

SEND TAX NOTICE TO:
Kevin Gann and Jennifer Gann
936 Greystone Highlands Circle
Birmingham, AL 35242

This instrument was prepared by:

Sunny Henderson
Shannon Price, Attorney
300 Office Park Drive, Suite 230
Birmingham, AL 35223


2005011300020300 Pg 1/2 567.50
Shelby Cnty Judge of Probate, AL
01/13/2005 07:54:00 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 **Five Hundred Fifty Three Thousand Five Hundred dollars & no cents (\$553,500.00)**

To the undersigned **GRANTOR(S)** in hand paid by the **GRANTEE(S)** herein, the receipt whereof is acknowledged,

Laura Dickert Smith, a/k/a Laura D. Smith, a married woman(herein referred to as **GRANTOR(S)**), do grant, bargain, sell and convey unto **Kevin Gann and wife, Jennifer Gann**(herein referred to as **GRANTEE(S)**), as joint tenants, with right of survivorship, the following described real estate, situated in **Shelby County, Alabama**, to-wit:

4755
FROM A 8"X8" CONCRETE MONUMENT AT THE N.E. CORNER OF SECTION 12, T20S-R1W, RUN THENCE E (TRUE) N 88°53'18"E ALONG THE NORTH BOUNDARY OF SAID SECTION 12 FOR A DISTANCE OF 267.65 FEET TO A POINT THAT IS S 88°53'18"W 5034.76 FEET OF A 1.5" CRIMPED PIPE AT THE N.E CORNER OF SECTION 12, BEING THE POINT OF BEGINNING OF HEREIN DESCRIBED PARCEL OF LAND; RUN THENCE S 02°57'06"W ALONG AN ACCEPTED PROPERTY LINE FOR A DISTANCE OF 898.83 FEET TO A 3" ROUND CONCRETE MONUMENT ON THE NORTHERLY BOUNDARY OF SHELBY COUNTY ROAD #32 (80' R.O.W), SAID POINT BEING ON A CURVE CONCAVE RIGHT, HAVING A DELTA ANGLE OF 40°51'56" AND TANGENTS OF 314.90 FEET; THENCE RUN N 83°22'49"E FOR A CHORD DISTANCE OF 285.90 FEET TO A 1/2" REBAR AT THE P.T.; THENCE RUN S 86°52'57"E ALONG SAID ROAD BOUNDARY FOR A DISTANCE OF 29.86 FEET TO A 1/2" REBAR AT THE P.C. OF A CURVE CONCAVE RIGHT, HAVING A DELTA ANGLE OF 32°18'33" AND TANGENTS OF 306.59 FEET; THENCE RUN S 70°43'40"E FOR A DISTANCE OF 588.96 FEET TO A 1/2" REBAR AT THE P.T.; THENCE RUN S 54°54'24"E ALONG SAID ROAD BOUNDARY FOR A DISTANCE OF 17.96 FEET TO A 1/2" REBAR; THENCE RUN N 00°17'57"W ALONG AN ACCEPTED PROPERTY LINE FOR A DISTANCE OF 162.38 FEET TO A 1/2" REBAR; THENCE RUN N 89°37'53"E ALONG AN ACCEPTED PROPERTY LINE FOR A DISTANCE OF 210.00 FEET TO A 1/2" PIPE; THENCE RUN N 00°24'43"E ALONG AN ACCEPTED PROPERTY LINE FOR A DISTANCE OF 927.59 FEET TO A 5/8" REBAR ACCEPTED AS THE S.E. CORNER OF THE SW1/4-SW1/4 OF SECTION 1, T20S-R1W; THENCE RUN N 01°24'02"E ALONG THE ACCEPTED EAST BOUNDARY OF SAID SW1/4-SW1/4 FOR A DISTANCE OF 1053.38 FEET TO A 1/2" REBAR; THENCE CONTINUE N 01°24'02"E ALONG THE ACCEPTED EAST BOUNDARY OF SAID SW1/4-SW1/4 FOR A DISTANCE OF 269.44 FEET TO A 1" CRIMPED PIPE ACCEPTED AS THE N.E. CORNER OF SAID SW1/4 SW1/4; THENCE RUN S 44°50'41"W ALONG AN ACCEPTED PROEPRTY LINE FOR A DISTANCE OF 1501.213 FEET TO A 3" ROUND CONCRETE MONUMENT; THENCE RUN S 02°57'06"W ALONG AN ACCEPTED PROPERTY LINE FOR A DISTANCE OF 278.66 FEET TO THE POINT OF BEGINNING OF HEREIN DESCRIBED PARCEL OF LAND, SITUATED IN THE SW1/4-SW1/4 OF SECTION 1, T20S-R1W AND THE NW1/4-NW1/4 OF SECTION 12, T20S-R1W, SHELBY COUNTY, ALABAMA.

SITUATED IN SHELBY COUNTY, ALABAMA.

The above described property does not represent the homestead of Laura Dickert Smith, a/k/a Laura D. Smith nor her spouse.

- 1.) Building lines, right of ways, easements, restrictions, reservations and conditions, if any.
- 2.) Riparian and other rights created by the fact that the subject property lies adjacent to North Fork Creek and a lake.

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WITH RIGHT OF SURVIVORSHIP
Closers' Choice

3.) Encroachment of adjoining property owner's gravel drive as shown on Survey by Sam W. Hickey, Reg. No. 4848, dated December 27, 2004.

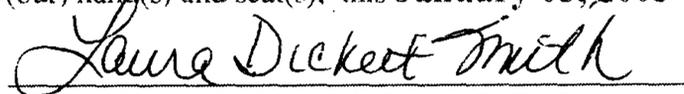
4.) Subject to 100 year flood area.

5.) Mislocation of barbed wire fence over lot line as shown as Survey by Sam W. Hickey, Reg. No. 4848, dated December 27, 2004.

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

IN WITNESS WHEREOF, GRANTOR(S) have hereunto set my (our) hand(s) and seal(s), this **January 05, 2005**

 (Seal)
Laura Dickert Smith, a/k/a Laura D. Smith

STATE OF ALABAMA
JEFFERSON COUNTY

General Acknowledgment

20050113000020300 Pg 2/2 567.50
Shelby Cnty Judge of Probate,AL
01/13/2005 07:54:00 FILED/CERTIFIED

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Laura Dickert Smith, a/k/a Laura D. Smith, a married woman whose name(s) was (were) signed to the foregoing conveyance, and who is (are) known to me (or satisfactorily proven), 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 **5th** day of **January, 2005**.



Notary Public.

(Seal)