

This instrument was prepared by:  
Michael T. Atchison, Attorney at Law, Inc.  
101 West College  
Columbiana, AL 35051

Send Tax Notice To: Robert A. Hofer, III  
223 Big Rock Drive  
Cahoon, Ala. 35040

WARRANTY DEED

STATE OF ALABAMA

} KNOW ALL MEN BY THESE PRESENTS:

SHELBY COUNTY

That in consideration of One Hundred Ninety Four Thousand Five Hundred dollars and Zero cents (\$194,500.00) to the undersigned grantor (whether one or more), in hand paid by the grantee herein, the receipt whereof is acknowledged, I or we, David R. Smith, a Single man (herein referred to as grantor, whether one or more), grant, bargain, sell and convey unto Robert A. Hofer, III (herein referred to as grantee, whether one or more), the following described real estate, situated in Shelby County, Alabama, to-wit:

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF.

Subject to taxes for 2010 and subsequent years, easements, restrictions, rights of way, and permits of record.

\$179,900.00 of the above recited consideration was paid from a mortgage recorded simultaneously herewith.

THIS PROPERTY CONSTITUTES NO PART OF THE HOMESTEAD OF THE GRANTOR(S), OR OF HIS/HER/THEIR RESPECTIVE SPOUSES.

TO HAVE AND HOLD to the said grantee, his, her or their heirs and assigns forever.

And I (we) do for myself (ourselves) and for my (our) heirs, executors, and administrators covenant with the said GRANTEES, their heirs and assigns, that I am (we are) lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that I (we) have a good right to sell and convey the same as aforesaid; that I (we) will and my (our) heirs, executors and administrators shall warrant and defend the same to the said GRANTEES, their heirs and assigns forever, against the lawful claims of all person.

IN WITNESS WHEREOF, I have hereunto set my hand(s) and seal(s), this 12<sup>th</sup> day of November, 2009.

_____	(SEAL)	<u>David R. Smith</u>	(SEAL)
_____	(SEAL)	_____	(SEAL)
_____	(SEAL)	_____	(SEAL)
		_____	(SEAL)

STATE OF Minnesota

} General Acknowledgment

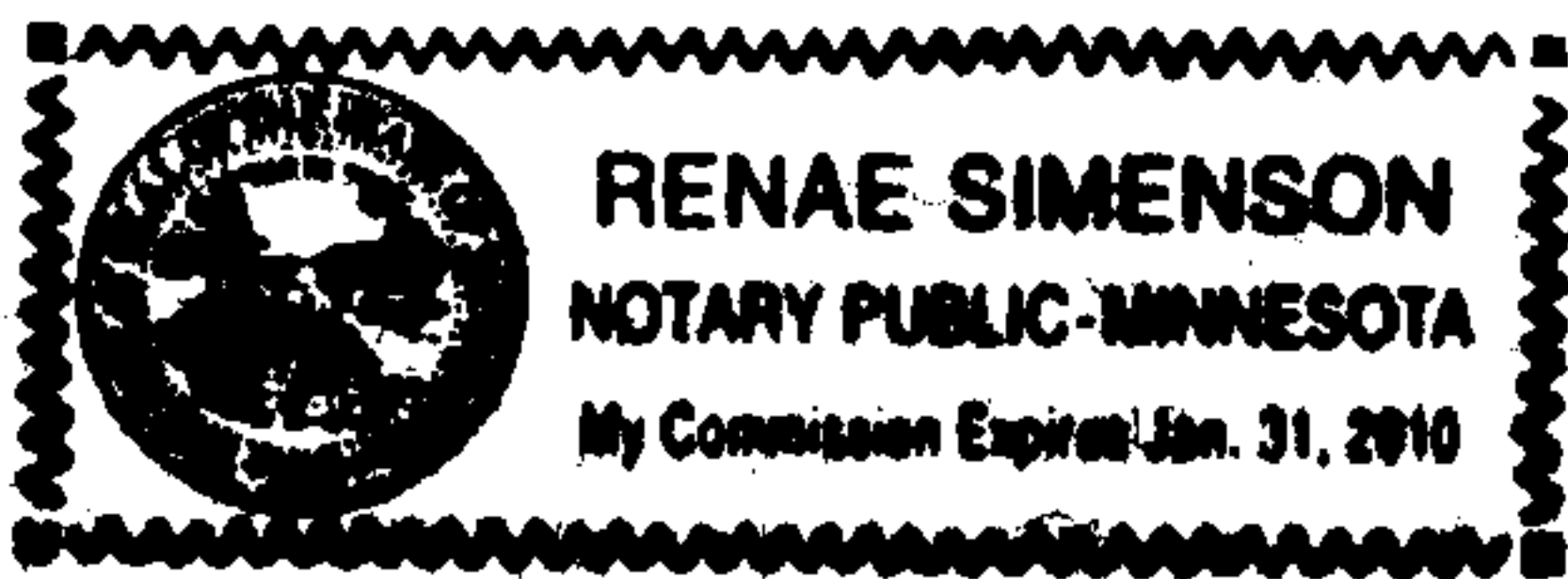
COUNTY OF Wagoner

I, the undersigned, a Notary Public in and for the said County, in said State, hereby certify that David R. Smith whose name 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/she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 12<sup>th</sup> day of November, 2009.

My Commission Expires: 1-31-10

Renee Simonson  
Notary Public



20091202000443040 1/2 \$29.00  
Shelby Cnty Judge of Probate, AL  
12/02/2009 11:04:46 AM FILED/CERT

Shelby County, AL 12/02/2009  
State of Alabama  
Deed Tax : \$15.00



## EXHIBIT A

Commence at the Southeast corner of Section 12, Township 22 South, Range 3 West, Shelby County, Alabama; thence run West along the South line of Section 12 for 1331.00 feet; thence turn right 87 degrees 29 minutes 12 seconds and run Northerly 769.52 feet to the center of a paved road, being the point of beginning; thence continue along last course 565.88 feet; thence turn right 92 degrees 29 minutes 22 seconds and run Easterly 331.97 feet; thence turn right 87 degrees 30 minutes 35 seconds and run Southerly 563.96 feet to the center of a paved road; thence turn right 85 degrees 02 minutes 49 seconds and run Westerly along said road 33.39 feet; thence turn right 18 degrees 51 minutes 57 seconds and run Northwesterly along said road 141.88 feet; thence turn left 20 degrees 33 minutes 50 seconds and run Southwesterly along said road 161.77 feet to the point of beginning.

Also the right to use as a means of ingress and egress to and from the land herein conveyed, the present farm road running generally Southwesterly along the S  $\frac{1}{2}$  of the SE  $\frac{1}{4}$  of Section 12, Township 22 South, Range 3 West, which said road intersects the Calera-Montevallo dirt road; said centerline being more particularly described as follows: : Commence at the Southeast corner of Section 12, Township 22 South, Range 3 West, Shelby County, Alabama; run thence 86 degrees 52 minutes 48 seconds West for 332.41 feet; run thence North 86 degrees 51 minutes 38 seconds West for 332.29 feet; run thence North 0 degrees 30 minutes 40 seconds East for 940.74 feet to the centerline of an existing field road and the point of beginning; run thence South 37 degrees 04 minutes 17 seconds West for 55.59 feet; run thence South 61 degrees 59 minutes 12 seconds West for 35.50 feet; run thence South 61 degrees 15 minutes 59 seconds West for 25.44 feet; run thence South 72 degrees 08 minutes 50 seconds West for 118.00 feet; run thence South 62 degrees 49 minutes 15 seconds West for a distance of 57.66 feet; thence South 75 degrees 42 minutes 24 seconds West for 28.25 feet; run thence South 81 degrees 28 minutes 25 seconds West for 69.42 feet; run thence North 82 degrees 07 minutes 44 seconds West for 89.91 feet; run thence North 75 degrees 27 minutes 20 seconds West for 106.36 feet; run thence North 73 degrees 15 minutes 38 seconds West for 75.10 feet; run thence South 87 degrees 56 minutes 15 seconds West for 127.78 feet; run thence South 75 degrees 17 minutes 19 seconds West for 60.96 feet; run thence South 30 degrees 04 minutes 08 seconds West for 99.00 feet; run thence South 75 degrees 35 minutes 14 seconds West for 50.08 feet; run thence North 89 degrees 18 minutes 58 seconds West for 95.68 feet; run thence South 76 degrees 33 minutes 02 seconds West for 73.76 feet; run thence South 57 degrees 50 minutes 38 seconds West for 48.62 feet; run thence South 32 degrees 37 minutes 21 seconds West for 117.30 feet; run thence South 14 degrees 15 minutes 09 seconds West for 68.87 feet; run thence South 19 degrees 11 minutes 33 seconds West for 139.19 feet; run thence South 60 degrees 26 minutes 15 seconds West for 22.08 feet; run thence South 75 degrees 51 minutes 21 seconds West for 134.41 feet; run thence South 60 degrees 41 minutes 08 seconds West for 70.32 feet to the centerline of County Road #16, being situated in Shelby County, Alabama.