


DS  
10927

  
20040615000323020 Pg 1/2 26.50  
Shelby Cnty Judge of Probate, AL  
06/15/2004 10:30:00 FILED/CERTIFIED

---

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was  
prepared by:

R. Shan Paden  
PADEN & PADEN  
Attorneys at Law  
5 Riverchase Ridge, Suite 100  
Birmingham, Alabama 35244

SEND TAX NOTICE TO:

ANDREW WHITE  
100 SPRING PLACE  
ALABASTER, AL 35007

STATE OF ALABAMA)

COUNTY OF SHELBY)

**JOINT TENANTS WITH RIGHT OF SURVIVORSHIP**

**WARRANTY DEED**

**Know All Men by These Presents:** That in consideration of ONE HUNDRED TWENTY ONE THOUSAND NINE HUNDRED DOLLARS and 00/100 (\$121,900.00) to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, we, KATHRYN J. ROBINSON SMITH AND RAYMOND L. SMITH, JR., WIFE AND HUSBAND (herein referred to as GRANTORS) do grant, bargain, sell and convey unto ANDREW WHITE, (herein referred to as GRANTEES, as joint tenants, with right of survivorship, whether one or more) the following described real estate, situated in SHELBY County, Alabama, to-wit:

LOT 28 ACCORDING TO THE SURVEY OF SPRING GATE SECTOR ONE PHASE TWO AS RECORDED IN MAP BOOK 18, PAGE 148 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

SUBJECT TO:

1. TAXES FOR THE YEAR 2003 WHICH CONSTITUTE A LIEN BUT ARE NOT YET DUE AND PAYABLE UNTIL OCTOBER 1, 2004.
2. BUILDING LINES, EASEMENTS AND RESTRICTIONS OF RECORD.
3. RIGHT OF WAY GRANTED TO ALABAMA POWER COMPANY BY INSTRUMENT RECORDED IN VOLUME 225, PAGE 224 AND VOLUME 55, PAGE 454 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
4. ARTICLES OF INCORPORATION OF SPRING GATE ESTATES RECORDED IN INSTRUMENT 1994-36550, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
5. RESTRICTIONS APPEARING OF RECORD IN INSTRUMENT 1993-39484 AND INSTRUMENT 1995-12815 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

\$109,710.00 of the consideration herein was derived from a mortgage closed simultaneously herewith.

**TO HAVE AND TO HOLD** Unto the said GRANTEES 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 hereby 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 the said GRANTEES, 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 noted 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 GRANTEES, his, her, or their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the said GRANTORS, KATHRYN J. ROBINSON SMITH AND RAYMOND L. SMITH, JR. have hereunto set his, her or their signature(s) and seal(s), this the 1st day of June, 2004.

  
KATHRYN J. ROBINSON SMITH


  
RAYMOND L. SMITH, JR.

STATE OF ALABAMA)  
COUNTY OF SHELBY)

#### ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that KATHRYN J. ROBINSON SMITH, RAYMOND L. SMITH, JR., whose name(s) is (are) signed to the foregoing conveyance, and who is (are) known to me, acknowledged before me on this day that, being informed of the contents of the conveyance he, she, or they executed the same voluntarily on the day the same bears date.

Given under my hand this the 1st day of June, 2004.



Notary Public

My commission expires: 7/1/06