15098

20061103000542010 1/2 $65.50
Shelby Cnty Judge of Probate,AL
11/03/2006 11:06:17AM FILED/CERT

Shelby County, AL 11/03/2006
State of Alabama

Deed Tax:$51.50

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was prepared by:

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

SEND TAX NOTICE TO:

DAVID A. SMITH
4191 OLD CAHABA PKWY
HELENA, AL 35080

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 **TWO HUNDRED FIFTY SIX THOUSAND NINE HUNDRED DOLLARS 00/100 ($256,900.00)** to the undersigned grantor, **TANGLEWOOD CORPORATION, Corporation**, 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 **DAVID A. SMITH and ELEANOR M. SMITH**, (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 1819 to the Survey of Old Cahaba, Phase V, 1st Addition, as recorded in Map Book 35 at Page 120 in the Office of the Judge of Probate of Shelby County, Alabama.

SUBJECT TO:

1. TAXES FOR THE YEAR BEGINNING OCTOBER 1, 2006 WHICH CONSTITUTES A LIEN BUT ARE NOT YET DUE AND PAYABLE UNTIL OCTOBER 1, 2007.

2. SUBJECT TO THE RIGHTS OF THE PUBLIC AND THE STATE OF ALABAMA, IF ANY, TO (1) LANDS LYING BELOW THE HIGH WATER MARK, (2) LANDS THAT HAVE BEEN CREATED BY ARTIFICIAL MEANS, (3) RIPARIAN RIGHTS; AND SUBJECT ALSO TO THE RIGHTS OF THE FEDERAL GOVERNMENT'S CONTROL OVER NAVIGABLE WATERS, AND PUBLIC RIGHTS OF ACCESS TO ANY NAVIGABLE WATERS.

3. EASEMENT(S) AND/OR RIGHTS OF WAY TO SHELBY COUNTY AS RECORDED IN DEED BOOK 155 AT PAGE 331; DEED BOOK 155 AT PAGE 425; AND BOOK 2, PAGE 16; AND BOOK 156 AT PAGE 203.

4. TRANSMISSION LINE PERMITS GRANTED TO ALABAMA POWER COMPANY, RECORDED IN DEED BOOK 134, PAGE 85; DEED BOOK 131 AT PAGE 447; DEED BOOK 257 AT PAGE 213; REAL 46 AT PAGE 69; AND DEED BOOK 230 AT PAGE 113.

5. TITLE TO THAT PORTION OF INSURED PREMISES LYING BELOW THE MEAN HIGH WATER MARK OF THE CAHABA RIVER.

6. TITLE TO ALL MINERALS, OIL AND GAS WITHIN OR UNDERLYING THE PREMISES, TOGETHER WITH ALL MINING RIGHTS AND OTHER RIGHTS, PRIVELEGES AND IMMUNITIES RELATING THERETO, AS RESERVED IN BOOK 15 AT PAGE 415; BOOK 61 AT PAGE 164; REAL VOLUME 133 AT PAGE 277; AND REAL VOLUME 321 AT PAGE 629.

7. RIGHTS OF CLAIMS OF PARTIES IN POSSESSION NOT SHOWN BY THE PUBLIC RECORDS.

8. ENCROACHMENTS, OVERLAPS, BOUNDARY LINE DISPUTES, VARIATIONS OR SHORTAGES IN AREA OR CONTENT AND ANY OTHER MATTERS WHICH WOULD BE DISCLOSED BY AN ACCURATE SURVEY AND/OR INSPECTION OF THE PREMISES.

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$205,520.00 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 **STEVE O'NEIL** as **CFO** of **TANGLEWOOD CORPORATION** , has hereunto subscribed his/her/their name on this the 27th day October of 2006.

TANGLEWOOD CORPORATION

STEVE O'NEIL
CFO

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that **STEVE O'NEIL**, whose name as **CFO** of **TANGLEWOOD CORPORATION**, Corporation, 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 Corporation.

Given under my hand this the 27th day October of 2006.

Notary Public

My commission expires: 7/16/10

ROBERT S. PADEN
NOTARY
PUBLIC
ALABAMA STATE AT LARGE