

CORRECTED

WARRANTY DEED, JOINTLY FOR LIFE WITH REMAINDER TO SURVIVOR

This instrument was prepared by:
B. CHRISTOPHER BATTLES
3150 HIGHWAY 52 WEST
PELHAM, AL. 35124

Send tax notice to:
Jerry W. Smitherman and Judy B. Smitherman
256 Highway 93
Helena, Alabama 35080

**STATE OF ALABAMA
COUNTY OF SHELBY**

Know All Men by These Presents: That in consideration of **One hundred twenty five thousand and no/100 (\$125,000.00)** to the undersigned grantor (whether one or more), in hand paid by the grantee herein, the receipt where is acknowledged, I or we, **April Smitherman and Jayson Smitherman, wife and husband** (herein referred to as grantor, whether one or more), grant, bargain, sell and convey unto **Jerry W. Smitherman and Judy B. Smitherman** (herein referred to as grantee, whether one or more), the following described real estate, situated in **Shelby County, Alabama**, to-wit:

See attached Exhibit "A"

12/14/2001-54925
09:47 AM CERTIFIED

SHELBY COUNTY JUDGE OF PROBATE
002 CH 15.00

Mineral and mining rights excepted.

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

\$112,500.00 of the purchase price recited above was paid from mortgage loan closed simultaneously herewith.


To Have and to Hold to the said grantee, 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 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 said grantee, 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 stated 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 grantee, his, her or their heirs and assigns forever, against the lawful claims of all persons.

In Witness Whereof, I (we) have hereunto set my (our) hand(s) and seal(s) this 5th day of September, 2001.

Witness

Witness


April Smitherman (Seal)


Jayson Smitherman (Seal)

**STATE OF ALABAMA
COUNTY OF SHELBY**

I, **B. CHRISTOPHER BATTLES**, a Notary Public in and for said County, in said State, hereby certify that **April Smitherman and Jayson Smitherman, wife and husband**, whose name(s) 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 this conveyance, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 5th day of September, 2001.

Notary Public
My Commission Expires: 02-25-05

09/12/2001-39347
11:52 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
001 CH 23.50

Inst # 2001-39347

Inst # 2001-54925

EXHIBIT "A"

LEGAL DESCRIPTION

A parcel of land in the Northeast quarter of the Southwest quarter of Section 26, Township 20 South, Range 4 West, being a part of the same land described in, a deed to Edgar J. and Mary Margret Martin Whitfield, recorded in Deed Book 220, at Page 953 of the real property records of Shelby County, Alabama. Said parcel of land being more particularly described as follows:

Commencing at a 3 inch pipe and cap set by US Steel found for the Northeast corner of the Northeast quarter of the Southwest quarter of said Section 26; thence South 69 degrees 27 minutes 30 seconds West, along the North line of said Sixteenth Section, a distance of 249.00 feet to a ¾ inch crimped pipe, found at the point of beginning; thence South 89 degrees 27 minutes 30 seconds West, along the North line of said Sixteenth Section, a distance of 223.84 feet to a ½ inch rebar set, with a cap stamped Wheeler – CA 0502", on the East right-of-way of County Highway No. 93; thence South 36 degrees 58 minutes 08 seconds West, along said right-of-way, a distance of 265.93 feet, to a point; thence along a curve, to the left, in said right-of-way, having a radius of 805.81 feet and a chord bearing of South 35 degrees 11 minutes 25 seconds West, an arc length of 50.03 feet to a ½ inch rebar set, with a cap stamped "Wheeler – CA 0502"; thence South 53 degrees 01 minutes 52 seconds East, a distance of 124.90 feet to a ½ inch rebar set, with a cap stamped "Wheeler – CA 0502"; thence North 89 degrees 53 minutes 31 seconds East, a distance of 84.81 feet to a ½ inch rebar set, with a cap stamped "Wheeler – CA 0502"; thence North 45 degrees 00 minutes 00 seconds East, a distance of 90 feet to a ½ inch rebar set, with a cap stamped "Wheeler – CA 0502"; thence North 89 degrees 53 minutes 31 seconds East, a distance of 164.85 feet to a ½ inch rebar set, with a cap stamped "Wheeler – CA 0502"; thence North 00 degrees 06 minutes 29 seconds West, a distance of 266.47 feet to the point of beginning.

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