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20060613000279040 1/2 \$15.00  
Shelby Cnty Judge of Probate, AL  
06/13/2006 09:07:19AM FILED/CERT

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was prepared by:

SEND TAX NOTICE TO:

R. Shan Paden  
PADEN & PADEN, PC  
Five Riverchase Ridge  
Birmingham, Alabama 35244

ROLAND H. SMITH  
1187 VILLAGE TRAIL  
CALERA, AL 35040

STATE OF ALABAMA  
COUNTY OF SHELBY

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

**Know All Men by These Presents:** That in consideration of ONE HUNDRED TWENTY THREE THOUSAND SIX HUNDRED SEVENTY EIGHT DOLLARS 00/100 (\$123,678.00) DOLLARS to the undersigned grantor, **WATERFORD, L.L.C.**, in hand paid by the GRANTEES herein, the receipt of which is hereby acknowledged, the said GRANTOR, does by these presents, grant, bargain, sell and convey unto **ROLAND H. SMITH and LYNDIA F. SMITH, HUSBAND AND WIFE**, (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 328, ACCORDING TO THE SURVEY OF WATERFORD-VILLAGE SECTOR 5, PHASE 1, AS RECORDED IN MAP BOOK 36, PAGE 16, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.**

SUBJECT TO:

1. TAXES FOR THE YEAR 2005, A LIEN, BUT NOT YET DUE AND PAYABLE UNTIL OCTOBER 1, 2006.
2. RIGHT OF WAY TO ALABAMA POWER COMPANY AND SOUTHERN BELL TELEPHONE AND TELEGRAPH COMPANY, AS SET FORTH IN REAL VOLUME 2300, PAGE 867.
3. RIGHT OF WAY TO ALABAMA POWER COMPANY, AS SET FORTH IN VOLUME 2877, PAGE 403, VOLUME 4156, PAGE 394, AND VOLUME 4220, PAGE 9.
4. A 35-FOOT BUILDING SETBACK LINE RESERVED FROM LOCH LEMON, AS SHOWN BY RECORDED MAP.
5. A 7.5-FOOT EASEMENT ON THE NORTH AND A 15-FOOT EASEMENT ON THE NORTHEASTERLY SIDE, AS SHOWN BY RECORDED MAP.
6. EASEMENT OF UNDETERMINED WIDTH ON THE FRONT OF SUBJECT PROPERTY, AS SHOWN ON RECORDED MAP.
7. 8-FOOT EASEMENT ON THE NORTH SIDE FROM VILLAGE TRAIL, AS SHOWN ON RECORDED MAP.
8. 7.5-FOOT ALLEY EASEMENT ON THE EAST SIDE, AS SHOWN ON RECORDED MAP.

9. A 25 FOOT ALLEY EASEMENT ON THE SOUTH, AS SHOWN BY RECORDED MAP.
10. RIGHT OF WAY TO ALABAMA POWER COMPANY, AS SET FORTH IN INSTRUMENT 2005-56363, 2005-56420.
11. RESTRICTIVE COVENANTS, AS SETFORTH IN INSTRUMENT 2005-59712.
12. RIGHT OF WAY TO GULF STATES PAPER, AS SET FORTH IN 2005-14603.

\$123,678.00 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.

IN WITNESS WHEREOF, the said **MATTHEW S. MOORE** as **CLOSING AGENT** of **WATERFORD, L.L.C.**, has hereunto subscribed his/her/their name on this the 9th day June of 2006.

**WATERFORD, L.L.C.**



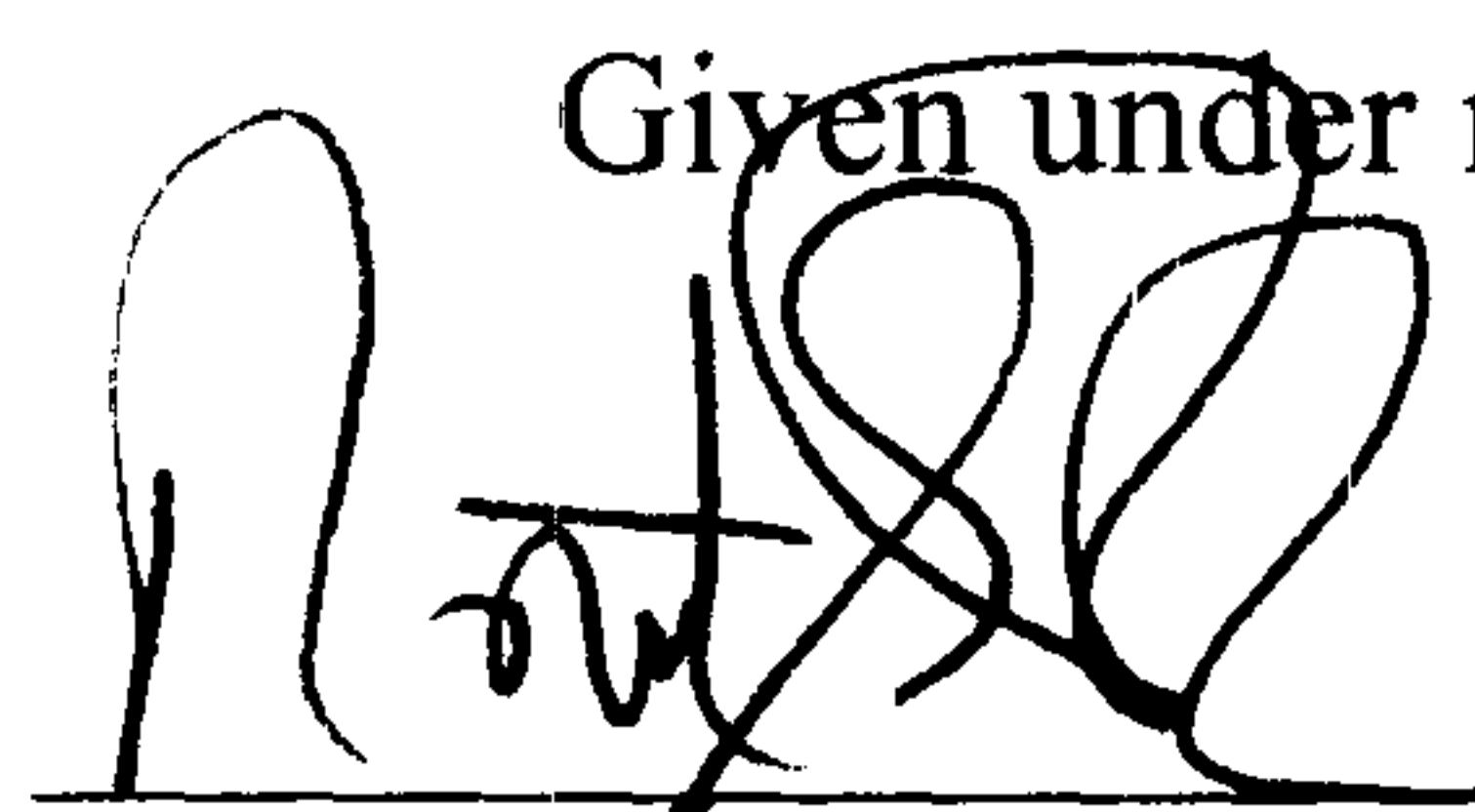
**MATTHEW S. MOORE**  
**CLOSING AGENT**

STATE OF ALABAMA)  
COUNTY OF SHELBY)

**ACKNOWLEDGMENT**

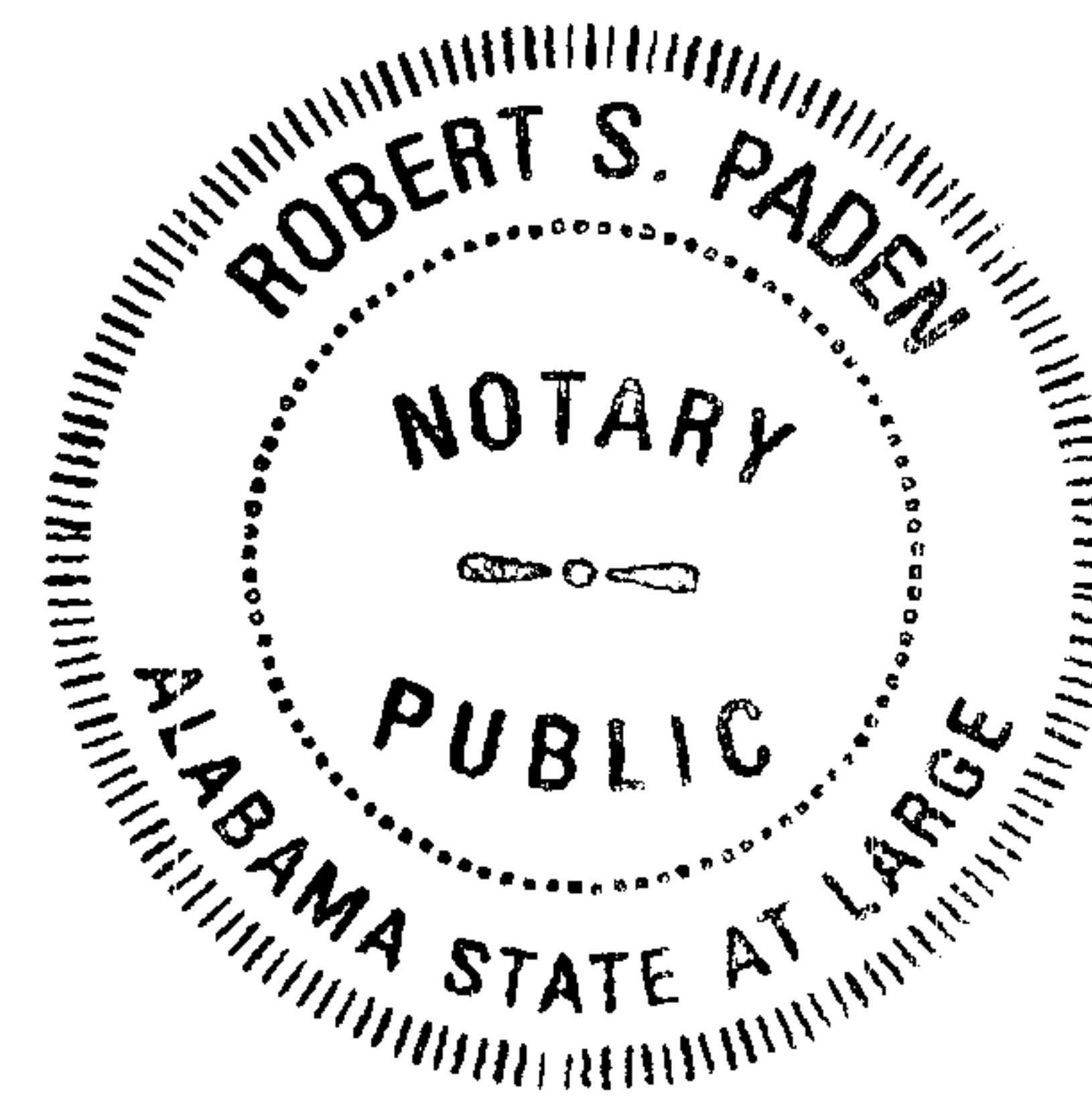
I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that **MATTHEW S. MOORE**, whose name as **CLOSING AGENT** of **WATERFORD, L.L.C.**, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he or she, as such officer and with full authority, executed the same voluntarily for and as the act of said .

Given under my hand this the 9th day June of 2006.



\_\_\_\_\_  
Notary Public

My commission expires: 7/16/20



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