

This instrument was prepared by

Courtney Mason & Associates PC
100 Concourse Parkway Suite 350
Birmingham, Alabama 35244

WARRANTY DEED, JOINTLY FOR LIFE WITH REMAINDER TO SURVIVOR

STATE OF ALABAMA

JEFFERSON COUNTY

KNOW ALL MEN BY THESE PRESENTS,

That in consideration of TWO HUNDRED THIRTY SEVEN THOUSAND FIVE HUNDRED & NO/100---- (\$237,500.00) DOLLARS to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt whereof is acknowledged, we, Robert W. Kitsell and wife, Connie L. Kitsell (herein referred to as grantors), do grant, bargain, sell and convey unto John J. Upchurch and wife, Jodi T. Upchurch (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 and right of reversion, the following described real estate, situated in Jefferson County, Alabama, to-wit:

Lot 57, according to the survey of Riverchase Country Club, Fourth Addition, Residential Subdivision, as recorded in Map Book 21 page 8 in the Office of the Judge of Probate of Jefferson County, Alabama (Bessemer Division) and Map Book 7 Page 85 in the PRobate Office of Shelby County, Alabama; being situated in 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.

\$202,300.00 of the above-recited purchase price was paid from a mortgage loan closed simultaneously herewith.

GRANTEES' ADDRESS: 1159 LAKE FOREST CIRCLE, BIRMINGHAM, ALABAMA 35244

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 of 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 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 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 GRANTEES, their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, we have hereunto set our hands and seals, this 21st day of May, 1992.

Robert W. Kitsell

Robert W. Kitsell

Connie L. Kitsell
By: *Robert W. Kitsell*

Connie L. Kitsell

her attorney in fact

State of Alabama)
County of Shelby)

I, the undersigned, hereby certify that Robert W. Kitsell, a married man whose name is 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, he executed the same voluntarily on the day the same bears date.
GIVEN UNDER MY HAND THIS 21st day of May, 1992.

COURTNEY H. MASON, JR.
MY COMMISSION EXPIRES
3-5-95

STATE OF ALABAMA)
COUNTY OF SHELBY)

I, the undersigned, a Notary Public, in and for said County in said State, hereby certify that Robert W. Kitsell, whose name as Attorney in Fact for Connie L. Kitsell is signed to the foregoing conveyance and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he, in his capacity as such Attorney in Fact, executed the same voluntarily on the day the same bears date.
GIVEN UNDER MY HAND THIS THE 21st DAY OF May, 1992.

COURTNEY H. MASON, JR.
MY COMMISSION EXPIRES
3-5-95

My Commission expires:

3-5-95

Notary Public

Inst # 1992-10011
06/03/1992-10011
09:26 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
001 MCD 42.00