


This Instrument Prepared By:  
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Send Tax Notice To:  
MICHAEL SMITH  
3005 BROOKHILL DR.  
BIRMINGHAM  
35242

**STATUTORY JOINT TENANCY WARRANTY DEED**

STATE OF ALABAMA     )  
SHELBY COUNTY        )

  
20021203000601970 Pg 1/2 103.00  
Shelby Cnty Judge of Probate, AL  
12/03/2002 14:58:00 FILED/CERTIFIED

**KNOW ALL MEN BY THESE PRESENTS:** That in consideration of eighty-nine thousand and No/100 Dollars (\$89,000.00), and other good and valuable considerations, to the undersigned Grantor (whether one or more), in hand paid by Grantees herein, the receipt whereof is acknowledged, Bobby J. Durham, a married man, Stephen M. Stamba, a married man, Joseph A. Stamba, a married man and Peter C. Rouveyrol, a married man (herein referred to as Grantor, whether one or more), grant, bargain, sell and convey unto Michael H. Smith and Deborah S. Smith (herein 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 Shelby County, Alabama, to-wit:

As described on Exhibit "A" attached hereto and incorporated by reference herein.

**SUBJECT TO:** (1) Taxes due in the year 2003 and thereafter; (2) The fact that the property is under a current use assessment; (3) Easements, restrictions, and rights-of-way of record; (4) Mineral and mining rights not owned by the Grantors; (5) Riparian rights, if any, in and to the use of the Cahaba River; (6) Rights of others to use easement described in the legal description.

The Property conveyed herein is not the homestead of any of the grantors or their spouses.

**TO HAVE AND TO HOLD** to the said 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.

**IN WITNESS WHEREOF**, the undersigned, has hereunto set their hand and seal, this the 21 day of November, 2002.

  
Bobby J. Durham

  
Joseph A. Stamba

  
Stephen M. Stamba

  
Peter C. Rouveyrol

STATE OF ALABAMA     )  
 COUNTY     )

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Bobby J. Durham, Stephen M. Stamba, Joseph A. Stamba and Peter C. Rouveyrol, 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 foregoing instrument they executed the same voluntarily on the day the same bears date.

Given under my hand and seal this 21 day of November, 2002.

  
Notary Public

My Commission Expires: 3.1.06

ALTA Commitment (1982)

**First American Title Insurance Company****EXHIBIT  
~~DEED~~ A - LEGAL DESCRIPTION**

Agent's File No.: 141303

A Parcel of land located in the NW ¼ of Section 16, Township 21 South, Range 4 West, Shelby County, Alabama, and being more particularly described as follows:

Commence at the NW corner of said Section 16; thence South 01 deg. 45 min. 08 sec. East and along West line of said Section 16, a distance of 2,390.27 feet to the point of beginning; thence continue South 01 deg. 45 min. 08 sec. East a distance of 1,538.28 feet to a point on the North bank of the Cahaba River; thence North 19 deg. 14 min. 20 sec. East and along said North bank a distance of 132.68 feet; thence North 37 deg. 30 min. 19 sec. East and along said North bank a distance of 148.12 feet; thence North 29 deg. 54 min. 01 sec. East and along said North bank a distance of 333.08 feet; thence North 28 deg. 12 min. 03 sec. East and along said North bank a distance of 808.58 feet; thence North 31 deg. 45 min. 57 sec. East and along said North bank a distance of 43.56 feet; thence North 71 deg. 10 min. 23 sec. West and leaving said North bank a distance of 794.52 feet to the point of beginning.

**NON-EXCLUSIVE**

Also a 50 foot Ingress/Egress/Drainage/Utility Easement lying 25 feet on either side of the following described centerline:

Commence at the NW corner of said Section 16; thence South 01 deg. 45 min. 08 sec. East and along West line of Section 16 a distance of 437.44 feet; thence North 88 deg. 14 min. 52 sec. East and leaving said West line a distance of 25.00 feet to a point the centerline of an unnamed dirt road, said point being the point of beginning; thence South 01 deg. 45 min. 08 sec. East and parallel the West line of said Section 16, a distance of 1,935.14 feet to the point of termination. The eastern most line of said 50 foot easement shall be extended or shortened to coincide with the centerline of said unnamed dirt road and the North line of subject property.