

**THIS DEED WAS PREPARED WITHOUT BENEFIT OF A TITLE SEARCH OR SURVEY AND  
WITH LEGAL DESCRIPTION PROVIDED BY GRANTOR.  
NO REPRESENTATIONS CONCERNING TITLE OR THE ACCURACY OF THE LEGAL  
DESCRIPTION ARE MADE BY THE PREPARER OF THIS INSTRUMENT.**

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

Send Tax Notice to:  
William O. Smith, Trustee  
Gale T. Smith 2012 Irrevocable Trust  
2280 Tanglewood Brook Lane  
Birmingham, Alabama 35243-2170

**STATUTORY WARRANTY DEED**

**KNOW ALL MEN BY THESE PRESENTS**, that for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration to the undersigned,

**GALE T. SMITH**, a married woman,  
whose mailing address is **2280 Tanglewood Brook Lane, Birmingham, Alabama 35243-2170**,

(hereinafter referred to as "Grantor"), in hand paid by

**WILLIAM O. SMITH, OR ANY SUCCESSOR(S), AS TRUSTEE OF THE  
GALE T. SMITH 2012 IRREVOCABLE TRUST, DATED DECEMBER 28, 2012**,  
whose mailing address is **2280 Tanglewood Brook Lane, Birmingham, Alabama 35243-2170**,

(hereinafter referred to as "Grantee"), the receipt and sufficiency of which are hereby acknowledged, the said Grantor does by these presents **GRANT, BARGAIN, SELL AND CONVEY** unto the said Grantee all of the Grantor's undivided one-half (1/2) interest in and to the following described real property situated in Shelby County, Alabama (and having an aggregate Assessor's Market Value for the undivided 1/2 interest conveyed hereby of \$721,070.00), to-wit:

**SEE EXHIBIT "A" ATTACHED HERETO FOR LEGAL DESCRIPTIONS  
AND REAL ESTATE SALES VALIDATION INFORMATION**

**TOGETHER WITH ALL AND SINGULAR** the rights, members, privileges, improvements, hereditaments, tenements and appurtenances thereto belonging or in anywise appertaining and all right, title and interest of Grantor in and to any and all roads, alleys and ways bounding said premises.

This conveyance is made subject to the following:

1. Taxes and assessments for the current and subsequent years not yet due and payable.
2. Riparian and other rights created by the fact that subject property fronts on Smyer Lake also known as Great Pine Lake.
3. Any and all previous reservations or conveyances, if any, of oil, gas and other minerals in, on and under any of said real property, together with all rights in connection

therewith; all recorded mortgages, if any; all recorded encumbrances, if any; recorded or unrecorded easements, liens, restrictions, covenants, declarations, reservations, limitations, conditions, set-back lines, rights-of-way, regulations, and other matters of record in the Probate Office of Shelby County, Alabama; any rights of parties in possession; all recorded or unrecorded leases affecting any of said real property, if any; and any encroachments, overhangs, deficiencies in quantity of land, discrepancies as to boundary lines, overlaps, etc., which would be disclosed by a true and accurate survey of any of said real property.

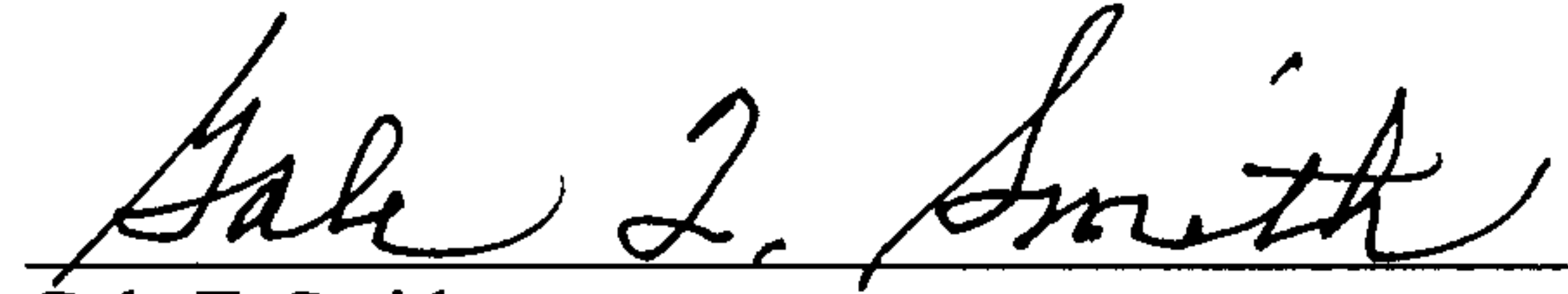
**TO HAVE AND TO HOLD** to the said Grantee, its successors and assigns, in fee simple forever.

**NOTE:** The undivided interest in the above-described real property conveyed hereby to Grantee is specifically conveyed to Grantee in its fiduciary capacity, to have, hold, maintain and distribute in strict accordance with the terms of that certain trust agreement entitled the "Gale T. Smith 2012 Irrevocable Trust" entered into on December 28, 2012, by Gale T. Smith, as grantor, and William O. Smith, as trustee, for the benefit of the beneficiary(ies) as provided therein.

**NOTE:** The real property in which the Grantor's undivided interest is conveyed hereby is NOT any part of the homestead of the Grantor or the Grantor's spouse.

**IN WITNESS WHEREOF**, the said Grantor has hereto set Grantor's hand and seal on this the 28th day of December, 2012.

**"Grantor"**

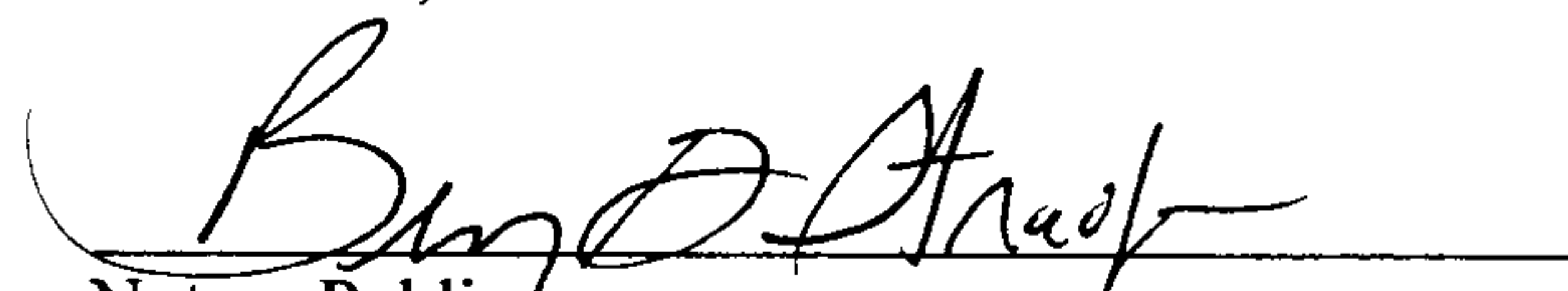
  
Gale T. Smith

STATE OF ALABAMA       )  
                                     :  
COUNTY OF JEFFERSON   )


I, the undersigned authority, a Notary Public in and for said county in said state, hereby certify that Gale T. 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 said conveyance, she executed the same voluntarily on the day the same bears date.

GIVEN under my hand and seal, this 28th day of December, 2012.

[ NOTARIAL SEAL ]

  
Notary Public  
My Commission Expires 6/23/15

**This document prepared by:**  
Howard Neiswender, Esq.  
Sirote & Permutt, P.C.  
2311 Highland Avenue South (35205)  
P. O. Box 55727  
Birmingham, Alabama 35255-5727

  
20121228000498070 2/4 \$742.50  
Shelby Cnty Judge of Probate, AL  
12/28/2012 02:40:41 PM FILED/CERT



## EXHIBIT "A"

### LEGAL DESCRIPTIONS AND REAL ESTATE SALES VALIDATION INFORMATION

#### PARCEL 1 :

The following described real property situated in Shelby County, Alabama [having an **Assessor's Market Value for the Grantor's undivided one-half (1/2) interest being conveyed hereby of \$133,455.00 (1/2 of \$266,910.00)**], as can be verified by the records of the Shelby County, Alabama Property Tax Commissioner (Parcel ID #03 6 24 0 000 041.014), and having a **property address of Galway Trail, Birmingham, Alabama 35242**]:

Lot 1, according to the Survey of Stonegate Realty, Phase One-1st Addition as recorded in Map Book 31, Page 11, in the Probate Office of Shelby County, Alabama.

Together with One (1) "Lake Right" granted to the Grantors in that certain deed dated September 30, 2004, and recorded in Instrument #20041012000564300, subject to the terms, conditions, and requirements of that certain unrecorded Agreement between Ingrid Frances Smyer-Dubrow, Harald L. Smyer, Jr., S.W. Smyer, Jr., and Shelby Lake Corporation.

Together with the nonexclusive easement to use the Development Roads, as more particularly defined and described in the Stonegate Farms Covenants, Conditions and Restrictions recorded in Instrument #2001-05954, restated in Instrument #2001-12016, and further amended in Instrument #20030224000111660.

(Source of Title: Instrument #20041012000564300)

#### PARCEL 2 :

The following described real property situated in Shelby County, Alabama [having an **Assessor's Market Value for the Grantor's undivided one-half (1/2) interest being conveyed hereby of \$48,030.00 (1/2 of \$96,060.00)**], as can be verified by the records of the Shelby County, Alabama Property Tax Commissioner (Parcel ID #03 6 24 0 000 041.015), and having a **property address of Galway Trail, Birmingham, Alabama 35242**]:

Lot 2, according to the Survey of Stonegate Realty, Phase One-1st Addition as recorded in Map Book 31, Page 11, in the Probate Office of Shelby County, Alabama.

(Source of Title: Instrument #20041012000564310)

#### PARCEL 3 :

The following described real property situated in Shelby County, Alabama [having an **Assessor's Market Value for the Grantor's undivided one-half (1/2) interest being conveyed hereby of \$303,220.00 (1/2 of \$606,440.00)**], as can be verified by the records of the Shelby County, Alabama Property Tax Commissioner (Parcel ID #03 6 24 0 000 041.016), and having a **property address of 130 Galway Trail, Birmingham, Alabama 35242**]:

Lot 3A, according to William Smith's Resurvey, as recorded in Map Book 33, Page 20, in the Probate Office of Shelby County, Alabama, being a resurvey of Lot 13 of Stonegate Realty Phase One as recorded



in Map Book 29, Page 4, and Lot 3 of Stonegate Realty Phase 1, 1st Addition as recorded in Map Book 31, Page 11, in the Probate Office of Shelby County, Alabama.

Together with One (1) "Lake Right" granted to the Grantors in that certain deed dated February 18, 2003, and recorded in Instrument #200302240001116700, as corrected by corrective deed recorded in Instrument #2004031200027810, subject to the terms, conditions and requirements of that certain unrecorded agreement between Ingrid Frances Smyer-Dubrow, Harald L. Smyer, Jr., S.W. Smyer, Jr., and Shelby Lake Corporation.

Together with the nonexclusive easement to use the Development Roads, as more particularly defined and described in the Stonegate Farms Covenants, Conditions and Restrictions recorded in Instrument #2001-05954, restated in Instrument #2001-12016, and further amended in Instrument #20030224000111660.

(Source of Title: Instrument #2002-00030 and Instrument #20030224000111670 as corrected by Instrument #2004031200027810)

**PARCEL 4:**

The following described real property situated in Shelby County, Alabama [having an **Assessor's Market Value for the Grantor's undivided one-half (1/2) interest being conveyed hereby of \$236,365.00 (1/2 of \$472,730.00)**, as can be verified by the records of the Shelby County, Alabama Property Tax Commissioner (Parcel ID #03 6 24 0 000 033.001), and having a **property address of Smyer Lake Road, Leeds, Alabama 35094**]:

**Parcel I:**

Lot 26, Mountain View Lake Company, 2nd Sector, as recorded in Map Book 3, Page 150.

**Parcel II:**

Part of Lot 25, Mountain View Lake Company, 2nd Sector, as recorded in Map Volume 3, Page 150, in the Office of the Judge of Probate, Shelby County, Alabama, being more particularly described as follows:

From the Northwest corner of Lot 25, of said Mountain View Lake Company, 2nd Sector, run in an Easterly direction along the North line of said Lot 25, and also being the South line of Lot 26, of said subdivision for a distance of 222 feet more or less to a point on the west edge of the Lake and being the Northeast corner of said Lot 25, and being the southeast corner of said Lot 26, and being the point of beginning; thence turn an angle to the right of 180 degrees and run in a westerly direction along the north line of said Lot 25 for a distance of 222 feet more or less to the northwest corner of said Lot 25 and being marked by an existing old iron rebar; thence turn an angle to the left of 99 degrees, 03 minutes 36 seconds and run in a southerly direction along the west line of said Lot 25 and along the east right of way line of Smyer Lake Road for a distance of 75.0 feet to an existing iron rebar set by Laurence D. Weygand; thence turn an angle to the left of 87 degrees, 48 minutes, 46 seconds and run in an easterly direction for a distance of 231 feet, more or less to a point on the east line of Lot 25, and being the west line of the existing lake; thence turn an angle to the left and run in a northerly direction along the east line of said Lot 25 and the west line of the Lake for a distance of 50 feet, more or less to the point of beginning.

(Source of Title: Instrument #1999-15107)