

**WARRANTY DEED  
JOINTLY WITH REMAINDER TO SURVIVOR**

**STATE OF ALABAMA  
COUNTY OF SHELBY**

**KNOW ALL MEN BY THESE PRESENTS**, that in consideration of the sum of Five Hundred Fifty Thousand Dollars & 00/100--- (\$550,000.00) and other valuable considerations to the undersigned GRANTOR(S) M. AUTREY McMILLAN AND DONNA W. McMILLAN, TRUSTEES, UNDER THE McMILLAN LIVING TRUST, DATED MARCH 4, 2003 (hereinafter referred to as GRANTORS), in hand paid by the GRANTEE(S) herein, the receipt of which is hereby acknowledged, the said GRANTORS does by these presents GRANT, BARGAIN, SELL and CONVEY unto RAYMOND L. SMITH, III AND HELEN P. SMITH hereinafter referred to as GRANTEE(S), 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 County of Shelby, State of Alabama, to-wit:

**LOT 2119, ACCORDING TO BROOK HIGHLAND, AN EDDLEMAN COMMUNITY, 21<sup>ST</sup> SECTOR, PHASE 2, AS RECORDED IN MAP BOOK 18, PAGE 129, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.**

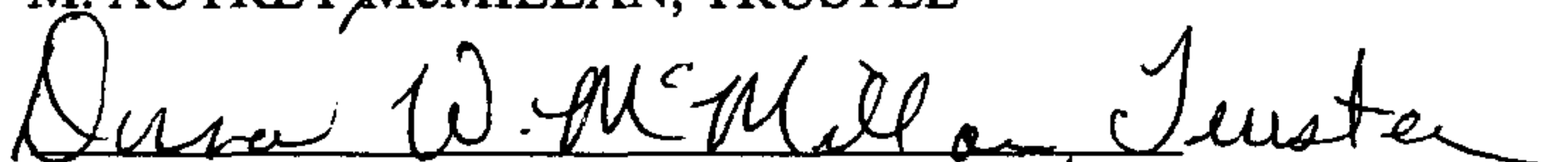
**TO HAVE AND TO HOLD**, to the said GRANTEE (S), for and during their joint lives together and upon the death of either of them, then to the survivor of them in fee simple, and to their heirs and assigns of such survivor forever, together with every contingent remainder and right of reversion.

And I/we do for myself (ourselves) and for my (our) heirs, executors and administrators covenant with the said GRANTEES, their heirs and assigns, that I am (we are) lawfully seized in fee simple of said premises; that they are free from all encumbrances, that I (we) have a good right to sell and convey the same to the said GRANTEE(S), their heirs and assigns forever, against the lawful claims all persons, except as to the hereinabove restrictive covenants, conditions, easements and ad valorem taxes of record and do hereby **WARRANT AND WILL FOREVER DEFEND** the title to said property and the possession thereof.

**IN WITNESS WHEREOF**, I/we have hereunto set my/our hand and seal, this the 2<sup>nd</sup> day of August, 2004.

McMILLAN LIVING TRUST, DATED MARCH 4, 2003.

  
M. AUTREY McMILLAN, TRUSTEE

  
DONNA W. McMILLAN, TRUSTEE

**STATE OF ALABAMA  
COUNTY OF SHELBY**

I, the undersigned, a Notary Public in and for said county and state hereby certify that M. AUTREY McMILLAN AND DONNA W. McMILLAN, TRUSTEES UNDER THE McMILLAN LIVING TRUST, DATED MARCH 4, 2003 whose name(s) is/are signed to the forgoing instrument, and who is/are known to me, acknowledged before me on this day that, being informed of the contents of the instrument, they have executed the the same same voluntarily and with full authority on the day the same bears date.

GIVEN under my hand and seal this the 2<sup>nd</sup> day of August, 2004.

My Comm. Exp.:

  
CHRISTOPHER P. MOSELEY, NOTARY PUBLIC  
MY COMMISSION EXPIRES 10/27/05

THIS INSTRUMENT PREPARED BY:  
CHRISTOPHER P. MOSELEY  
MOSELEY & ASSOCIATES, P.C.  
3800 COLONNADE PARKWAY, SUITE 630  
BIRMINGHAM, AL 35243