

THIS INSTRUMENT PREPARED BY:  
Courtney Mason & Associates, P.C.  
1904 Indian Lake Drive, Suite 100  
Birmingham, Alabama 35244  
STATE OF ALABAMA )

GRANTEE'S ADDRESS:  
Timothy E. Gardner  
3009 Longleaf Lane  
Helena, Alabama 35080

Inst # 1999-41283

**JOINT SURVIVORSHIP DEED**

COUNTY OF SHELBY )

KNOW ALL MEN BY THESE PRESENTS: That, for and in consideration of One Hundred Twenty-Nine Thousand Five Hundred and 00/100 (\$129,500.00) DOLLARS, and other good and valuable consideration, this day in hand paid to the undersigned GRANTORS, **Daniel S. Burk and Andrea S. Burk, husband and wife** (hereinafter referred to as GRANTORS), the receipt whereof is hereby acknowledged, the GRANTORS do hereby give, grant, bargain, sell and convey unto the GRANTEE, **Timothy E. Gardner and wife, Rachael L. Gardner**, (hereinafter referred to as GRANTEE), for and during their joint lives and upon the death of either, then to the survivor of them 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:

Lot 18, according to the Map and Survey of Royal Pines, as recorded in Map Book 11, page 51, in the Probate Office of Shelby County, Alabama. Mineral and mining rights excepted.


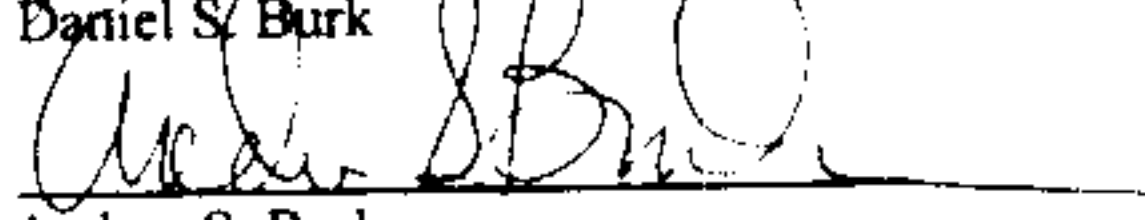
Subject to existing easements, current taxes, restrictions, set-back lines and rights of way, if any, of record.

\$128,835.00 of the above-recited purchase price was paid from a mortgage loan closed simultaneously herewith.

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, 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 GRANTEE 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 GRANTEE herein shall take as tenants in common, forever.

AND SAID GRANTORS, for said GRANTORS, GRANTORS' heirs, successors, executors and administrators, covenants with GRANTEE, and with GRANTEE'S heirs and assigns, that GRANTORS are 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 GRANTORS will, and GRANTORS' 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.

IN WITNESS WHEREOF, said GRANTORS have hereunto set their hands and seals this the 29th day of September, 1999.

  
Daniel S. Burk  
  
Andrea S. Burk

STATE OF ALABAMA )

COUNTY OF SHELBY )

I, the undersigned, a Notary Public, in and for said County and State, hereby certify that Daniel S. Burk and Andrea S. Burk, husband and wife 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 Instrument signed their names voluntarily on the day the same bears date.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this the 29th day of September, 1999.

  
NOTARY PUBLIC

My Commission Expires: 3/17/03

COURTNEY H. MASON, 1999-41283  
MY COMMISSION EXPIRES MARCH 5, 2003

10/04/1999-41283  
01:59 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
001 CJ1 9.50