

**THIS INSTRUMENT WAS PREPARED BY:**

Richard C. Shuleva, Attorney  
P.O. Box 607  
Pelham, Alabama 35124

**SEND TAX NOTICE TO:**

Edwin B. Lumpkin, Jr.  
2251 Montgomery Highway  
Pelham, AL 35124

**WARRANTY DEED**

STATE OF ALABAMA )  
COUNTY OF SHELBY )

KNOW ALL MEN BY THESE PRESENTS,

That in consideration of **One Hundred Thirty Thousand Dollars (\$130,000.00)** and other good and valuable consideration, to the undersigned grantor (whether one or more), in hand paid by the grantee herein, the receipt whereof is acknowledged, we, **the legal heirs of T.E. Smith, identified as Kenneth E. Smith, Linda Smith Perry, Clyde J. Smith, Jr., Rickey T. Smith, Dwight J. Smith, Cecil Everee Smith Allison, and Danny Wayne Smith**, (herein referred to as grantor, whether one or more), grant, bargain, sell and convey unto, **Edwin L. Lumpkin, Jr., an unmarried man**, (herein referred to as grantee, whether one or more), an undivided one-half interest in the following described real estate situated in Shelby County, Alabama, to-wit:

Begin at a point at low water mark on North Bank of Bishop Creek and the Northeast side of second span of State Highway concrete Bridge on the Birmingham & Montgomery Highway and running north, parallel with said Birmingham & Montgomery Highway, 1320 feet for the point of beginning; running in a northeasterly direction 264 feet; thence in a northerly direction 59 feet; thence in a westerly direction 210 feet; thence in a southerly direction and parallel with said Birmingham & Montgomery Highway 218 feet to point of beginning; being in the NE1/4 of the NW1/4 of Section 6, Township 20 South, Range 2 West, situated in Shelby County, Alabama.

Subject to existing easements, rights-of-way, restrictions, limitations, if any, of record.

The legal description set out herein was furnished to preparer by the grantors herein without the benefit of survey.

The above described property does not constitute the homestead of the grantors herein.

There are no municipal or unpaid or disputed real estate commissions; all compensation due or to become due under any listing, agency, or other brokerage agreement has been paid or has been waived in writing by the potential lien claimant and there has been no written notice received concerning any unpaid real estate commission which could give rise to a Broker's Lien under Act #98-160, Regular Session, 1998, Alabama Legislature (Sec. 35-11-450 et. seq. **Code of Alabama**, 1975).

Transmission Line Permit(s) to Alabama Power Company as shown by instrument(s) recorded in Deed Book 101, Page 506, Deed Book 112, Page 513, Deed Book 170 Page 258 and agreement relating thereto in Inst. No. 1994-03175 in Probate Office.

Right(s)-of-Way(s) granted to Shelby County by instrument(s) recorded in Deed Book 159 Page 482 with release of damages and in Probate Minute Book 16 Pages 190 & 191 in

03/26/1999-12671  
09:09 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
005 CRH 154.50

Inst # 1999-12671

Probate Office.

Easement(s) to AT&T as shown by instrument recorded in Deed Book 168 Page 405 in Probate Office.

Right(s)-of-Way(s) granted to Postal Telephone & Telegraph Co. by instrument(s) recorded in Deed Book 80 Page 37 in Probate Office.

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

And we do for ourselves and for our heirs, executors, and administrators, covenant with the said grantee, his, her or 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 we will and our heirs, executors and administrators shall warrant and defend the same to the GRANTEE, his, her or their heirs and assigns forever, against the lawful claims of all persons.

The grantors signed hereunder, upon being duly sworn and examined, stated under oath, the following:

Our ancestor, Tharon Smith aka T.E. Smith, died on April 14, 1979 in Jefferson County, Alabama. Tharon Smith died intestate and no administration of his estate was made and no claims were filed against his estate and all debts of his estate have been paid.

At the time of his death, Tharon Smith left a wife, Addie Smith, who owned one-half of the subject property and whose estate is simultaneously conveying the other said one-half interest to the Grantee herein.

At the time of his death, the parents of Tharon Smith were deceased. Tharon Smith had no children born of his body. Tharon Smith had four brothers and no sisters. His four brothers and the date of death and location of death, heirs and estates are as follows:

Brother one, Vernie Smith, died February 19, 1976 in Jefferson County, Alabama. Vernie Smith died intestate and all claims against his estate have been paid. Vernie Smith had two heirs at law, a daughter, Linda Smith Perry and a son, Kenneth E. Smith. (Linda Smith Perry was adopted by Vernie Smith). Vernie Smith had no heirs of his body except the abovesaid Kenneth E. Smith. Kenneth E. Smith and Linda Smith Perry are each over the age of 21 years of age, under no legal incapacity and have executed this deed and Affidavit.

Brother two, Clyde Jackson Smith, died September 23, 1965 in Jefferson County, Alabama. Clyde Jackson Smith died intestate and all claims against his estate have been paid. Clyde Jackson Smith had three heirs at law, a son, Clyde J. Smith, Jr., a son named Rickey T. Smith and a son named Dwight J. Smith. Clyde Jackson Smith had no issue of his body, except the above named three sons. The abovesaid sons are each over the age of 21 years of age, under no legal incapacity and have executed this deed and Affidavit.

Brother three, Emmett Cecil Smith, died November 22, 1981 in Chilton County, Alabama. Emmett Cecil Smith died intestate and all claims against his estate have been paid. Emmett Cecil Smith had one child of his body, a daughter named Cecil Everee Smith

Allison, who is over the age of 21 years of age, under no legal incapacity and has executed this deed and Affidavit.

Brother four, Amos Daniel Smith, died April 4, 1977, in Chilton County, Alabama. Amos Daniel Smith died intestate and all claims against his estate have been paid. Amos Daniel Smith had one child of his body, a son named Asa Danny Smith. Amos Daniel Smith had no issue of his body except Asa Danny Smith. The said Asa Danny Smith died intestate on May 4, 1972 in Chilton County, Alabama and all claims against his estate have been paid. Asa Danny Smith had one child, a son named Danny Wayne Smith, and he had no other issue of his body. The said Danny Wayne Smith is over the age of 21 years of age, under no legal incapacity and has executed this deed and Affidavit.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this 25th day of March, 1999.

Kenneth E. Smith  
Kenneth E. Smith

Clyde J. Smith, Jr.  
Clyde J. Smith, Jr.

Dwight J. Smith  
Dwight J. Smith

Danny W. Smith  
Danny W. Smith

Linda Smith Perry  
Linda Smith Perry

Rickey T. Smith  
Rickey T. Smith

Cecil Everee Smith Allison  
Cecil Everee Smith Allison

STATE OF ALABAMA )  
Shelby COUNTY )

Sworn to and subscribed to before me, the undersigned Notary Public, in and for said County, in said State. I hereby certify that **Kenneth E. Smith**, whose name 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, he executed the same voluntarily.

Given under my hand and official seal this 4th day of March, 1999.

August 5, 2000  
My Commission Expires

Sammy Pope  
Notary Public

STATE OF South Carolina )  
Charleston COUNTY )

Sworn to and subscribed to before me, the undersigned Notary Public, in and for said County, in said State. I hereby certify that **Linda Smith Perry**, whose name 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.

Given under my hand and official seal this 12 day of March, 1999.

11-22-05  
My Commission Expires

[Signature]  
Notary Public For S.C.



STATE OF ALABAMA )  
Shelby COUNTY )

Sworn to and subscribed to before me, the undersigned Notary Public, in and for said County, in said State. I hereby certify that **Clyde J. Smith, Jr.**, whose name 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, he executed the same voluntarily.

Given under my hand and official seal this 4<sup>th</sup> day of March, 1999.

August 5, 2000  
My Commission Expires

Sammy Doper  
Notary Public

STATE OF ALABAMA )  
SHELBY COUNTY )

Sworn to and subscribed to before me, the undersigned Notary Public, in and for said County, in said State. I hereby certify that **Rickey T. Smith**, whose name 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, he executed the same voluntarily.

Given under my hand and official seal this 5<sup>th</sup> day of MAR., 1999.

6-20-00  
My Commission Expires

[Signature]  
Notary Public

STATE OF ALABAMA )  
SHELBY COUNTY )

Sworn to and subscribed to before me, the undersigned Notary Public, in and for said County, in said State. I hereby certify that **Dwight J. Smith**, whose name 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, he executed the same voluntarily.

Given under my hand and official seal this 25<sup>th</sup> day of MAR, 1999.

6-20-00  
My Commission Expires

[Signature]  
Notary Public

STATE OF Tennessee )  
Madison COUNTY )

Sworn to and subscribed to before me, the undersigned Notary Public, in and for said County, in said State. I hereby certify that **Cecil Everee Smith Allison**, whose name 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.

Given under my hand and official seal this 18<sup>th</sup> day of March, 1999.

My Commission Expires February 22, 2003.  
My Commission Expires

Deborah C. Denton  
Notary Public

STATE OF ALABAMA )  
SHELBY COUNTY )

Sworn to and subscribed to before me, the undersigned Notary Public, in and for said County, in said State. I hereby certify that **Danny W. Smith**, whose name 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, he executed the same voluntarily.

Given under my hand and official seal this 6<sup>th</sup> day of MAR., 1999.

6-20-00  
My Commission Expires

  
Notary Public

Inst # 1999-12671

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