

THIS INSTRUMENT PREPARED BY:
Robert S. Caliento
101 Loyola Circle
Helena, Alabama 35080

SEND TAX NOTICE TO:
Noel T. Smith
918 6th Avenue N.W.
Alabaster, Alabama 35007

THE PREPARER OF THIS DEED MAKES NO REPRESENTATION AS TO THE STATUS OF THE TITLE OF THE PROPERTY DESCRIBED HEREIN, OR AS TO THE ACCURACY OF THE LEGAL DESCRIPTION CONTAINED HEREIN. THIS DEED WAS PREPARED WITHOUT THE BENEFIT OF A SURVEY OR TITLE SEARCH UTILIZING THE LEGAL DESCRIPTION PROVIDED BY GRANTOR.

WARRANTY DEED - Joint Tenancy with Right of Survivorship

State of Alabama
SHELBY COUNTY

Know all Men by These Presents, that in consideration of Five Thousand Dollars (\$5,000.00) to the undersigned grantor (whether one or more), in hand paid by the GRANTEEES herein, the receipt whereof is acknowledged, we, **Noel T. Smith** and wife **Patricia Ann Smith** (herein referred to as grantor, whether one or more), do grant, bargain, sell and convey unto **Noel T. Smith** and wife **Patricia Ann Smith** (herein referred to as grantees) as joint tenants, with right of survivorship, the following described real estate, situated in Shelby County, Alabama, to-wit:

Lot 47, according to the Map and Survey of Hamlet, 6th Sector, as recorded in Map Book 9, Page 97, in the Probate Office of Shelby County, Alabama.

Mineral and mining rights excepted.

Subject to existing easements, restrictions, set-back lines, rights of way, limitations, if any of record.

Noel T. Smith being one and the same person as Noel T. Smith, surviving grantee of that certain Warranty Deed with Right of Survivorship recorded in Deed Book 349, Page 737, in the Probate Office of Shelby County, Alabama. The other grantee, Norma M. Smith having died on or about February 25, 2005.

TO HAVE AND TO HOLD to the said GRANTEEES 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 we do for ourselves and for our heirs, executors, and administrators covenant with the said GRANTEEES, their heirs and assigns, that we are lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that we have a good right to sell and convey the same as aforesaid; that we will and our heirs, executors and administrators shall warrant and defend the same to the said GRANTEEES, their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, We have hereunto set our hand(s) and seal(s) this 28th day of JANUARY, 2009.

WITNESSES:

Noel T. Smith (SEAL)
Noel T. Smith
Patricia Ann Smith (SEAL)
Patricia Ann Smith

STATE OF ALABAMA)
COUNTY OF SHELBY)

General Acknowledgment

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that **NOEL T. SMITH** and **PATRICIA ANN SMITH** whose names are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day, that being informed of the contents of the conveyance they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 28th day of JANUARY, 2009.

Debbie Freeze
Notary Public

2009020300033730 1/1 \$16.00
Shelby Cnty Judge of Probate, AL
02/03/2009 11:00:08AM FILED/CERT

Shelby County, AL 02/03/2009
State of Alabama

Deed Tax: \$5.00

