

WARRANTY DEED

20041012000564300 Pg 1/1 611.00
Shelby Cnty Judge of Probate, AL
10/12/2004 12:22:00 FILED/CERTIFIED

KNOW ALL MEN BY THESE PRESENTS, That for and in consideration of SIX HUNDRED THOUSAND AND NO/100 DOLLARS (\$600,000.00) to the undersigned GRANTORS in hand paid by the GRANTEES herein, the receipt whereof is acknowledged, **WILLIAM P. BRYANT and spouse, KONIE O. BRYANT** (GRANTORS) do grant, bargain, sell and convey unto **WILLIAM O. SMITH and GALE T. SMITH**(GRANTEES) as Joint Tenants with Right of Survivorship, the following described real estate situated in SHELBY COUNTY, ALABAMA to-wit:

LOT 1, ACCORDING TO THE SURVEY OF STONEGATE REALTY, PHASE ONE-1ST ADDITION AS RECORDED IN MAP BOOK 31, PAGE 11, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

SUBJECT TO:

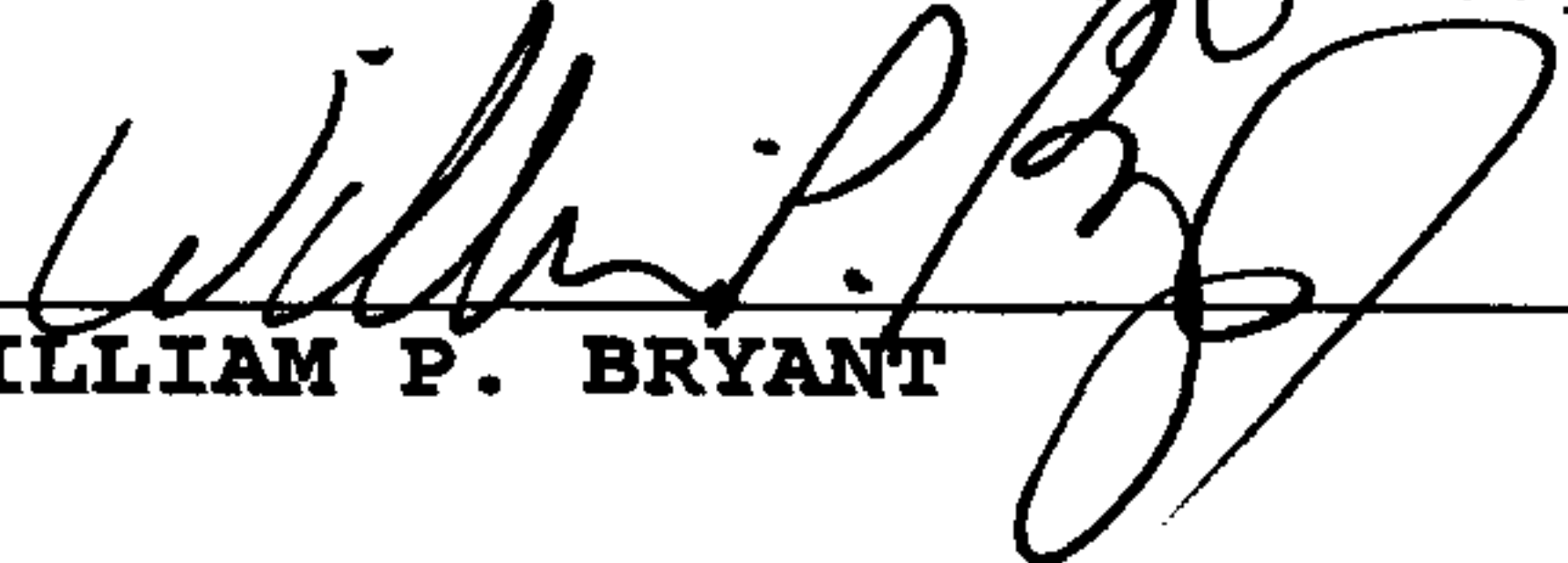
1. ADVALOREM TAXES DUE OCTOBER 1, 2004.
2. TERMS, CONDITIONS, RESERVATIONS AND RESTRICTIONS AS SHOWN ON RECORDED MAP.
3. MINERAL AND MININGS RIGHTS NOT OWNED BY GRANTOR.
4. TERMS, CONDITIONS, RESERVATIONS, AND RESTRICTIONS IN INST# 1993-08110.
5. TERMS AND CONDITIONS AS SET FORTH IN THE EASEMENT AND USE RESTRICTION AGREEMENT IN INST# 2001-02969.
6. RIGHT OF WAY GRANTED TO ALABAMA POWER COMPANY IN DEED BOOK 138, PAGE 307 AND IN DEED BOOK 148, PAGE 18.
7. COVENANTS, CONDITIONS, AND CONDITIONS SET FORTH IN INST# 2001-05954, RESTATED IN INST# 2001-12016, AND FUTHER AMMENDED IN INST# 2003-0224000111660, TOGHEATHER WITH ARTICLES OF INCORPORATION OF STONEGATE FARMS PROPERTY OWNERS ASSOCIATION, INC. AS SET FORTH IN INST# 2001-5955.
8. TERMS, CONDITIONS, RESTRICTIONS, RIGHTS, EASEMENTS, AND RELEASE OF DAMAGES IN INST# 2003022000111680, INST# 20040312000127800, AND INST# 20040322000143370.
9. RIPARIAN AND OTHER RIGHTS CREATED BY THE FACT THAT SUBJECT PROPERTY FRONTS ON SMYER LAKE ALSO KNOWN AS GREAT PINE LAKE.

TOGETHER WITH ONE (1) 'LAKE RIGHT' GRANTED TO GRANTORS IN THAT CERTAIN DEED DATED FEBRUARY 13, 2003 AND RECORDED IN INST# 2003-0224000111640 SUBJECT TO THE TERMS, CONDITIONS, AND REQUIREMENTS OF THAT CERTAIN UNRECORDED AGREEMENT BETWEEN INGRID FRANCES SMYER-DUBROW, HARALD L. SMYER, JR., S.W. SMYER, JR., AND SHELBY LAKE CORPORATION.

TOGETHER WITH THE NONEXCLUSIVE EASEMENT TO USE THE DEVELOPMENT ROADS, AS MORE PARTICULARLY DEFINED AND DESCRIBED IN THE COVENANTS.

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, the heirs and assigns of the grantees herein shall take as tenants in common. And said GRANTORS do for themselves, their heirs, successors, assigns, and personal representatives covenant with said GRANTEES, their heirs, successors and assigns that they are lawfully seized in fee simple of said premises, that they are free from all encumbrances, unless otherwise noted above, that they have a good right to sell and convey the same as aforesaid, and that they will and their heirs, successors, assigns and personal representatives shall, warrant and defend the same to the said GRANTEES, their heirs, successors and assigns forever, against the lawful claims of all persons.

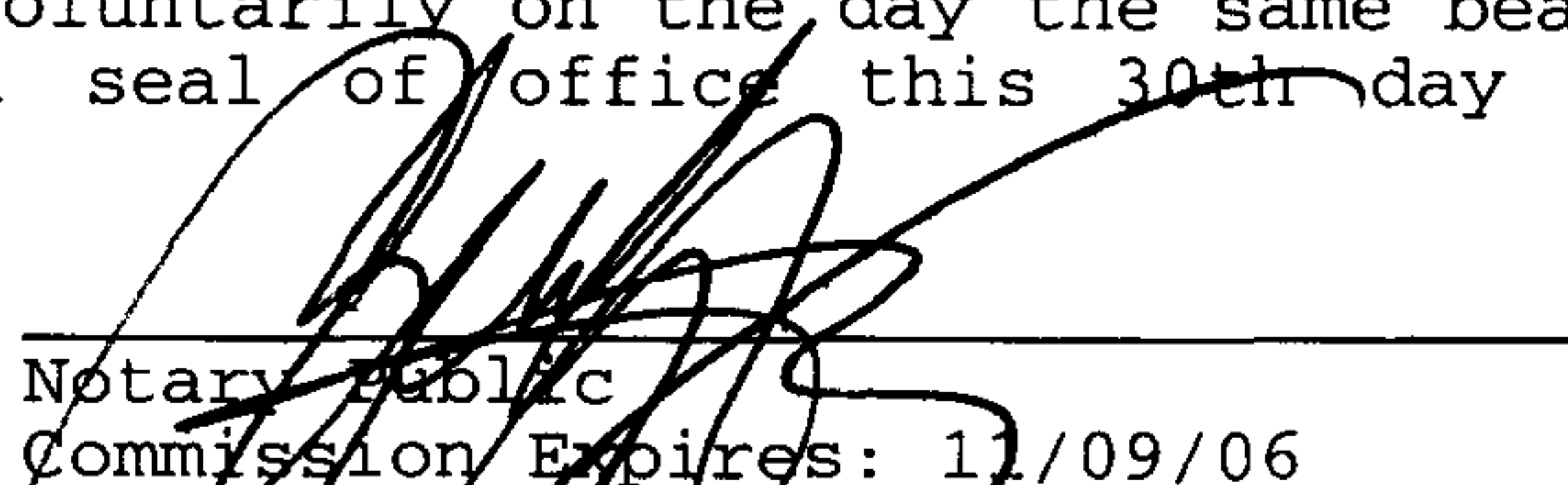
IN WITNESS WHEREOF, the said GRANTORS have caused this conveyance to be executed this the 30th day of SEPTEMBER, 2004.


WILLIAM P. BRYANT SEAL


KONIE O. BRYANT SEAL

STATE OF ALABAMA
COUNTY OF JEFFERSON

I, Gene W. Gray, Jr., P.C., a Notary Public, in and for said County in said State, hereby certify that **WILLIAM P. BRYANT and spouse, KONIE O. BRYANT** whose names 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 said conveyance, they executed the same voluntarily on the day the same bears date. Given under my hand and official seal of office this 30th day of SEPTEMBER, 2004.


Notary Public
Commission Expires: 11/09/06

THIS INSTRUMENT PREPARED BY:
GENE W. GRAY, JR.
2100 SOUTHBRIDGE PARKWAY, SUITE 638
BIRMINGHAM, AL 35209
205 879 3400

SEND TAX NOTICE TO:
WILLIAM O. SMITH
GALE T. SMITH
2280 TANGLEWOOD BROOK LANE
BIRMINGHAM, AL 35243
03-6-24-0-000-041.014