

This Instrument Was Prepared By:
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Send Tax Notice:
Edward Smith, Jr.
Meredith Smith
807 Highway 10
Montevallo, AL 35115

STATE OF ALABAMA)
)
SHELBY COUNTY) **WARRANTY DEED: JOINT TENANCY
) WITH RIGHT OF SURVIVORSHIP**

KNOW ALL MEN BY THESE PRESENTS, that for and in consideration of the sum of **Seventy Thousand & 00/100 Dollars (\$70,000.00)** and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, that, valuable considerations, the receipt and sufficiency of which are hereby acknowledged, **Heirs at Law and Next of Kin of Herschel Harold Day, deceased**, hereinafter called "Grantors", do hereby GRANT, BARGAIN, SELL AND CONVEY unto **Edward Smith, Jr., and wife, Meredith Smith**, hereinafter called "Grantees" for and during their joint lives and upon the death of either of them, then to the survivor of them in fee simple, together with every contingent remainder and right of reversion, the following described real estate, situated in **Shelby County, Alabama**, to wit:

See attached Exhibit "A".

Subject to all items of record. *The consideration stated coincides with purchase money mortgage with Central state Bank in the amount of Eighty Thousand (\$80,000.00)*

TO HAVE AND TO HOLD to the said Grantees in fee simple forever, for and during their joint lives and upon the death of either of them, then the survivor in fee simple, and to the heirs of such survivor forever, together with every contingent remainder and right of reversion.

The Grantors, do individually and for the heirs, executors, and administrators of the Grantors covenant with said Grantees and the heirs and assigns of the Grantees, that the Grantors are lawfully seized in fee simple of said premises; that said premises are free from all encumbrances, unless otherwise noted above; that the Grantors have a good right to sell and convey the said premises; that the Grantors and the heirs, executors, administrators of the Grantors shall warrant and defend the said premises to the Grantees and the heirs and assigns of the Grantees forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the Grantors have executed this Deed and set the seal of the Grantors thereto on this date the 20 day of October, 2008.

GRANTOR

Benjamin Herschel Day (L.S.)
Heir At Law and Next of Kin of
Herschel Harold Day, Deceased
By: Benjamin Herschel Day

James Sanders Day (L.S.)
Heir At Law and Next of Kin of
Herschel Harold Day, Deceased
By: James Sanders Day

Janeth Norfleete Day (L.S.)
Heir At Law and Next of Kin of
Herschel Harold Day, Deceased
By: Janeth Norfleete Day


STATE OF ALABAMA)
)
SHELBY COUNTY) **ACKNOWLEDGMENT**

I, Chris Smitherman, a Notary Public for the State at Large, hereby certify that the above posted names, Benjamin Herschel Day, James Sanders Day and Janeth Norfleete Day, Heirs at Law and Next of Kin of Herschel Harold Day, deceased, which are signed to the foregoing Deed, who are known to me, acknowledged before me on this day that, being informed of the contents of the Deed, they, executed the same voluntarily on the day the same bears date.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE on this the 20th day of October, 2008.

Chris Smitherman
NOTARY PUBLIC

My Commission Expires: 05/13/2012


20081027000417830 1/2 \$16.00
Shelby Cnty Judge of Probate, AL
10/27/2008 11:15:26AM FILED/CERT

COMMITMENT FOR TITLE INSURANCE

SCHEDULE A

File No.: s-08-17159

Commitment No.: C-s-08-17159

EXHIBIT A

Parcel 1:

A parcel of land located in the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ and the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 8, Township 24 North, Range 12 East, Shelby County, Alabama. Commence at the SW corner of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 8, being the SE corner of G. A. Nabors Subdivision as recorded in Map Book 3, Page 33, in the Office of Probate, Shelby County, Alabama; thence run North 6 degrees 53 minutes 08 seconds West along the East boundary of said subdivision a distance of 551.69 feet; thence run South 54 degrees 05 minutes 23 seconds East leaving said subdivision along the extension of and the southerly right of way of Depot Street a distance of 549.85 feet to the POINT OF BEGINNING; being on a curve to the left having a central angle of 1 degree 12 minutes 43 seconds a radius of 7623.45 feet and a chord of 161.27 feet along a bearing of South 54 degrees 41 minutes 45 seconds East; thence run southeasterly along the arc of said right of way a distance of 161.27 feet; thence run tangent to said curve South 55 degrees 18 minutes 06 seconds East a distance of 132.02 feet to the southwesterly right of way of Church Street; thence south 38 degrees 30 minutes 17 seconds West along said right of way a distance of 146.05 feet; thence run North 57 degrees 48 minutes 38 seconds West leaving said right of way a distance of 290.48 feet; thence run North 35 degrees 14 minutes 53 seconds East a distance of 160.23 feet to the point of beginning.

PARCEL 2:

A parcel of land located in the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ and the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 8, Township 24 North, Range 12 East, Shelby County, Alabama. Commence at the SW corner of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 8, being the SE corner of G. A. Nabors Subdivision as recorded in Map Book 3, Page 33, in the office of Probate, Shelby County, Alabama; thence run North 8 degrees 53 minutes 08 seconds West along the East boundary of said subdivision a distance of 551.69 feet; thence run South 54 degrees 05 minutes 23 seconds East leaving said subdivision along the extension of and the southerly right of way of Depot Street a distance of 549.85 feet; thence run South 35 degrees 14 minutes 53 seconds West a distance of 160.23 feet to the POINT OF BEGINNING; thence continue South 35 degrees 14 minutes 53 seconds West a distance of 96.79 feet to the northeasterly right of way of Gunlock Mill Road being a point on a curve to the right, having a central angle of 29 degrees 52 minutes 02 seconds, a radius of 153.83 feet, and a chord distance of 79.29 feet along a bearing of South 70 degrees 35 minutes 23 seconds East; thence left 120 degrees 46 minutes 19 seconds to tangent and run southeasterly along the arc of said right of way 80.19 feet; thence run tangent to curve South 55 degrees 39 minutes 24 seconds East a distance of 181.75 feet to the northwesterly right of way of Church Street being of a curve to the left, having a central angle of 37 degrees 41 minutes 58 seconds, a radius of 144.39 feet, a chord of 93.30 feet along a bearing of North 55 degrees 21 minutes 18 seconds East; thence left 50 degrees 08 minutes 23 seconds to tangent and run northeasterly along the arc of said right of way a distance of 95 feet; thence left 94 degrees 16 minutes 55 seconds from tangent and run North 57 degrees 46 minutes 38 seconds West a distance of 290.48 feet to the POINT OF BEGINNING.

According to the survey of Rodney Shiflett, dated September 22, 2008.

**STEWART TITLE
GUARANTY COMPANY**

004 ALTA Commitment (6/17/06)