



20230130000024010 1/8 \$44.00
Shelby Cnty Judge of Probate, AL
01/30/2023 10:43:22 AM FILED/CERT

This instrument was prepared by:
Justin Smitherman, Esq.
173 Tucker RD STE 201
Helena, AL 35080

Send Tax Notice to:
Robert Howell Smith, Jr.
609 Lake Crest Dr.
Hoover, AL 35226

STATE OF ALABAMA
SHELBY COUNTY

}

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS: That, for and in consideration of TEN (\$10.00) DOLLARS, and other good and valuable consideration, this day in hand paid to the undersigned GRANTOR, **Robert Howell Smith, Jr.**, a married man, as the sole surviving heir of **R.H. Smith**, the sole grantee in the deed dated May 30, 1946 and recorded in Deed Record 127, Page 41, subsequently corrected by the corrective deed dated November 8, 1950 and recorded in Deed Record 143, Page 245 in the Probate Office of Shelby County, Alabama, said grantee having died on or about January 17, 2015 (hereinafter referred to as GRANTOR whether one or more), the receipt whereof is hereby acknowledged, the GRANTOR does hereby give, grant, bargain, sell and convey unto the GRANTEE, **Robert Howell Smith, Jr.** (hereinafter referred to as GRANTEE whether one or more), in fee simple, together with every contingent remainder and right of reversion, the following described Real Estate, lying and being in the County of Shelby, State of Alabama, to-wit:

SEE ATTACHED EXHIBIT A

Subject to existing easements, current taxes, restrictions and covenants, set-back lines and rights of way, if any, of record.

TO HAVE AND TO HOLD, the tract or parcel of land above described together with all and singular the rights, privileges, tenements, appurtenances, and improvements unto the said GRANTEE.

AND SAID GRANTOR, for said GRANTOR, GRANTOR'S heirs, successors, executors and administrators, covenants with GRANTEE, and with GRANTEE'S heirs and assigns, that GRANTOR is lawfully seized in fee simple of the said Real Estate; that said Real Estate is free and clear from all Liens and Encumbrances, except as hereinabove set forth, and except for taxes due for the current and subsequent years, and except for any Restrictions pertaining to the Real Estate of record in the Probate Office of said County; and that GRANTOR will, and GRANTOR'S heirs,

executors and administrators shall, warrant and defend the same to said GRANTEE, and GRANTEE'S heirs and assigns, forever against the lawful claims of all persons.

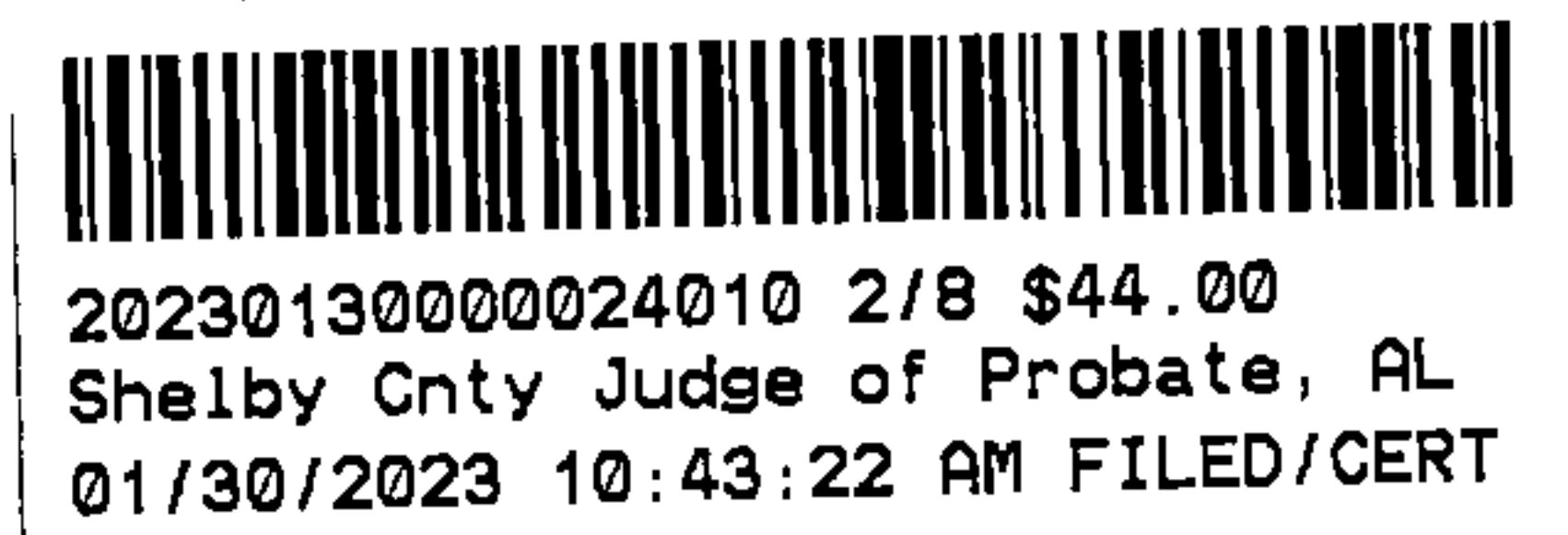
THIS DEED WAS PREPARED FROM DATA FURNISHED BY THE GRANTOR, NO TITLE EXAMINATION WAS REQUESTED OR UNDERTAKEN, THE PREPARER OF THIS INSTRUMENT HAS NOT REVIEWED THE STATUS OF TITLE ON THIS PROPERTY, HAS NOT BEEN EMPLOYED TO DO SO, AND ACTS ONLY AS THE DRAFTER OF THIS INSTRUMENT.

This property is not the homestead of GRANTOR or GRANTOR'S Spouse(s).

IN WITNESS WHEREOF, said GRANTOR has hereunto set his/her hand and seal this the

9 day of January, 2023.

Robert Howell Smith Jr.
Robert Howell Smith, Jr.



STATE OF ALABAMA
SHELBY COUNTY

}

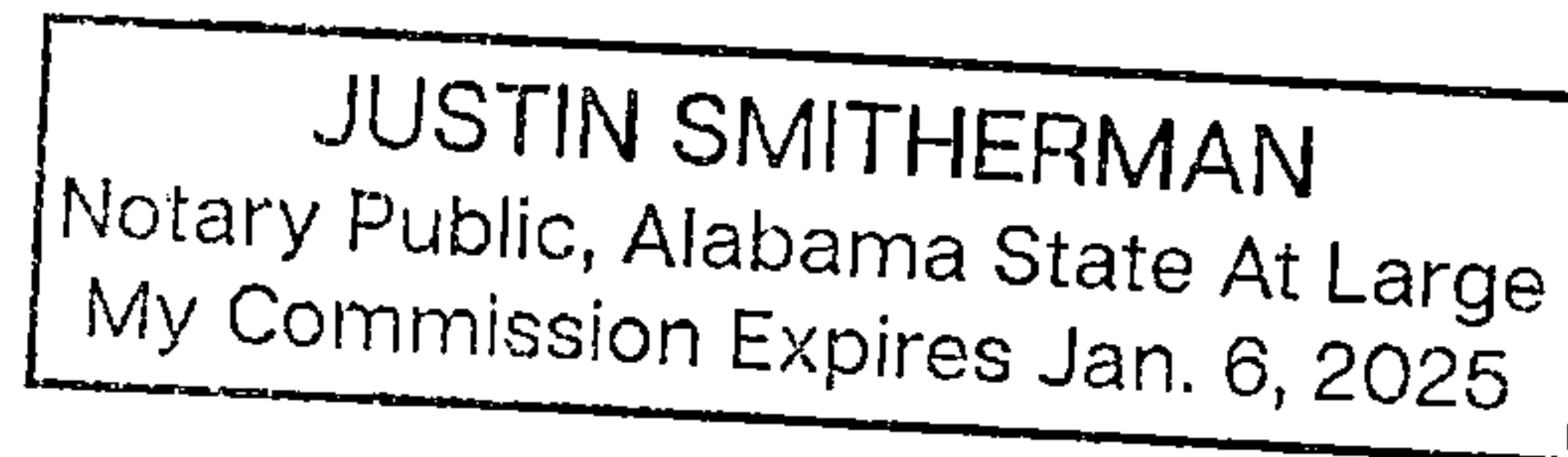
SS:

I, the undersigned, a Notary Public, in and for said County and State, hereby certify that **Robert Howell Smith, Jr.**, 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 Instrument, he signed his name voluntarily on the day the same bears date.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this the 9 day of January, 2023.

[Signature]
Notary Public

My Commission Expires: 1/6/25



★ see attached Exhibit B for heirship affidavits



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EXHIBIT A

The Northeast Quarter of the Southwest Quarter of the Northwest quarter (NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 13, Township 22 South, Range 4 West, containing approximately ten (10) acres, said plot being designated as Plot No. 18 upon a map prepared by I. S. Gillespie, Engineer, dated April 26, 1946, and so identified and on file in the office of the Boothton Coal Mining Company, Boothton, Alabama, minerals and mining rights excepted; and the right to haul through worked out openings any coal mined from other lands is reserved to grantor, its successors, and assigns.

The North Half of Northwest Quarter of Northwest Quarter of Southwest Quarter (N $\frac{1}{2}$ of NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of SW $\frac{1}{4}$) of Section 13, Township 22 South, Range 4 West, containing approximately five (5) acres, said plot being designated as Plot No. 21 upon a map prepared by I. S. Gillespie, Engineer, dated April 26, 1946, and so identified and on file in the office of the Boothton Coal Mining Company, Boothton, Alabama, minerals and mining rights excepted; and the right to haul through worked out openings any coal mined from other lands is reserved to grantor, its successors and assigns.

The North Half of the Northeast Quarter of the Northwest Quarter of the Southwest Quarter (N $\frac{1}{2}$ of NE $\frac{1}{2}$ of NW $\frac{1}{4}$ of SW $\frac{1}{4}$) of Section 13, Township South, Range 4 West, containing approximately five (5) acres, said plot being designated as Plot No. 22) upon a map prepared by I. S. Gillespie, Engineer, dated April 26, 1946, and so identified and on file in the office of the Boothton Coal Mining Company, Boothton, Alabama, minerals and mining rights excepted; and the right to haul through worked out openings any coal mined from other lands is reserved to grantor, its successors and assigns.

There is hereby reserved a right of way nine (9) feet in width along the north side of Plot No. 18 and also along the west side of Plot No. 18, as a means of ingress and egress to and from said property and the other property shown on said map.

There is hereby reserved a right of way nine (9) feet in width along the north side of Plot No. 21 and also along the east side of Plot No. 21, as a means of ingress and egress to and from said property and the other property shown on said map; and subject to the right of way for the Montevallo-Boothton public road as now situated on said plot.

There is hereby reserved a right of way nine (9) feet in width along the north side of Plot No. 22 and also along the west side of Plot No. 22, as a means of ingress and egress to and from said property and the other property shown on said map.

Less and Except that portion legally described as:

Beginning at the NE Corner of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 14, Township 22 South, Range 4 West, Thence run southerly along the east line of said $\frac{1}{4}$ - $\frac{1}{4}$ line a distance of 100.00 feet; Thence turn an angle of 88 deg. 17'22" right and run a distance of 150.00 feet; Thence turn an angle of 91 deg. 42'38" right and run a distance of 100.00 feet; Thence turn an angle of 88 deg. 17'22" right and run a distance of 150.00 feet to the point of beginning, containing 0.34 acres, more or less.

Real Estate Sales Validation Form

This Document must be filed in accordance with Code of Alabama 1975, Section 40-22-1

Grantor's Name Robert H. Smith Jr
Mailing Address 609 Lake Crest Drive
Hoover, AL 35226

Grantee's Name Robert H. Smith Jr.
Mailing Address 609 Lake Crest Drive
Hoover, AL 35226

Property Address Acreage

Date of Sale _____

Total Purchase Price \$ _____

or

Actual Value \$ _____

or

Assessor's Market Value \$ 98,100



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The purchase price or actual value claimed on this form can be verified in the following documentary evidence: (check one) (Recordation of documentary evidence is not required)

☐ Bill of Sale
☐ Sales Contract
☐ Closing Statement

☐ Appraisal
☐ Other To clear title.

If the conveyance document presented for recordation contains all of the required information referenced above, the filing of this form is not required.

Instructions

Grantor's name and mailing address - provide the name of the person or persons conveying interest to property and their current mailing address.

Grantee's name and mailing address - provide the name of the person or persons to whom interest to property is being conveyed.

Property address - the physical address of the property being conveyed, if available.

Date of Sale - the date on which interest to the property was conveyed.

Total purchase price - the total amount paid for the purchase of the property, both real and personal, being conveyed by the instrument offered for record.

Actual value - if the property is not being sold, the true value of the property, both real and personal, being conveyed by the instrument offered for record. This may be evidenced by an appraisal conducted by a licensed appraiser or the assessor's current market value.

If no proof is provided and the value must be determined, the current estimate of fair market value, excluding current use valuation, of the property as determined by the local official charged with the responsibility of valuing property for property tax purposes will be used and the taxpayer will be penalized pursuant to Code of Alabama 1975 § 40-22-1 (h).

I attest, to the best of my knowledge and belief that the information contained in this document is true and accurate. I further understand that any false statements claimed on this form may result in the imposition of the penalty indicated in Code of Alabama 1975 § 40-22-1 (h).

Date 1/30/2023

Print Robert H. Smith Jr.

Unattested

Sign Robert H. Smith Jr.

(verified by)

(Grantor/Grantee/Owner/Agent) circle one

Form RT-1

Exhibit B



20230130000024010 5/8 \$44.00
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This instrument prepared by:

Justin Smitherman, Esq.

173 Tucker RD Suite 201

Helena, AL 35080

STATE OF ALABAMA
COUNTY OF Jefferson

HEIRSHIP AFFIDAVIT

BEFORE ME, the undersigned Notary Public, on this day personally appeared Sharron Bright Day, (affiant) who is known to me (or who did confirm their identity by presenting a driver's license as identification), appearing to be fully competent and of sufficient age, after having been first duly sworn, deposes and says as follows:

That my name is Sharron Bright Day (name), and I live at 8585 Shady Trail Helena, AL 35022 (address of Affiant), that I am over the age of Twenty One (21) years, am of sound mind and have personal knowledge of the following facts:

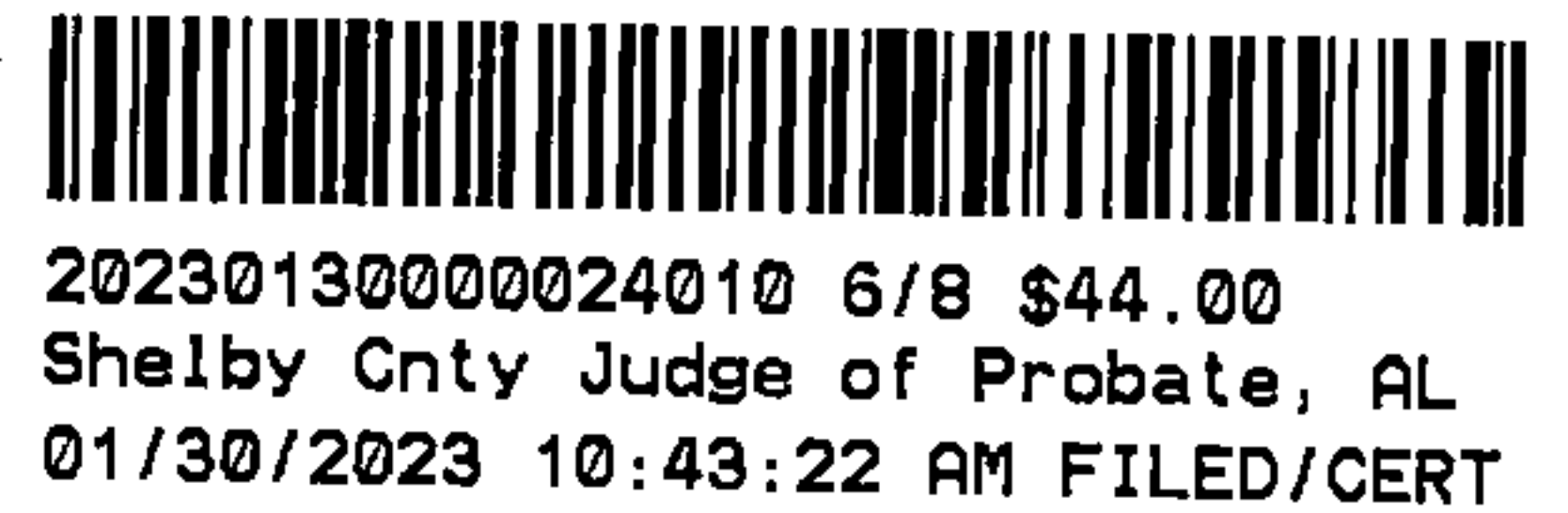
I knew Decedent, Robert Howell Smith, Sr., from 1987 until his/her death on January 17, 2015. I was personally well acquainted with the Decedent during his/her lifetime;
Friend of the family. (short statement as to how affiant knew decedent).

The Decedent died in Jefferson County, Alabama on or about January 17, 2015 and at the time of Decedent's death, Decedent's residence was 609 Lake Crest Drive Hoover, AL 35226, County of Jefferson.

I was also well acquainted with the family and near relatives of the Decedent. To the best of my knowledge and belief, the decedent did not have a surviving spouse. Decedent's surviving spouse is/was N/A and he/she lives/lived at _____.

Decedent had the following surviving heirs:

1. Robert Howell Smith, Jr., 58, Son, 609 Lake Crest Drive Hoover, AL 35226
(Name, age, relationship to decedent, address)
2. _____
(Name, age, relationship to decedent, address)
3. _____
(Name, age, relationship to decedent, address)
4. _____
(Name, age, relationship to decedent, address)
5. _____
(Name, age, relationship to decedent, address)



And Affiant further states that Decedent left no other children (living or deceased) or adopted children (living or deceased), nor descendants of deceased children or deceased adopted children. Furthermore Decedent's surviving spouse, N/A, had no children whether adopted, or biological other than those listed on this Affidavit and that all of the descendants listed were the children of the surviving spouse, if applicable, as well. And that all of the above named parties are over the age of 21 years.

Affiant states that his/her relationship to the Decedent was that of
Friend (state relationship to decedent).

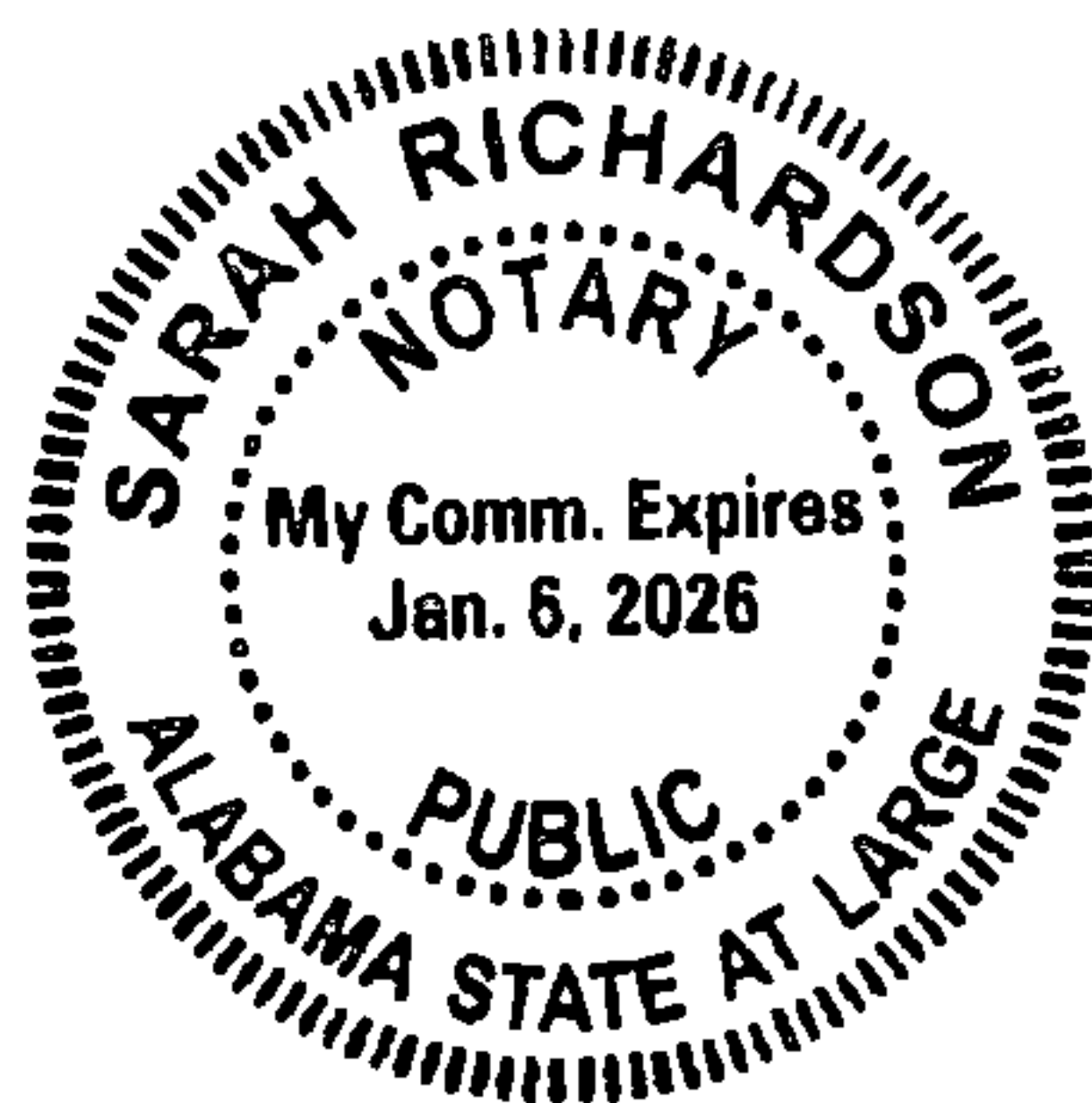
Further Affiant saith not.

(Sign here) Sharon Bright Day
(Print name here) Sharon Bright Day
Affiant

STATE OF Alabama
COUNTY OF Tuscaloosa


I, the undersigned authority, a Notary Public in and for said County and State, do hereby certify that Sharon Day whose name is signed to the foregoing Affidavit, and who is known to me, acknowledged before me on this day that, being informed of the contents of this document, he/she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal on this 30th day of December, 2022.



Sarah Richardson
Notary Public
My commission expires: 01/06/26

This instrument prepared by:
Justin Smitherman, Esq.
173 Tucker RD Suite 201
Helena, AL 35080


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STATE OF ALABAMA
COUNTY OF Jefferson

HEIRSHIP AFFIDAVIT

BEFORE ME, the undersigned Notary Public, on this day personally appeared John Floyd Day, (affiant) who is known to me (or who did confirm their identity by presenting a driver's license as identification), appearing to be fully competent and of sufficient age, after having been first duly sworn, deposes and says as follows:

That my name is John Floyd Day (name), and I live at 8585 Shady Trail Helena, AL 35022 (address of Affiant), that I am over the age of Twenty One (21) years, am of sound mind and have personal knowledge of the following facts:

I knew Decedent, Robert Howell Smith, Sr., from 1963 until his/her death on January 17, 2015. I was personally well acquainted with the Decedent during his/her lifetime;
Friend of the family. (short statement as to how affiant knew decedent).

The Decedent died in Jefferson County, Alabama on or about January 17, 2015 and at the time of Decedent's death, Decedent's residence was 609 Lake Crest Drive Hoover, AL 35226, County of Jefferson.

I was also well acquainted with the family and near relatives of the Decedent. To the best of my knowledge and belief, the decedent did not have a surviving spouse. Decedent's surviving spouse is/was N/A and he/she lives/lived at _____.

Decedent had the following surviving heirs:

1. Robert Howell Smith, Jr., 58, Son, 609 Lake Crest Drive Hoover, AL 35226
(Name, age, relationship to decedent, address)
2. _____
(Name, age, relationship to decedent, address)
3. _____
(Name, age, relationship to decedent, address)
4. _____
(Name, age, relationship to decedent, address)
5. _____
(Name, age, relationship to decedent, address)



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And Affiant further states that Decedent left no other children (living or deceased) or adopted children (living or deceased), nor descendants of deceased children or deceased adopted children. Furthermore Decedent's surviving spouse, N/A, had no children whether adopted, or biological other than those listed on this Affidavit and that all of the descendants listed were the children of the surviving spouse, if applicable, as well. And that all of the above named parties are over the age of 21 years.

Affiant states that his/her relationship to the Decedent was that of

Friend (state relationship to decedent).

Further Affiant saith not.

(Sign here)

(Print name here)

Affiant

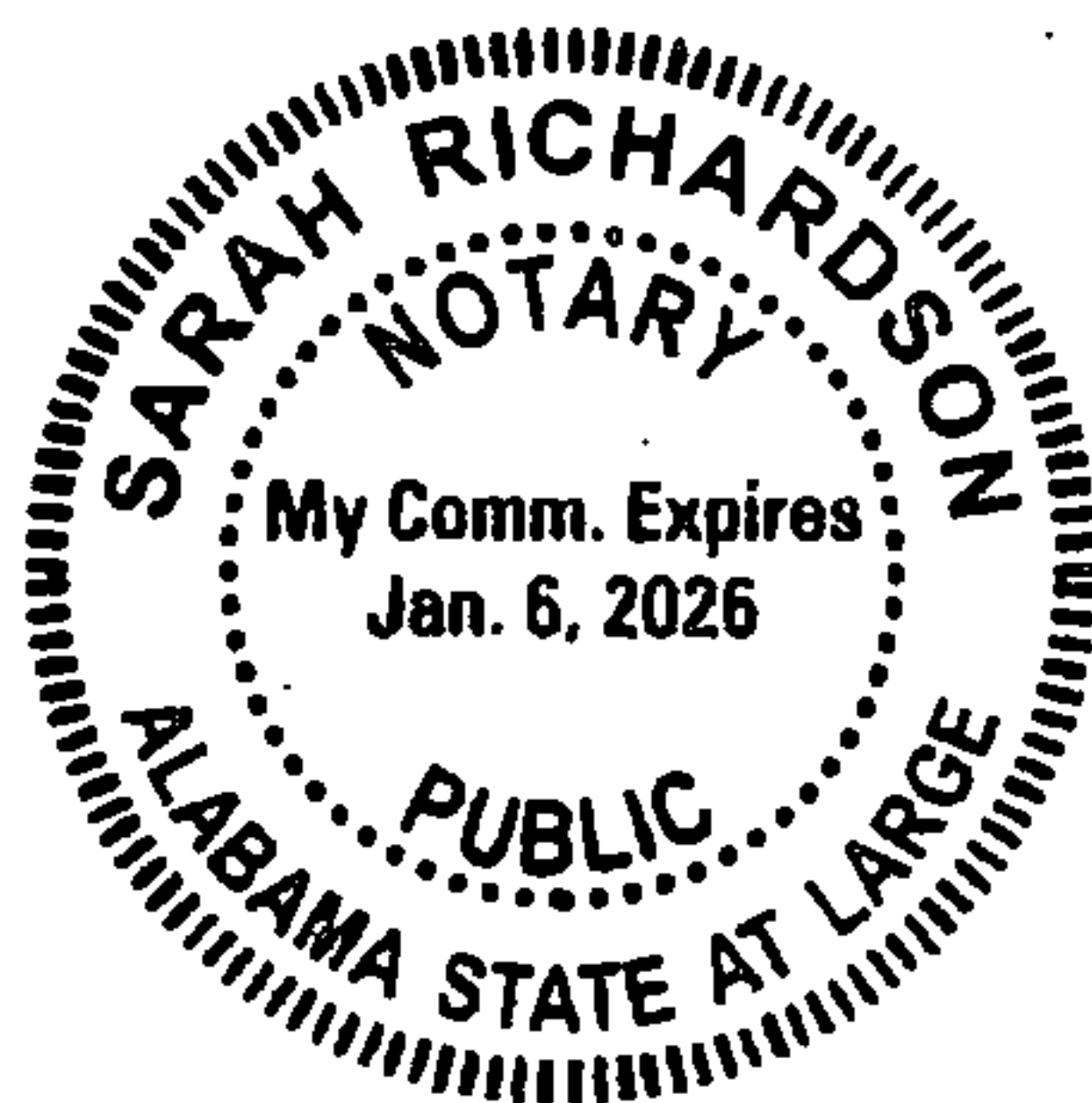
STATE OF

COUNTY OF

Alabama
Tuscaloosa

I, the undersigned authority, a Notary Public in and for said County and State, do hereby certify that John Day whose name is signed to the foregoing Affidavit, and who is known to me, acknowledged before me on this day that, being informed of the contents of this document, he/she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal on this 20th day of December, 2022



Sarah Richardson

Notary Public

My commission expires: 01/06/26