

✓ This Instrument Prepared By:  
Christopher R. Smitherman, Attorney at Law  
Law Offices of Christopher R. Smitherman, LLC  
Post Office Box 261  
Montevallo, Alabama 35115  
(205) 665-4357

Send Tax Notice:  
Tommy E. Gates  
Joyce Elaine Gates  
507 Church Street  
Wilton, AL 35167

STATE OF ALABAMA                     )  
  )  
SHELBY COUNTY                     )     **WARRANTY DEED: JOINT TENANCY  
WITH RIGHT OF SURVIVORSHIP**

KNOW ALL MEN BY THESE PRESENTS, that for and in consideration of the sum of **Eighty-One Thousand Nine Hundred & 00/100 Dollars (\$81,900.00)** and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, that, **Mary Lou Rutherford, a married person and Wilda Moore, a married person**, hereinafter called "Grantors", do hereby GRANT, BARGAIN, SELL AND CONVEY unto **Tommy E. Gates and wife, Joyce Elaine Gates**, hereinafter called "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:

**See attached Legal Description marked as Exhibit "A"**

**Note: This property does constitute homestead for the Grantors.**

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

The Grantors, do individually and for the heirs, executors, and administrators of the Grantors covenant with said Grantees and the heirs and assigns of the Grantees, that the Grantors are lawfully seized in fee simple of said premises; that said premises are free from all encumbrances, unless otherwise noted above; that the Grantors have a good right to sell and convey the said premises; that the Grantors and the heirs, executors, administrators of the Grantors shall warrant and defend the said premises to the Grantees and the heirs and assigns of the Grantees forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the Grantors have executed this Deed and set the seal of the Grantors thereto on this date the 3<sup>rd</sup> day of February, 2003.

GRANTORS

Mary Lou Rutherford (L.S.)  
Mary Lou Rutherford

Wilda Moore (L.S.)  
Wilda Moore

STATE OF ALABAMA                     )  
  )  
SHELBY COUNTY                     )     **ACKNOWLEDGMENT**

I, Chris Smitherman, a Notary Public for the State at Large, hereby certify that the above posted names, *Mary Lou Rutherford and Wilda Moore*, which are signed to the foregoing Deed, who are known to me, acknowledged before me on this day that, being informed of the contents of the Deed, that said persons executed the same voluntarily on the day the same bears date.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE on this the 3<sup>rd</sup> day of February, 2003.

Chris Smitherman  
NOTARY PUBLIC  
My Commission Expires: 5/13/04

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

Lots 7, 8, 9, 10 and 11, in Block 1, according to the Nabor's Map of Wilton as recorded in the Office of the Judge of Probate of Shelby County, Alabama in Map Book 3, on Page 33, in the Probate Office of Shelby County, Alabama.

ALSO, part of the North half of the SE  $\frac{1}{4}$  of Section 8, Township 24, Range 12 East, lying between the above lots and the Southern Railroad and more particularly described as follows: Beginning at the Southeast corner of said Lot No. 7 in Block 1 of said survey and run South 35 degrees 30 minutes West along the Southeasterly line of Lots 7, 8, 9, 10 and 11, a distance of 375 feet to the southernmost corner of Lot 11; thence run North 57 degrees 45 minutes West along the West boundary of Lot 11 a distance of 50 feet; thence South 35 degrees 30 minutes West 144 feet; thence South 61 degrees 30 minutes East 174 feet to the right of way of the Southern Railroad; thence North 34 degrees 30 minutes East along the right of way of said railroad 512 feet; thence North 57 degrees 45 minutes West 109 feet to the point of beginning.