

This Instrument Was Prepared By:
G. Wray Morse, Attorney-at-Law
1920 Valleydale Road
Birmingham, Alabama 35244

Send Tax Notice to:
Kennan L. Smith
931 5th Court NW
Alabaster, Alabama 35007

STATE OF ALABAMA
COUNTY OF SHELBY

WARRANTY DEED, JOINTLY FOR LIFE
WITH REMAINDER TO SURVIVOR

KNOW ALL MEN BY THESE PRESENTS, That in consideration of other good and valuable considerations and the sum of **One Hundred Twenty Nine Thousand Nine Hundred and 00/100 Dollars (\$129,900.00)** to the undersigned GRANTORS in hand paid by the GRANTEES herein, the receipt of which is hereby acknowledged, **James B. McCabe, Jr. and Robin J. McCabe, husband and wife** (hereinafter referred to as GRANTORS), do hereby grant, bargain, sell and convey unto **Kennan L. Smith and Kristy L. Russell-Smith, husband and wife** (hereinafter referred to as GRANTEES), for and during their joint lives and upon the death of either of them, then to the survivor of them in fee simple, together with every contingent remainder and right of reversion, the following described real estate situated in the County of **Shelby** and State of Alabama, to-wit:

Lot 23, according to the Survey of Hamlet, Fifth Sector, as recorded in Map Book 9, Page 70, in the Probate Office of Shelby County, Alabama.

Note: \$132,450.00 of the above purchase price is in the form of a mortgage in favor of Wells Fargo Home Mortgage, Inc., executed and recorded simultaneously herewith.

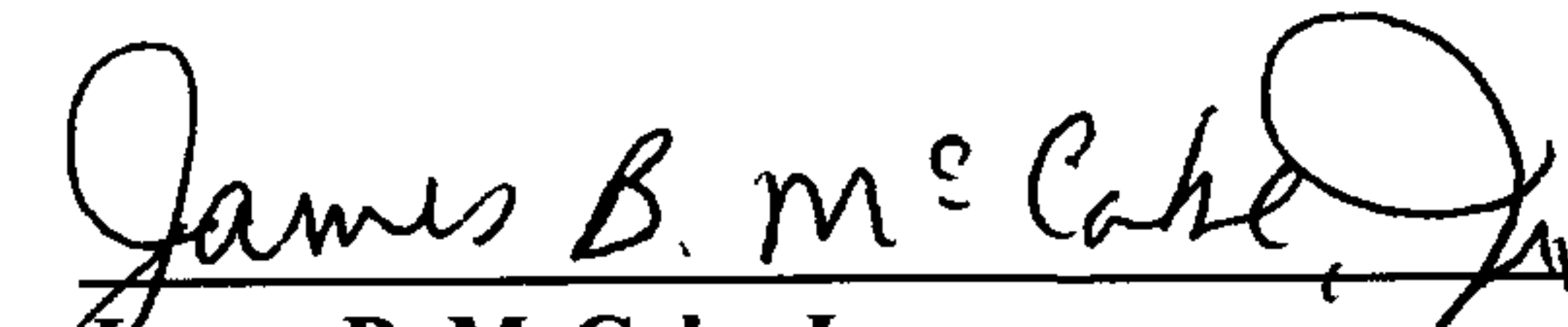
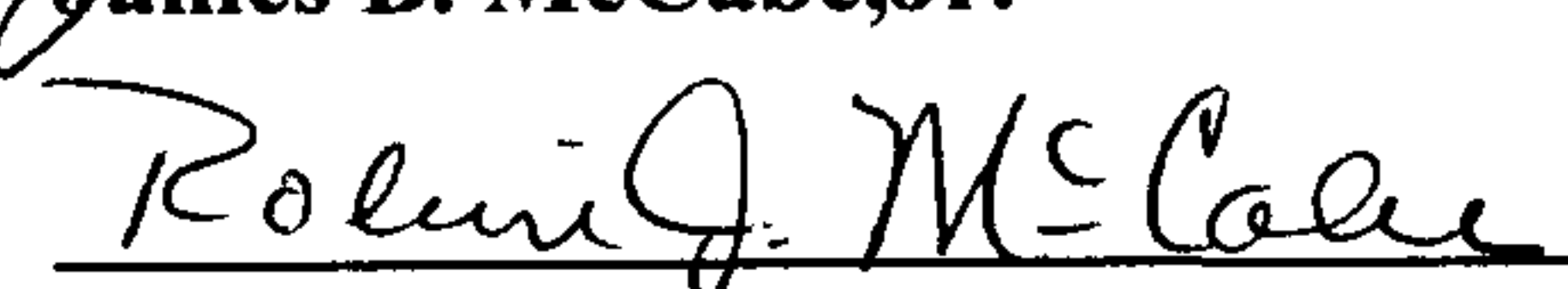
This conveyance is hereby made subject to restrictions, easements and rights of way of record in the Probate Office of Shelby County, Alabama.

Together with all and singular the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining in fee simple.

TO HAVE AND TO HOLD the same unto GRANTEES for and during their joint lives and upon the death of either of them, then to the survivor of them in fee simple, and to the heirs and assigns of such survivor forever, together with every contingent remainder and right of reversion.

And said GRANTORS do for themselves, their successors and assigns covenant with the said GRANTEES, their heirs and assigns, that GRANTORS are lawfully seized in fee simple of said premises, that they are free from all encumbrances, unless otherwise noted above, that they are entitled to the immediate possession thereof; that GRANTORS have a good right to sell and convey the same as aforesaid; that GRANTORS will and their heirs and assigns shall, warrant and defend the same to the said GRANTEES, their heirs and assigns forever, against the lawful claims of all persons.

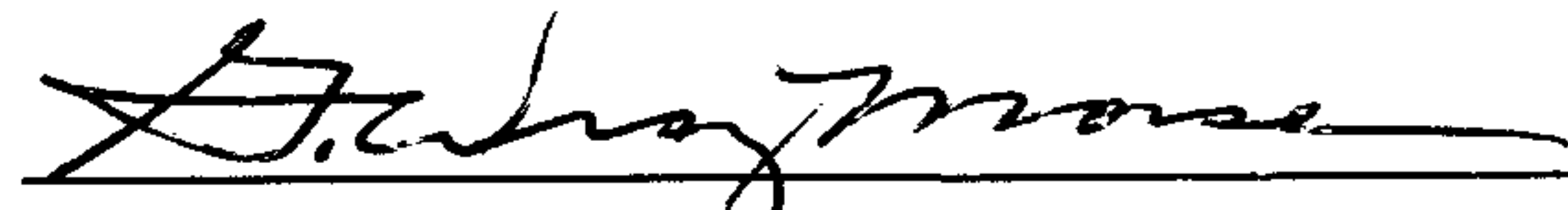
IN WITNESS WHEREOF, we have hereunto set our hands and seals on this the **28th** day of **August**, **2002**.


James B. McCabe, Jr.

Robin J. McCabe

STATE OF ALABAMA
COUNTY OF SHELBY

I, the undersigned, a notary public in and for said county in said state, hereby certify that **James B. McCabe, Jr. and Robin J. McCabe, husband and wife**, 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 day the same bears date.

Given under my hand and official seal this the **28th** day of **August**, **2002**.


G. Wray Morse, Notary Public

My Commission Expires: **9/10/2004**