

This Instrument Was Prepared By:

Frank K. Bynum, Esquire
#17 Office Park Circle
Birmingham, Alabama 35223

SEND TAX NOTICE TO:

Timothy P. O'Connell
1719 Southpointe Drive
Birmingham, AL 35244

PARCEL# 13-3-06-0-002-019

STATE OF ALABAMA)
COUNTY OF JEFFERSON)

KNOW ALL MEN BY THESE PRESENTS,

That in consideration of TWO HUNDRED FORTY SEVEN THOUSAND FIVE HUNDRED AND NO/100 DOLLARS (\$247,500.00), to the undersigned grantors in hand paid by the Grantees herein, the receipt of which is hereby acknowledged, **DAVID S. MEMEL AND WIFE, HEINTJE MEMEL**, (herein referred to as Grantors) do grant, bargain, sell and convey unto **TIMOTHY P. O'CONNELL AND NANCY N. O'CONNELL** (herein referred to as Grantees), as tenants in common with equal rights and interest for the period or term that the said Grantees shall both survive, and unto the survivor of the said Grantees, at the death of the other, and to the heirs and assigns of such survivor in fee simple forever, such tenancy expressly intended to create co-tenants in common for life with a contingent remainder in fee in favor of the survivor of the said Grantees, the following described real estate, situated in the State of Alabama, County of SHELBY, to-wit:

Lot 19, according to the Survey of Southpointe Eighth Sector, as recorded in Map Book 15, page 109, in the Probate Office of Shelby County, Alabama.

Subject to existing easements, restrictions, set back lines, rights of ways, limitations, if any, of record.

\$213,000.00 of the purchase price recited above was paid from a mortgage loan closed simultaneously herewith.

By the execution and delivery of this Deed, Grantors and Grantees acknowledge that it is not their intention to create a joint tenancy with right of survivorship, but, on the contrary it is their intention to create and they do hereby create a form of concurrent ownership in property as tenants in common during the respective lives of the Grantees, with cross-contingent remainders in fee to and in favor of the survivor, and to the heirs and assigns of such survivor, which interest so created in the Grantees are indestructible by the act of one of the Grantees.

And we do for ourselves and for our heirs, executors, and administrators covenant with 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.

TO HAVE AND TO HOLD to the said Grantees, as tenants in common and with equal rights and interest for the period or term that the said Grantees shall both survive, and unto the survivor of the said Grantees, at the death of the other and to the heirs and assigns of such survivor in fee simple forever, such tenancy expressly intended to create co-tenants in common for life with a contingent remainder in fee in favor of the survivor of the Grantees,

IN WITNESS WHEREOF, we have hereunto set our hands and seal, this 31st day of May, 1994.

David S. Memel
DAVID S. MEMEL

Heintje Memel
HEINTJE MEMEL

STATE OF ALABAMA)
COUNTY OF JEFFERSON)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that **DAVID S. MEMEL AND WIFE, HEINTJE MEMEL**, 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 the 31st day of May, 1994.

Frank K. Bynum
Notary Public

My Commission Expires: 11/20/96

zoconnell

06/14/1994-19009
12:36 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
001 MCD 43.00

Inst # 1994-19009