

This form furnished by:

**Cahaba Title, Inc.**

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This instrument was prepared by:

(Name) Daniel M. Spitler, Attorney  
(Address) 108 Chandalar Drive  
Pelham, Alabama 35124

Send Tax Notice to:

(Name) Mr. Larry Wyatt Cost  
(Address) 1415 Secretariat Drive  
Helena, Alabama 35080

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

STATE OF ALABAMA

SHELBY

COUNTY

KNOW ALL MEN BY THESE PRESENTS,

That in consideration of ONE HUNDRED THOUSAND SEVEN HUNDRED AND NO/100 (\$100,700.00) DOLLARS to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt whereof is acknowledged, we, MARK W. KELLEY and wife, SUSAN M. KELLEY

(herein referred to as grantors) do grant, bargain, sell and convey unto

LARRY WYATT COST and wife, TRACY D. COST

(herein referred to as GRANTEES for and during their joint lives and upon the death of either of them, then to the survivor of them in fee simple, together with every contingent remainder and right of reversion, the following described real estate situated in Shelby County, Alabama to-wit:

Lot 3, Block 2, according to the survey of Dearing Downs, Second Addition, as recorded in Map Book 9 page 33 in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

**SUBJECT TO:**

Building setback line of 40 feet reserved from Secretariat Drive as shown by plat. Public utility easements as shown by recorded plat, including a 10 foot easement on the West side.

Restrictions, covenants and conditions as set out in instrument recorded in Real 4 page 385 in Probate Office of Shelby County, Alabama.

Transmission Line Permit to Alabama Power Company as shown by instrument recorded in Deed Book 55 page 454 in Probate Office of Shelby County, Alabama.

Right of Way granted to South Central Bell by instrument recorded in Real 12 page 166 in Probate Office of Shelby County, Alabama.

Easement to Alabama Power Company and South Central Bell as shown by instrument recorded in Real 6 page 473 in Probate Office of Shelby County, Alabama.

Mineral and mining rights if not owned by Grantor.

\$100,700.00 of the purchase price recited above was paid from a mortgage loan closed simultaneously herewith.

1. Deed Tax \$ —

2. Mtg. Tax —

3. Recording Fee 2.50

4. Indexing Fee 1.00

TOTAL 3.50

TO HAVE AND TO HOLD to the said GRANTEES for and during their joint lives and upon the death of either of them, then to the survivor of them in fee simple, and to the heirs and assigns for such survivor forever, together with every contingent remainder and right of reversion.

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 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 30th day of September, 19 87.

WITNESS

STATE OF ALA. SHELBY CO.  
I CERTIFY THIS  
INSTRUMENT WAS FILED

(Seal)

1987 OCT -2 AM 9:48

(Seal)

(Seal)

Mark W. Kelley (Seal)  
Susan M. Kelley (Seal)  
Susan M. Kelley (Seal)

STATE OF ALABAMA  
SHELBY

COUNTY

General Acknowledgment

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Mark W. Kelley and Susan M. Kelley 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 the conveyance they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 30th day of September A.D., 19 87

1/25/90

My Commission Expires:

Notary Public

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