

20091009000382440 1/2 \$19.00  
Shelby Cnty Judge of Probate, AL  
10/09/2009 09:00:12 AM FILED/CERT

**This Instrument Prepared By:  
Christopher R. Smitherman, Attorney at Law  
Law Offices of Christopher R. Smitherman  
Post Office Box 261  
Montevallo, Alabama 35115  
(205) 665-4357**

**Send Tax Notice:**  
**Mary Wyatt Emfinger**  
**Lynford Thomas Emfinger**  
**3105 County Road 91**  
**Jemison, Alabama 35085**

**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  
**Five Thousand** and ~~7~~ **100 Dollars (\$ 5000.00 )**  
and other good and valuable considerations, the receipt and sufficiency of which are hereby  
acknowledged, that, **Mary Wyatt Emfinger, a married woman and Iris Kish, a married  
woman, hereinafter called "Grantors", do hereby GRANT, BARGAIN, SELL AND CONVEY  
unto Lynford Thomas Emfinger and Mary Wyatt Emfinger, husband and wife, 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".**

**NOTE: This property does not constitute homestead for the grantors.**

**NOTE: This instrument was prepared without benefit of title search.**

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 31 day of December, 2008.

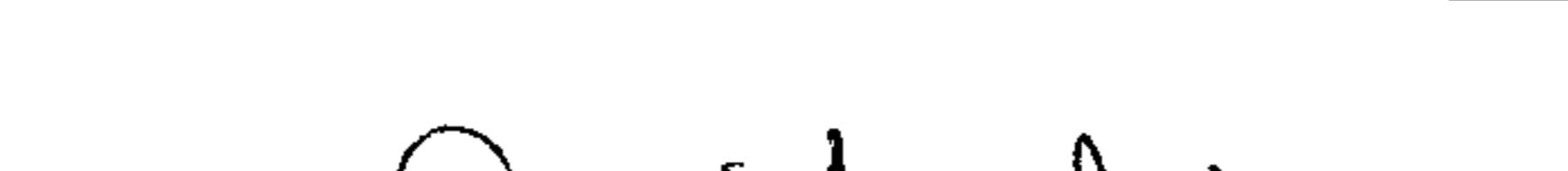
## GRANTORS

Mary Wyatt Emfinger (L.S.)  
Mary Wyatt Emfinger

Iris Kish (L.S.)

I, Chris Smitherman, a Notary Public for the State at Large, hereby certify that the above posted names, *Mary Wyatt Emfinger and Iris Smitherman Kish*, 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, that said person executed the same voluntarily on the day the same bears date.

day the same bears date.  
GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE on this the 31 day of  
December, 2008.

AL SEAL OF OFFICE on this the 21 day  
  
NOTARY PUBLIC  
My Commission Expires: 8/20/12

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XHIBIT "A"

The following parcel described as follows: Commence at the Southwest corner of the Southeast 1/4 of Northwest 1/4, Section 2, Township 24, Range 12 East, and run East along the South line of said 1/4-1/4 section a distance of 300 feet to the point of beginning of the lot herein described; thence run in a northerly direction parallel with the West line of said 1/4-1/4 section a distance of 170 feet to the South line of the Montevallo-Calera Highway, being Highway No. 25; thence turn right and run parallel with the South line of said 1/4-1/4 section a distance of 90 feet to the intersection of the West line of Jemison Highway with the South line of Montevallo-Calera Highway; thence turn right and run in a southerly direction along the West line of said Jemison Highway a distance of 175 feet to the South line of said 1/4-1/4 section; thence turn right and run West along said South line of said 1/4-1/4 section a distance of 95 feet to the point of beginning. Situated in Shelby County, Alabama.

Less and except that portion of subject property condemned under Case #29-112, more particularly described as follows: Commencing at the Southwest corner of the Southeast 1/4 of Northwest 1/4, Section 2, Township 24 North, Range 12 East; thence easterly along the South line of said Southeast 1/4 of Northwest 1/4 a distance of 302 feet, more or less; to the West property line; thence northerly along said West property line a distance of 158 feet, more or less, to a point that is 50 feet southwesterly of and at right angles to the center line of Project No. OLB-059-025-001 and the point of beginning of the property herein to be conveyed; thence continuing northerly along said West property line a distance of 20 feet, more or less, to the present Southwest right of way line of Alabama Highway No. 25; thence southeasterly along said present Southwest property line a distance of 81 feet, more or less, to a present right of way line connecting said present Southwest right of way line with the present West right of way line of Alabama Highway No. 155; thence southeasterly along said present connecting right of way line (which if extended would intersect said present West right of way line) a distance of 28 feet, more or less, to a point that is 50 feet southwesterly of and at right angles to the centerline of said Project; thence North 85 deg. 18' 21" West, parallel with the centerline of said Project, a distance of 97 feet, more or less, to the point of beginning.

Said strip of land lying in the Southeast 1/4 of Northwest 1/4, Section 2, Township 24 North, Range 12 East.

Mineral and mining rights are not insured.

Right-of-Way to American Telephone and Telegraph recorded in Real Volume 217, Page 48, in the Probate Office of Shelby County, Alabama.

Terms and conditions of that certain agreement recorded in Misc. Volume 34, Page 85, in the Office of the Probate Judge, Shelby County, Alabama.