

**WARRANTY DEED, JOINTLY FOR LIFE WITH REMAINDER TO SURVIVOR**

This instrument was prepared by:  
B. CHRISTOPHER BATTLES  
3150 HIGHWAY 52 WEST  
PELHAM, AL. 35124

Send tax notice to:  
James S. Gay and Cassieopia L. Gay  
129 Rocky Ridge Drive  
Helena, Alabama 35080

**STATE OF ALABAMA  
COUNTY OF SHELBY**

Know All Men by These Presents: That in consideration of **Ninety seven thousand five hundred and no/100 (\$97,500.00)** to the undersigned grantor (whether one or more), in hand paid by the grantee herein, the receipt where is acknowledged, I or we, **Martin L. Smith and Sharon Szczuka Smith, husband and wife** (herein referred to as grantor, whether one or more), grant, bargain, sell and convey unto **James S. Gay and Cassieopia L. Gay** (herein referred to as grantee, whether one or more), the following described real estate, situated in **Shelby County, Alabama**, to-wit:

**Lot 71, according to the Survey of Rocky Ridge Townhomes, Phase One, as recorded in Map Book 22, Page 132, in the Probate Office of Shelby County, Alabama.**

Mineral and mining rights excepted.

\$78,000.00 of the purchase price recited above was paid from mortgage loan closed simultaneously herewith.

\$19,500.00 of the purchase price recited above was paid from mortgage loan closed simultaneously herewith.

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

To Have and to Hold to 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 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 said grantee, his, her or 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 stated 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 grantee, his, her or their heirs and assigns forever, against the lawful claims of all persons.

In Witness Whereof, I (we) have hereunto set my (our) hand(s) and seal(s) this 30<sup>th</sup> day of January, 2004.

\_\_\_\_\_  
Witness

  
Martin L. Smith

\_\_\_\_\_  
Witness

  
Sharon Szczuka Smith

**STATE OF ALABAMA  
COUNTY OF SHELBY**

I, **B. CHRISTOPHER BATTLES**, a Notary Public in and for said County, in said State, hereby certify that **Martin L. Smith and Sharon Szczuka Smith, husband and wife**, whose name(s) 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 this conveyance, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 30<sup>th</sup> day of January, 2004.

  
Notary Public  
My Commission Expires: 02-25-05