

THIS INSTRUMENT PREPARED BY:  
Beadles, Newman & Lawler  
3500 Hulen  
Fort Worth, Tx 76107

SEND TAX NOTICE TO:

20030304000132110 Pg 1/3 364.00  
Shelby Cnty Judge of Probate, AL  
03/04/2003 14:19:00 FILED/CERTIFIED

STATE OF ALABAMA

COUNTY OF SHELBY

KNOW ALL MEN BY THESE PRESENTS, That in consideration of Three Hundred Forty-Seven Thousand and 00/100 Dollars-----(\$347,000.00)--- to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt whereof is acknowledged, we **TERRY A. SMITH AND KATHRYN A. SMITH**, ~~herein referred to as grantors, whether one or more~~) does grant, bargain, sell and convey unto **PRUDENTIAL RESIDENTIAL SERVICES, LIMITED PARTNERSHIP, A DELAWARE LIMITED PARTNERSHIP** (herein referred to as GRANTEES) ~~as joint tenants, with right of survivorship,~~ the following described real estate situated in **SHELBY County, ALABAMA: \*\* Husband and Wife**

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

Subject to:

Ad valorem taxes for 2003 and subsequent years not yet due and payable until October 1, 2003. Existing covenants and restrictions, easements, building lines, and limitations of record.

TO HAVE AND TO HOLD Unto the said GRANTEES, ~~as joint tenants, with right of survivorship,~~ their <sup>successors</sup> heirs and assigns, forever; ~~knowing 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 grantors herein in the event one grantor herein survives the other, the entire interest in fee simple shall pass to the surviving grantor, and if none does survive the other, then the heirs and assigns of the grantors hereby shall take as tenants in common.~~

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

IN WITNESS WHEREOF, we have hereunto set our hands and seals this 18 day of APRIL, 2002.

TERRY A. SMITH

KATHRYN A. SMITH

STATE OF KANSAS }

JOHNSON COUNTY }

I, the undersigned authority, a Notary Public, in and for said County in said State, hereby certify that **TERRY A. SMITH**, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance, (s)he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 18 day of APRIL, 2002

Notary Public AIDA ROBLES

My Commission Expires: 04-06-03

AFFIX SEAL

**AIDA ROBLES**  
Notary Public - State of Kansas  
My Appt. Expires 04-06-03

CLAYTON T. SWEENEY, ATTORNEY AT LAW

STATE OF KANSAS }

JOHNSON COUNTY }

I, the undersigned authority, a Notary Public, in and for said County in said State, hereby certify that **KATHRYN A. SMITH**, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance, (s)he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 18 day of APRIL, 2002.

  
\_\_\_\_\_  
Notary Public AIDA ROBLES

My Commission Expires: 04-06-03

AFFIX SEAL





AFTER RECORDING RETURN TO:

EXHIBIT "A"

STATE OF ALABAMA        COUNTY OF SHELBY  
LOT 238, ACCORDING TO THE SURVEY OF HIGHLAND LAKES 2ND SECTOR, AS RECORDED IN MAP  
BOOK 20, PAGE 150, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

TOGETHER WITH NON-EXCLUSIVE EASEMENT TO USE THE PRIVATE ROADWAYS, COMMON AREA,  
ALL AS MORE PARTICULARLY DESCRIBED IN THE DECLARATION OF EASEMENTS AND MASTER  
PROTECTIVE COVENANTS FOR HIGHLAND LAKES, A RESIDENTIAL SUBDIVISION, RECORDED IN  
INSTRUMENT# 1994-07111, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA, AND THE  
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR HIGHLAND LAKES, A  
RESIDENTIAL SUBDIVISION, 2ND SECTOR, RECORDED IN INSTRUMENT# 1996-10928, IN THE  
PROBATE OFFICE OF SHELBY COUNTY, ALABAMA, (WHICH, ALTOGETHER WITH ALL  
AMENDMENTS THERETO, IS HEREAFTER COLLECTIVELY REFERRED TO AS, THE "DECLARATION").

SIGNED FOR IDENTIFICATION:

  
TERRY A. SMITH  
  
KATHRYN A. SMITH