

This instrument prepared by:  
John N. Randolph, Attorney  
Strote & Permutt P.C.  
2222 Arlington Avenue  
Birmingham, Alabama 35205

Send Tax Notice To:  
Denis E. Gilmore  
Eunice S. Gilmore  
3401 Falconwood Lane  
Birmingham, Alabama 35243

## WARRANTY DEED, Joint Tenants with Right of Survivorship

State of Alabama

KNOW ALL MEN BY THESE PRESENTS,

Shelby County

That in consideration of **One Hundred Sixty-Two Thousand Five Hundred and 00/100'S \*\*\* (\$162,500.00) Dollars** to the undersigned grantors in hand paid by the GRANTEES herein, the receipt whereof is acknowledged, we, **Marvin Aberbuch and wife, Susan Aberbuch** (herein referred to as grantors) do grant, bargain, sell and convey unto **Denis E. Gilmore and Eunice S. Gilmore** (herein referred to as GRANTEES) as joint tenants with right of survivorship, the following described real estate situated in Shelby County, Alabama, to-wit:

Lot 8, Block 1, according to the Survey of Apple Cross, as recorded in Map Book 6, page 42 A & B, in the Probate Office of Shelby County, Alabama.

Subject to:

1. Advalorem taxes for the current tax year which grantees herein assume and agree to pay.
2. 10 foot Easement on North, East, South and West, as shown by recorded Map.
3. Restrictions appearing of record in Misc. Volume 10, page 515; Misc. Volume 10, page 557; Misc. Volume 17, page 183 and Misc. Volume 13, page 154, in the Probate Office of Shelby County, Alabama.
4. Right of Way granted to Alabama Power Company by instrument recorded in Misc. Volume 10, page 558; Volume 291, page 386 and Volume 293, page 755, in the Probate Office of Shelby County, Alabama.

\$70,000.00 of the purchase price recited above 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 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, we have hereunto set our hands and seals this 4th of August, 1992.

 (Seal)  
Marvin Aberbuch

 (Seal)  
Susan Aberbuch

### STATE OF ALABAMA JEFFERSON COUNTY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Marvin Aberbuch and wife, Susan Aberbuch 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 4th day of August, 1992.

  
Notary Public  
AFFIX SEAL

Inst # 1992-16309

08/07/1992-16309  
08:47 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
001 HCD 99.00