

This instrument was prepared by:  
Wallace, Ellis, Fowler & Head  
P O Box 587  
Columbiana, AL 35051

Send Tax Notice to:

Richard Sturm

1260 Hwy 77  
Columbiana, AL 35051

20041109000615920 Pg 1/2 56.00  
Shelby Cnty Judge of Probate, AL  
11/09/2004 09:52:00 FILED/CERTIFIED

**WARRANTY DEED, JOINT TENANTS WITH RIGHT OF SURVIVORSHIP**

STATE OF ALABAMA )  
SHELBY COUNTY )

KNOW ALL MEN BY THESE PRESENTS, That in consideration of **FORTY TWO THOUSAND AND NO/00 (\$42,000.00)**, to the undersigned grantor (whether one or more), in hand paid by grantee herein, the receipt whereof is acknowledged, I or we, **Frank B. Smith, Jr., an unmarried man (herein referred to as grantor, whether one or more)** grant, bargain, sell and convey unto, **Richard Sturm and Jerry Sturm, (herein referred to as grantee, whether one or more)**, the following described real estate, situated in: Shelby County, Alabama, to-wit:

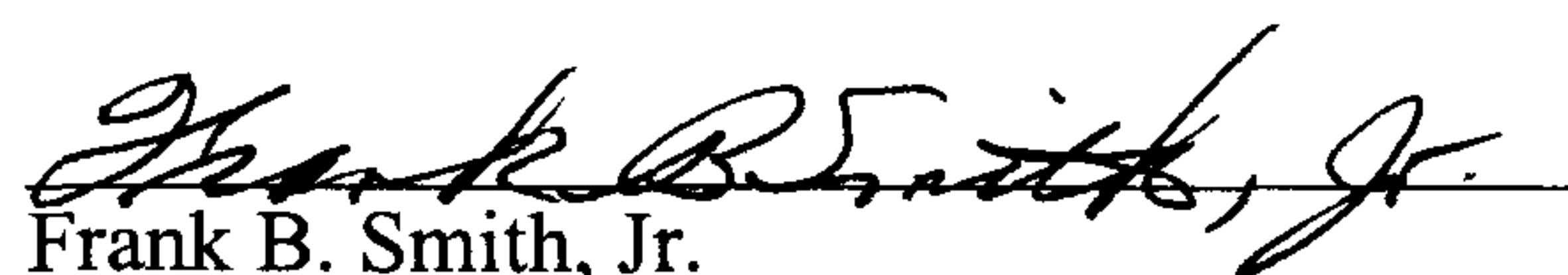
See Attached Exhibit "A" for Legal Description.

Subject to taxes for 2005 and subsequent years, easements, restrictions, rights of way and permits of record.

**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, their heirs and assigns, and 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, heirs, executors and assigns forever, against the lawful claims of all persons.

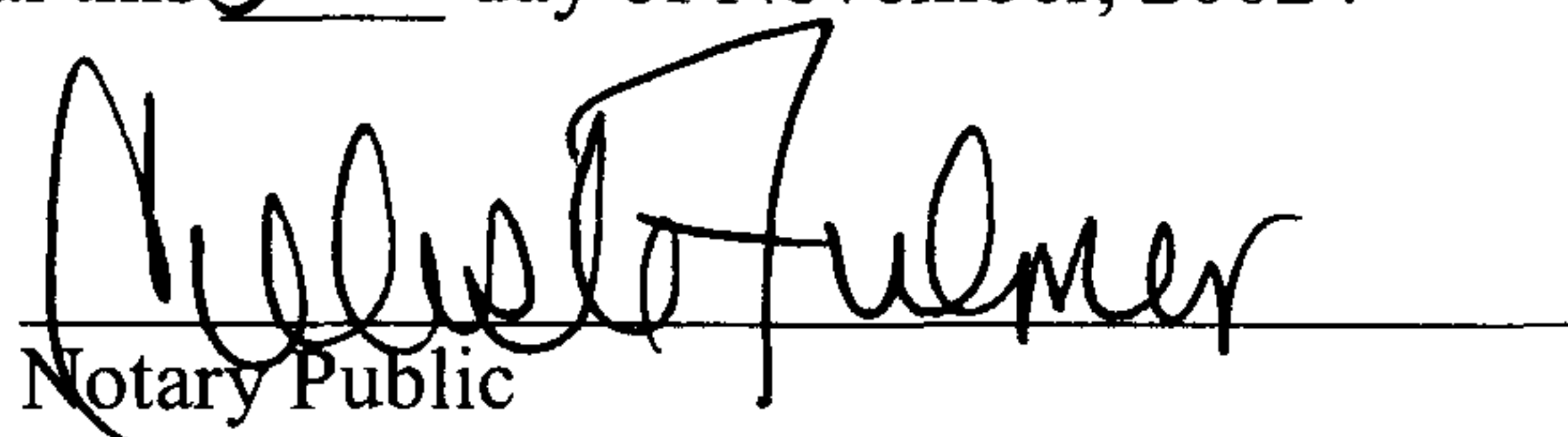
**IN WITNESS WHEREOF**, I have hereunto set my hand and seal this 5<sup>th</sup> day of November, 2004.

  
Frank B. Smith, Jr.

STATE OF ALABAMA)  
SHELBY COUNTY )

I, the undersigned authority, a Notary Public in and for said County, in said State hereby certify that Frank B. Smith, Jr., 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 she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 5<sup>th</sup> day of November, 20024

  
Notary Public

My commission expires: 10-6-08

Wallace Ellis

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

**PARCEL 1:**

**A parcel of land lying in the Northeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of Section 4, Township 22 South, Range 1 East, Shelby County, Alabama and being more particularly described as follows:**

**Beginning at an open top pipe found at the Southeast corner of said Section 4; thence run No 88 deg. 22 min. 55 sec. West along the South line of the Northeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of said Section 4 a distance of 770.16 feet to a rebar found; thence run North 02 deg. 24 min. 48 sec. West a distance of 772.30 feet to a 1/2" rebar set; thence run South 86 deg. 31 min. 59 sec. East a distance of 360.00 feet to a 1/2" rebar set; thence run North 02 deg. 24 min. 48 sec. West a distance of 610.00 feet to a 1/2" rebar set; thence run South 86 deg. 31 min. 59 sec. East along the North line of said  $\frac{1}{4}$  -  $\frac{1}{4}$  a distance of 469.58 feet to an iron pin found; thence run South 00 deg. 00 min. 00 sec. East along the East line of said  $\frac{1}{4}$  -  $\frac{1}{4}$  a distance of 1352.66 feet to the Point of Beginning. LESS AND EXCEPT any and all of the right of way of Finley Road over and across said described property.**