

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:
Jeffrey A. Smith and Malinda E. Smith
1809 Amberley Woods Way
Helena, Alabama 35080

**STATE OF ALABAMA
COUNTY OF SHELBY**

Know All Men by These Presents: That in consideration of **One hundred thirty three thousand and no/100 (\$133,000.00)** to the undersigned grantor (whether one or more), in hand paid by the grantee herein, the receipt where is acknowledged, I or we, **Melissa Foster f/k/a Melissa Pratt Key and David Foster, wife and husband** (herein referred to as grantor, whether one or more), grant, bargain, sell and convey unto **Jeffrey A. Smith and Malinda E. Smith** (herein referred to as grantee, whether one or more), the following described real estate, situated in **Shelby County, Alabama**, to-wit:

Lot 37, according to the Amended Map of Amberley Woods, 6th Sector, as recorded in Map Book 22, Page 48, in the Probate Office of Shelby County, Alabama.

Melissa Pratt Key and Melissa Foster are one and the same person.

Mineral and mining rights excepted.

\$131,957.00 of the purchase price recited above was paid from mortgage loan closed simultaneously herewith.

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

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 12th day of August, 2003.

Witness



Melissa Foster f/k/a Melissa Pratt Key

Witness

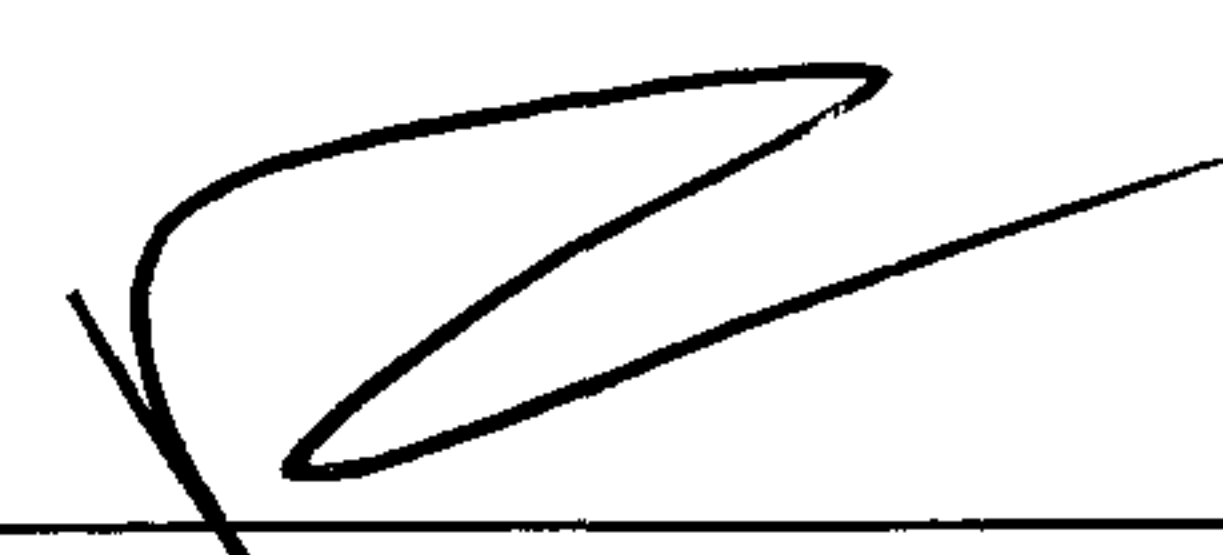


David Foster

**STATE OF ALABAMA
COUNTY OF SHELBY**

I, **B. CHRISTOPHER BATTLES**, a Notary Public in and for said County, in said State, hereby certify that **Melissa Foster f/k/a Melissa Pratt Key and David Foster, 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 12th day of August, 2003.



Notary Public
My Commission Expires: 02-25-05