

This instrument was prepared by

(Name) GENE W. GRAY, JR.

(Address) 2100 SOUTHBRIDGE PARKWAY, #638  
BIRMINGHAM, ALABAMA 35209

Send Tax Notice To: JOHN A. KOHNER

name

917 TALL PINES LANE

address

BIRMINGHAM, ALABAMA 35244

**WARRANTY DEED, JOINT TENANTS WITH RIGHT OF SURVIVORSHIP**

STATE OF ALABAMA

Jefferson COUNTY

} KNOW ALL MEN BY THESE PRESENTS, . . . .

That in consideration of TWO HUNDRED SEVENTEEN THOUSAND AND NO/100-----  
----- DOLLARS (\$217,000.00)  
to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt whereof is acknowledged, we,  
FRANK D. MORRISSEY, SR. AND WIFE, EMILY ROLLINS MORRISSEY

(herein referred to as grantors) do grant, bargain, sell and convey unto JOHN A. KOHNER AND WIFE, DAWN M. KOHNER

(herein referred to as GRANTEES) as joint tenants with right of survivorship, the following described real estate situated in

SHELBY County, Alabama to-wit:

THE PROPERTY CONVEYED HEREIN IS DESCRIBED ON EXHIBIT "A", ATTACHED HERETO AND  
MADE A PART HEREOF FOR ALL PURPOSES.

\$195,300.00 OF THE CONSIDERATION WAS PAID FROM THE PROCEEDS OF A MORTGAGE  
LOAN.

09/05/1997-28440  
09:42 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
001 MEL 30.50

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 I (we) do for myself (ourselves) and for my (our) heirs, executors, and administrators covenant with the said GRANTEES, their heirs and assigns, that I am (we are) lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that I (we) have a good right to sell and convey the same as aforesaid; that I (we) will and my (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 hand(s) and seal(s), this 28th  
day of August, 19 97.



JUDY BEATON AS ATTORNEY  
IN FACT FOR FRANK D.  
MORRISSEY, SR. and EMILY  
ROLLINS MORRISSEY

STATE OF ALABAMA  
JEFFERSON COUNTY



FRANK D. MORRISSEY, SR.

(Seal)



EMILY ROLLINS MORRISSEY

(Seal)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that JUDY BEATON whose name as Attorney in Fact for FRANK D. MORRISSEY, SR. AND EMILY R. MORRISSEY under that certain Durable Power of Attorney recorded on 8-5-1997 in 28439 in the Probate Office of SHELBY County, Alabama, is signed to the foregoing instrument and is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, she, in her capacity as such Attorney in Fact, executed the same voluntarily for and as the act of FRANK D. MORRISSEY, SR. AND EMILY R. MORRISSEY on the day the same bears date.

Given under my hand and official seal this 28th day of August, 1997.

  
Notary Public  
Print Name: GENE W. GRAY, JR.  
Commission Expires: 11/09/98

EXHIBIT "A"

Lot 2229-A, according to a Resurvey of Lots 2223 through 2230, 22nd Addition to Riverchase Country Club, as recorded in Map Book 9, page 141, in the Probate Office of Shelby County, Alabama.

LESS AND EXCEPT THE FOLLOWING:

Part of Lot 2229-A, Resurvey of Lots 2223 through 2230, 22nd Addition to Riverchase Country Club, as recorded in the Office of Judge of Probate Shelby County, Alabama, in Map Book 9, page 141, being more particularly described as follows:

From the Northeast corner of said Lot 2229-A, run in a Northwesterly direction along the common line of said Lots 2229-A and 2228-A for a distance of 72.00 feet to the point of beginning; thence continue along last mentioned course for a distance of 20.00 feet; thence turn an angle to the left of 90° and run in a Southwesterly direction for a distance of 0.65 feet; thence turn an angle to the left of 90° and run in a Southeasterly direction for a distance of 20.00 feet; thence turn an angle to the left of 90° and run in a Northeasterly direction for a distance of 0.65 feet to the point of beginning.

SUBJECT TO:

Advalorem taxes for the year 1997 which are a lien, but not due and payable until October 01, 1997.

50 foot building line, as shown by recorded Map.

10 foot Easement on rear, as shown by recorded Map.

Restrictions or Covenants recorded in Misc. 14, page 536, amended by Misc. 17, page 550 and Misc. 34, page 549, in the Probate Office of Shelby County, Alabama, but omitting any covenant or restriction based on race, color, religion, sex, handicap, familial status, or national origin.

Restrictions or Covenants recorded in Real 118, page 449, in the Probate Office of Shelby County, Alabama, but omitting any covenant or restriction based on race, color, religion, sex, handicap, familial status, or national origin.

Restrictions regarding Alabama Power Company recorded in Real 60, page 740, in the Probate Office of Shelby County, Alabama.

Agreement with Alabama Power Company recorded in Real 60, page 737, in the Probate Office of Shelby County, Alabama.

Right of Way granted to Alabama Power Company by instrument recorded in Real 59, page 371, in the Probate Office of Shelby County, Alabama.

Mineral and mining rights and rights incident thereto recorded in Volume 127, page 140, in the Probate Office of Shelby County, Alabama.

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