

Send tax notice to:  
Mark K. Tate  
4240 Milner Road East  
Birmingham, Alabama 35242

This instrument prepared by:  
James R. Moncus, Jr., LLC  
Attorney at Law  
1313 Alford Avenue  
Birmingham, AL 35226

STATE OF ALABAMA  
SHELBY COUNTY

WARRANTY DEED

Inst \* 2001-27804

07/05/2001-27804  
01:49 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 MB

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of Ten Dollars and other good and valuable consideration and no/100 (\$10.00), in hand paid to the undersigned, BRIAN EUGENE SMYTH AND WIFE, TAMMY A. SMYTH, (hereinafter referred to as the "Grantor") by Mark K. Tate and wife, Cheryl Tate (hereinafter referred to as the "Grantee"), the receipt and sufficiency of which is hereby acknowledged, the Grantor does, by these presents, grant, bargain, sell, and convey unto the Grantee as joint tenants with right of survivorship, the following described real estate situated in SHELBY County, Alabama, to-wit:

**Lot 15, according to the Survey of Amended Final Record Plat of Greystone Farms, Milner's Crescent Sector, Phase 4, as recorded in Map Book 27, Page 71, in the Probate Office of Shelby County, Alabama.**

SUBJECT TO:

1. Ad valorem taxes due and payable October 1, 2001.
2. All restrictions, easements, Rights of parties in possession, encroachments, liens for services, labor, or materials, taxes or special assessments, building lines.
3. Easements, Encroachments, rights of ways, building set back lines, as shown on recorded plat.
4. Restrictions and covenants appearing of record in Inst. #1998-10062 and Inst. #1995-16401.

\$273,600.00 of the purchase price was paid from a mortgage loan closed simultaneously with delivery of this deed.

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 Grantees, their heirs, executors, administrators and assigns, that I am (we are) lawfully seized in fee simple of said premises, that they are free from all encumbrances except as aforesaid, that I (we) have good right to sell and convey the same as aforesaid, and that I (we) will, and my (our) successors and assigns shall warrant and defend the same to the Grantees, their heirs, executors, administrators and assigns, forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on this the 24 day of  
June, 2001.

Brian Eugene Smyth  
BRIAN EUGENE SMYTH

Tammy A. Smyth  
TAMMY A. SMYTH

● STATE OF Alabama )  
                          Shelby COUNTY)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that BRIAN EUGENE SMYTH AND WIFE, TAMMY A. SMYTH, whose names are signed to the foregoing instrument and who are known to me, acknowledged before me on this day that, being informed of the contents of the instrument, they executed the same voluntarily on the day the same bears date.

● Given under my hand and official seal this the 24<sup>th</sup> day of June, 2001.

Rick Curry DRS  
Notary Public

[NOTARIAL SEAL]

● My Commission expires: 12/31/04

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