

This Instrument Prepared By:  
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Attorney at Law  
Suite 101, 1318 Alford Avenue  
Birmingham, Alabama 35226

Send Tax Notice To:  
ROBERT E. HOWARD III  
1017 IZICARD PARK PL.  
BIRMINGHAM, AL.  
35242

**WARRANTY DEED, JOINTLY FOR LIFE WITH REMAINDER TO SURVIVORS**

**STATE OF ALABAMA )**  
**SHELBY COUNTY )**

**KNOW ALL MEN BY THESE PRESENTS:** That in consideration of One Hundred Seventeen Thousand and 00/100 Dollars (\$117,000.00) and other good and valuable considerations, to the undersigned Grantor (whether one or more), in hand paid by Grantees herein, the receipt whereof is acknowledged, I, The Shires, LLC (herein referred to as Grantor, whether one or more), grant, bargain, sell and convey unto Robert E. Howard, III and Kristen E. Howard (herein referred to as 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:

Lot 11, according to the Final Plat of The Shires-Phase IV and a Resurvey of Lot 16 The Shires-Phase II (as recorded in Map Book 13, Page 86), as recorded in Map Book 42, Page 96, in the Probate Office of Shelby County, Alabama.  
Subject property to further be described as: Lot 11, according to the resurvey of Lot 11, according to the Final Plat of The Shires-Phase IV, as recorded in Map Book 42, Page 126 in the Probate Office of Shelby County, Alabama.

**SUBJECT TO:** (1) Taxes due in the year 2012 and thereafter; (2) Homeowners Association Dues; (3) North Shelby County Library District Dues; (4) Mineral and mining rights not owned by the Grantor; (5) Easements, restrictions, and rights-of-way of record; (6) Easement in favor of Sidney W. Smyer, III and Shephard Gap Associates bearing even date herewith which easement shall terminate on the 24<sup>th</sup> day of June, 2013.

Sidney W. Smyer, Jr. and Sidney W. Smyer, III are the only members of The Shires, LLC and have full authority to execute this instrument.

**TO HAVE AND TO HOLD** to the said GRANTEES for and during their joint lives and upon the death of either of them, then to the survivor of them in fee simple, and to the heirs and assigns of such survivor forever, together with every contingent remainder and right of reversion.

And we do for ourselves and for our heirs, executors and administrators covenant with the said GRANTEES, 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 Grantees, their heirs and assigns forever, against the lawful claims of all persons.

**IN WITNESS WHEREOF**, the undersigned, has hereunto set his hand and seal, this the 21 day of December, 2011.

The Shires, LLC

By: 

Sidney W. Smyer, Jr. Member

By: 

Sidney W. Smyer, III, Member

**STATE OF ALABAMA )**  
**SHELBY COUNTY )**

**LLC ACKNOWLEDGMENT**

I, the undersigned, a Notary Public, in and for said County in said State, hereby certify that Sidney W. Smyer, Jr. and Sidney W. Smyer, III as all of the Members of The Shires, LLC, whose names are signed to the foregoing instrument, and who are known to me, acknowledged before me on this day that, being informed of the contents of this instrument, they, in their capacity as such member, executed the same voluntarily, for and as the act of said limited liability company.

Given under my hand and official seal this 21 day of December, 2011.

Shelby County, AL 12/27/2011  
State of Alabama  
Deed Tax: \$117.00

Notary Public 

My Commission Expires: \_\_\_\_\_