenants, with right of survivorship, the following described real estate, situated in the State of Alabama, County of Shelby, to-wit:

Lot 5, according to the Survey of Willow Creek Phase Two, as recorded in Map Book 9, page 102, in the Probate Office of Shelby County, Alabama.

Subject to:

1. Taxes and assessments for the year 1998, and subsequent years, which are not yet due and payable.
2. 35 foot building line, as shown by recorded map.
3. 15 foot Easement on rear and 5 foot easement on West, as shown by recorded Map.
4. Restrictions, appearing of record in Real 126, page 363, in the Probate Office of Shelby County, Alabama.
5. Right of Way granted to Alabama Power Company by instrument recorded in Real 50, page 252, in the Probate Office of Shelby County, Alabama.
6. Coal, oil, gas and other mineral interests in, to or under the land herein.

7. All other existing easements, restrictions, set-back lines, rights of ways, limitations, if any, of record.

NOTE: The entire above consideration was paid from the proceeds of a mortgage filed 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 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 do for myself and for my heirs, executors, and administrators covenant with said Grantees, their heirs and assigns, that we are lawfully seized in fee simple of said premises, that they are free from all encumbrances, unless otherwise noted above; that we have a good right to sell and convey the same as aforesaid; that I will and my 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, we have hereunto set our hands and seals, this 16 day of December, 1998.

Michael E. Smith
Michael E. Smith

Carolyn D. Smith
Carolyn D. Smith Inst # 1999-00014

STATE OF ALABAMA)

COUNTY OF SHELBY)

01/04/1999-00014

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SHELBY COUNTY JUDGE OF PROBATE

13.00

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Michael E. Smith and wife, Carolyn D. Smith, whose names are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, they executed the same voluntarily on the date the same bears date.

Given under my hand and official seal, this the 16 day of December, 1998.

Kimberly A. Meltzer
Notary Public

My commission expires: 3-1-99