

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

Send Tax Notice To: Roger Smith

105 Spring Branch Rd  
Columbiana, AL 35051

WARRANTY DEED, JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

STATE OF ALABAMA

} KNOW ALL MEN BY THESE PRESENTS,

SHELBY COUNTY

That in consideration of Six Hundred Twenty Five Thousand dollars and Zero cents (\$625,000.00) to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt whereof is acknowledged, we, Robert H. Howard and wife Vicki G. Howard (herein referred to as grantors) do grant, bargain, sell and convey unto Roger Smith and Debra S. 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:

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF.

Subject to taxes for 2012 and subsequent years, easements, restrictions, rights of way, and permits of record.

\$499,200.00 of the purchase price was paid from the proceeds of a mortgage loan closed simultaneously herewith.

TO HAVE AND TO HOLD, Unto the said GRANTEES 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 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 persons.

IN WITNESS WHEREOF, we have hereunto set our hands and seals, this 28th day of October, 2011.

\_\_\_\_\_  
(Seal)

Robert H. Howard  
Robert H. Howard (Seal)

\_\_\_\_\_  
(Seal)

Vicki G. Howard  
Vicki G. Howard (Seal)

\_\_\_\_\_  
(Seal)

\_\_\_\_\_  
(Seal)

\_\_\_\_\_  
(Seal)

STATE OF ALABAMA

}

General Acknowledgment

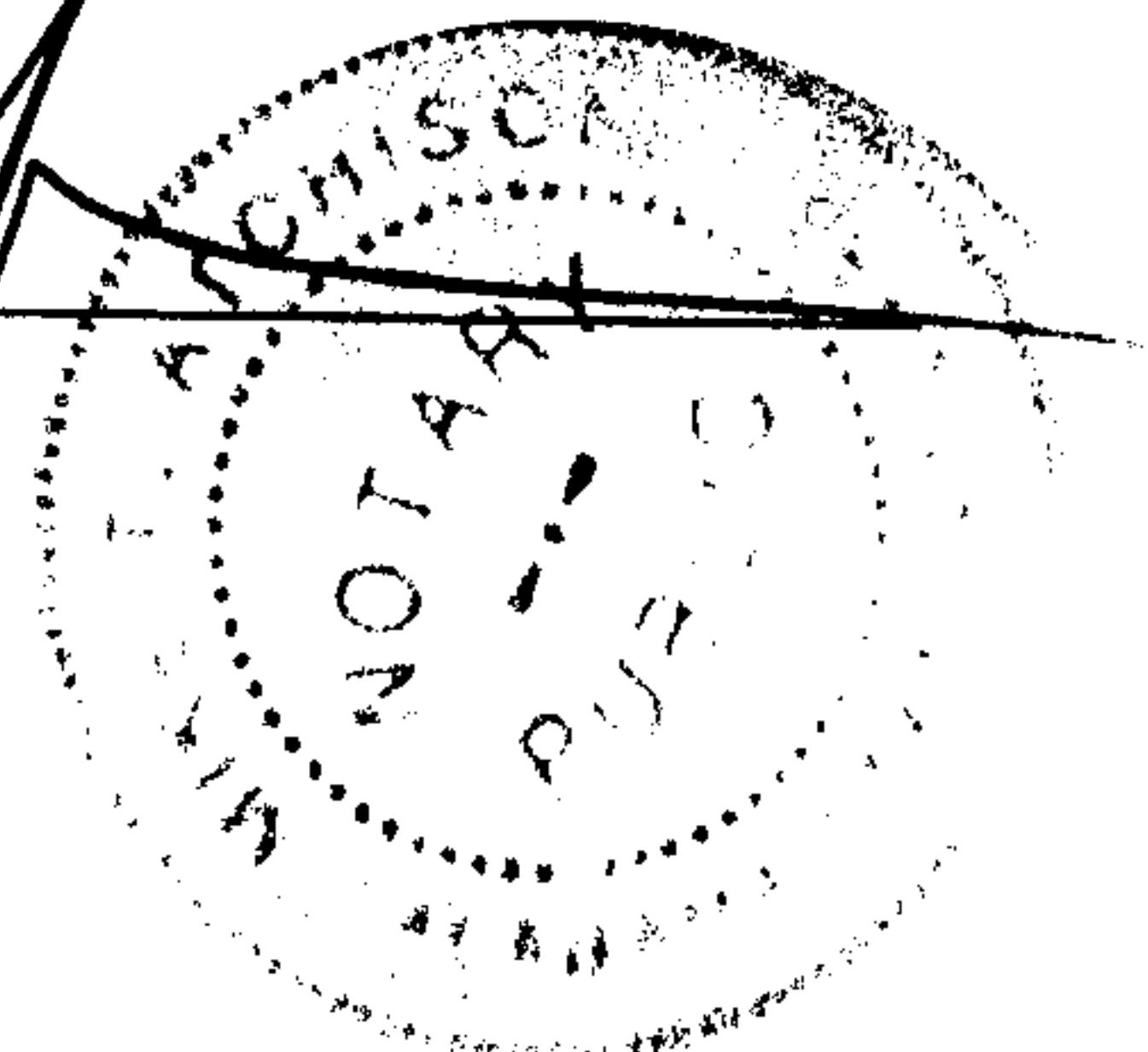
COUNTY SHELBY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Robert H. Howard and Vicki G. Howard 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 28<sup>th</sup> day of October, 2011.

My Commission Expires: 10-16-12

Michael T. Atchison  
Notary Public



20111128000357260 1/2 \$141.00  
Shelby Cnty Judge of Probate, AL  
11/28/2011 12:13:49 PM FILED/CERT

Shelby County, AL 11/28/2011  
State of Alabama  
Deed Tax: \$126.00



## EXHIBIT A

### PARCEL 1:

Commence at the NE corner of the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of Section 12, Township 20 South, Range 1 West, Shelby County, Alabama ; thence North 90 degrees 00 minutes 00 seconds West, a distance of 138.05 feet to the POINT OF BEGINNING; thence North 89 degrees 59 minutes 11 seconds West, a distance of 253.78 feet; thence South 00 degrees 33 minutes 44 seconds East, a distance of 332.56 feet to a point on the northerly R.O.W. line of Shelby County Highway 49, 80' R.O.W.; thence South 72 degrees 00 minutes 01 second East and along said R.O.W. line, a distance of 248.01 feet; thence North 02 degrees 02 minutes 58 seconds East and leaving said R.O.W. line, a distance of 409.38 feet to the POINT OF BEGINNING. According to the survey of Rodney Y. Shiflett, dated January 29, 2007.

LESS AND EXCEPT THAT PORTION OF CAPTION LANDS conveyed to Edward Shane Hethcox and spouse, Tammy Renae Hethcox, by quit-claim deed recorded in Instrument #20080204000043600, in Probate Office.

Source of title: Instrument #20070418000179090, warranty deed from Maurice Edward Waits, a married man, to Robert H. Howard and Vicki G. Howard, dated April 11, 2007.

### PARCEL II:

A parcel of land in the E  $\frac{1}{2}$  of the SW  $\frac{1}{4}$  of Section 12, Township 20 South, Range 1 West, Shelby County, Alabama, described as follows:

Begin at the SW corner of the NE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of Section 12, Township 20 South, Range 1 West; thence run West an azimuth of 267 degrees 50 minutes along the South line of said NE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of said Section a distance of 8.42 feet to the center of Spring Branch Road; thence an azimuth of 00 degrees 24 minutes Northeasterly along the center of said road a distance of 326.42 feet to a spike; thence an azimuth of 90 degrees 05 minutes Easterly along the South line of Mr. Griswald lot a distance of 1355.00 feet to a 2-inch pipe on the East line of said  $\frac{1}{4}$  -  $\frac{1}{4}$  line; thence an azimuth of 179 degrees 49 minutes South along the said East line and along an old fence a distance of 931.07 feet to an old rebar at the intersection of old fences; thence an azimuth of 267 degrees 46 minutes Westerly along an old fence a distance of 676.61 feet to a rebar; thence an azimuth of 179 degrees 42 minutes Southerly along an old fence a distance of 220.02 feet to a 2-inch pipe on the Northerly right of way of Shelby County Highway No. 49, said point being on a curve to the right, said curve having a central angle of 46 degrees 14 minutes and a radius of 936.85 feet; thence an azimuth of 314 degrees 37 minutes Northwesterly along the chord a distance of 558.78 feet to the P.T.; thence an azimuth of 331 degrees 57 minutes Northwesterly along a straight Section along said right of way a distance of 108.08 feet to the P.C. of a curve to the left, said curve having a central angle of 17 degrees 14 minutes and a radius of 1109.07 feet; thence an azimuth of 321 degrees 50 minutes Northwesterly along the chord a distance of 368.12 feet to a point on the West line of SE  $\frac{1}{4}$  of SW  $\frac{1}{4}$ ; thence an azimuth of 359 degrees 25 minutes North along the said West line a distance of 76.22 feet to the point of beginning. Situated in Shelby County, Alabama.

