

STATE OF ALABAMA                    )  
SHELBY COUNTY                        )

**SCRIVENER'S AFFIDAVIT**

Before me, the undersigned authority in and for said State at Large, did on this day personally appear John H. Henson, who is known to me and after first being duly sworn, did testify and affirm as follows, to wit:

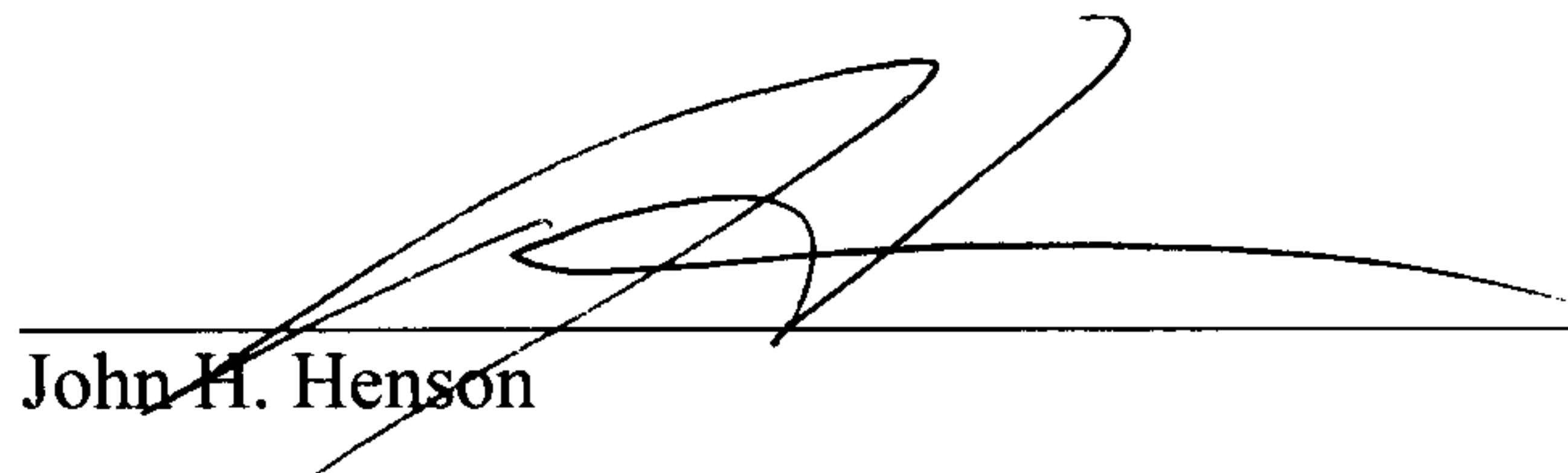
My name is John H. Henson. I am an attorney and am licensed to practice law in the State of Alabama. I am over the age of nineteen years and have personal knowledge of the matters set forth herein.

On or about November 20, 2009, the deed from Ruth E. Smith to Denise Grace and Gerald Luna failed to recite the surviving grantee clause. Said deed was recorded on December 14, 2009, in Instrument #20091214000458040 in the Probate Office of Shelby County, Alabama. A copy of the deed is attached. The deed is hereby amended to include the following:

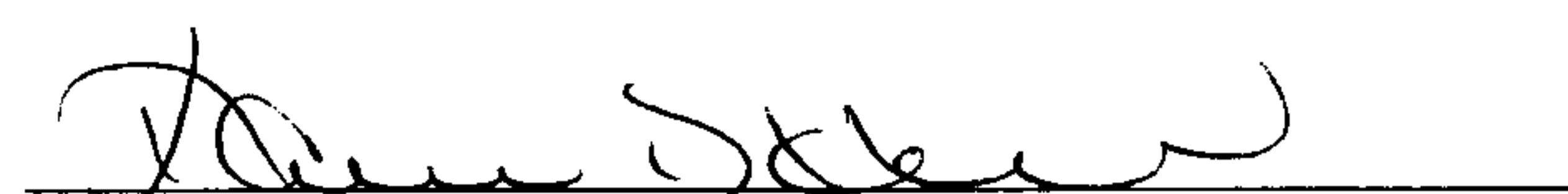
**Ruth E. Smith is the surviving grantee of that certain deed recorded in Book 226, page 858; the other grantee, Ethel E. Smith having died on or about November 27, 2003.**

This affidavit is given for the purposes of adding the surviving grantee clause.

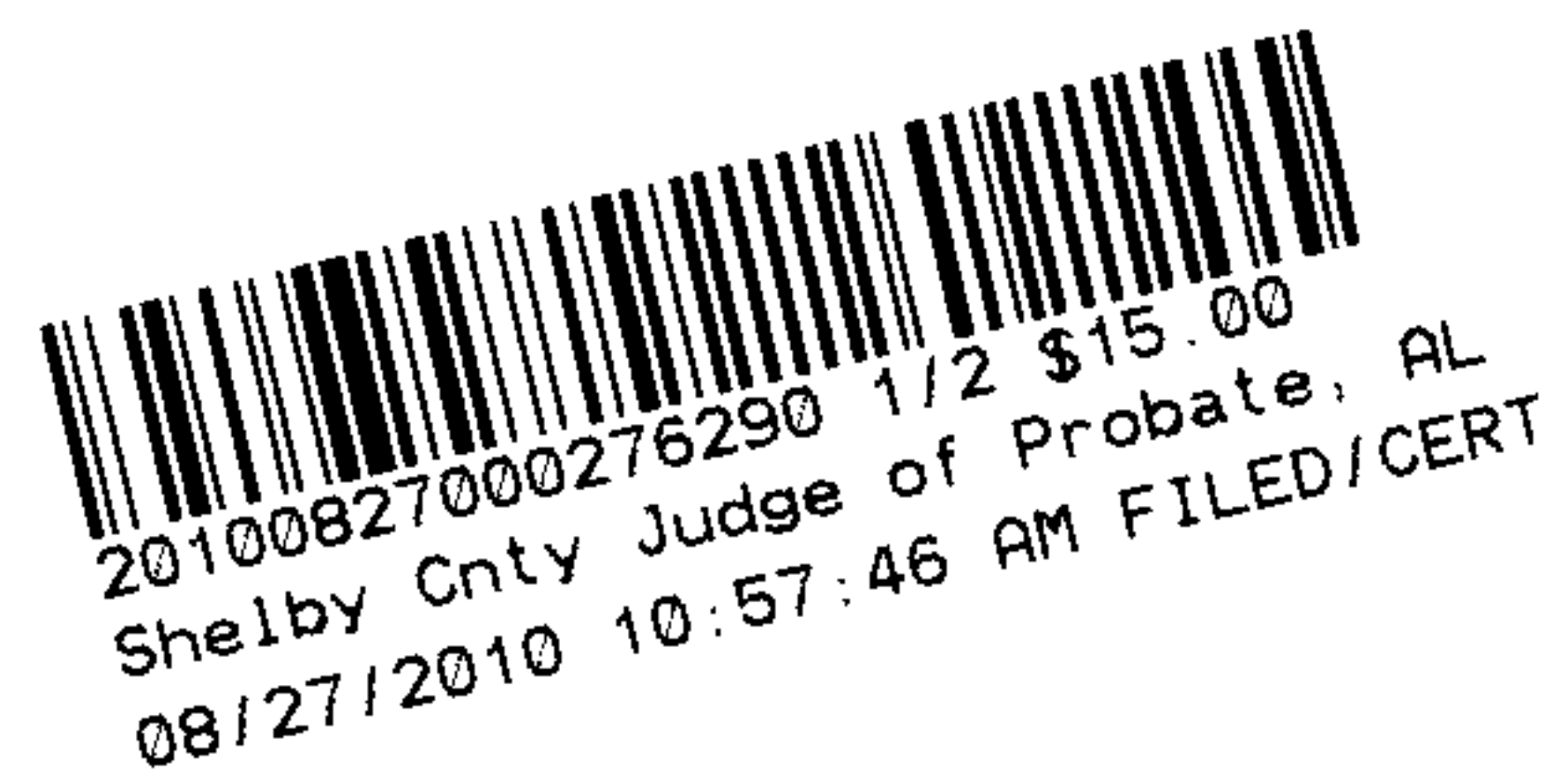
Further, affiant sayeth not.

  
John H. Henson

Sworn and Subscribed before me on this the 25 day of August, 2010.

  
Notary Public in and for the State of Alabama  
At Large

My Commission Expires: 12/12/11



This instrument prepared by:  
John H. Henson  
4647-B Highway 280  
Riverhills Shopping Center  
Birmingham, AL 35242

SEND TAX NOTICE TO:  
Denise Grace  
Gerald Luna  
122 12th St. NW  
Alabaster, Alabama 35007

## WARRANTY DEED

STATE OF ALABAMA )

SHELBY COUNTY )

2009121400450040 1/1 \$11.00  
Shelby Cnty Judge of Probate, AL  
12/14/2009 01:46:59 PM FILED/CERT

KNOW ALL MEN BY THESE PRESENTS, That in consideration of the sum of Sixty Eight Thousand dollars and Zero cents ( \$68,000.00 ) paid by the grantee herein, the receipt of which is hereby acknowledged, I/we, Ruth E. Smith a single woman, (hereinafter grantor, whether one or more), do grant, bargain, sell and convey unto Denise Grace and Gerald Luna as joint tenants with rights of survivorship (hereinafter Grantees), all of my/our right, title and interest in the following described real estate, situated in Shelby County, Alabama:

Lot No. 3, in Block 2, of the Farris-Smith Subdivision as recorded in Map Book 4, Page 60, in the Probate Office of Shelby County, Alabama.

Subject to current taxes, all matters of public record, including, but not limited to easements, restrictions of record, and other matters which may be viewed by observation.

\$66,768.00 of the consideration recited herein is from the proceeds of a purchase money mortgage of even date herewith.

TO HAVE AND TO HOLD unto the said Grantees as joint tenants, with rights of survivorship, their heirs and assigns, forever; it being the intention of the parties to this conveyance that (unless the joint tenancy 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.

Grantor does, for Grantor and for Grantor's heirs, executors and administrators covenant with the said Grantees as joint tenants, with rights of survivorship, their heirs executors and administrators, that Grantor is lawfully seized in fee simple of said premises; that it is free from all encumbrances, unless otherwise noted above; that Grantor has a good right to sell and convey the same as aforesaid; that Grantor will and Grantor's heirs, executors and administrators shall warrant and defend the same to the said Grantees, and their heirs, executors and administrators forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the undersigned have hereunto set our hands and seals on 20th day of November, 2009.

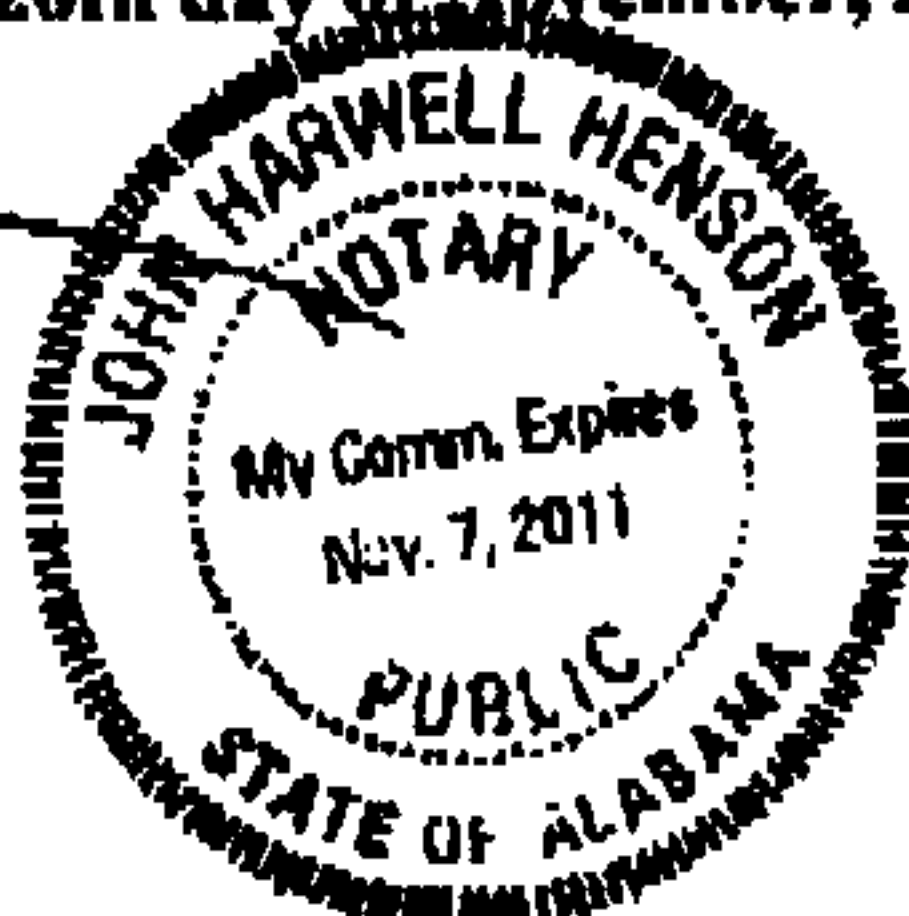
*Ruth E. Smith by Stella Camp in Comp Act*  
Ruth E. Smith by Stella Camp her attorney-in-  
fact

STATE OF ALABAMA )  
JEFFERSON COUNTY )

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Stella Camp as attorney-in-fact for Ruth E. Smith whose name(s) is(are) signed to the foregoing conveyance, and who is(are) known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance he/she/they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal on 20th day of November, 2009.

Notary Public  
Commission Expires:



FILE NO: 292348

20100827000276290 2/2 \$15.00  
Shelby Cnty Judge of Probate, AL  
08/27/2010 10:57:46 AM FILED/CERT

I certify this to be a true and  
correct copy  
Probate Judge 11/29/2010  
Shelby County KHB