

This instrument was prepared by

(Name) LARRY L. HALCOMB

(Address) 3512 OLD MONTGOMERY HIGHWAY  
HOMEWOOD, ALABAMA 35208

Send Tax Notice To: John P. Menkhaus

name  
1917 Indian Lake Drive  
Birmingham, Alabama 35244

1729

WARRANTY DEED, JOINT TENANTS WITH RIGHT OF SURVIVORSHIP LAND TITLE COMPANY OF ALABAMA

STATE OF ALABAMA

SHELBY COUNTY

KNOW ALL MEN BY THESE PRESENTS,

That in consideration of One hundred twenty eight thousand & No/100 (128,000.00) DOLLARS

to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt whereof is acknowledged, we,

Elton B. Smith & wife, Linda H. Smith

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

John P. Menkhaus & Susan H. Menkhaus

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

Shelby County, Alabama to-wit:

Lot 7, according to the survey of Indian Valley Lake Estates, as recorded in Map Book 6 page 20 in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

Minerals and mining rights excepted.

Subject to taxes for 1988.

Subject to restrictions, building lines, easements and agreement with Shelby County of record.

\$ 48,000.00 of the purchase price was paid from the proceeds of a mortgage loan closed simultaneously herewith.

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 22nd day of April, 19 88.

WITNESS:

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

Recording Fee 2.50 APR 26 AM 9:12 (Seal)

Indexing Fee 1.00 (Seal)

STATE OF ALABAMA JUDGE OF PROBATE (Seal)

JEFFERSON COUNTY

General Acknowledgment

Elton B. Smith (Seal)  
Elton B. Smith  
Linda H. Smith (Seal)  
Linda H. Smith (Seal)

I, Larry L. Halcomb, a Notary Public in and for said County, in said State, hereby certify that Elton B. Smith & wife, Linda H. Smith 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 22nd day of April, A. D., 19 88

Larry L. Halcomb

Notary Public.