

This instrument prepared by:  
John N. Randolph, Attorney  
Strote & Permutt P.C.  
2222 Arlington Avenue  
Birmingham, Alabama 35205

Send Tax Notice to:  
John M. Floyd  
Marsha M. Floyd  
5141 Meadowbrook Road  
Birmingham, AL 35242

Inst # 1996-22040

## WARRANTY DEED, Joint Tenants with Right of Survivorship

State of Alabama

KNOW ALL MEN BY THESE PRESENTS,

Shelby County

That in consideration of **One Hundred Sixty Thousand Five Hundred and 00/100 (\$160,500.00) Dollars** to the undersigned grantors in hand paid by the GRANTEES herein, the receipt whereof is acknowledged, we, **George Frederick Gells, Jr., and wife, Joyce Marie Gells** (herein referred to as grantors) do grant, bargain, sell and convey unto **John M. Floyd and Marsha M. Floyd** (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 53, according to the Survey of Meadow Brook, 6th Sector, as recorded in Map Book 8, page 44, in the Probate Office of Shelby County, Alabama.

Subject to:

1. Ad valorem taxes for the current tax year which grantees herein assume and agree to pay.
2. Restrictions as shown by recorded Map.
3. Right of Way granted to Alabama Power Company by instrument recorded in Volume 329, page 313, in the Probate Office of Shelby County, Alabama.
4. Mineral and mining rights and rights incident thereto recorded in Volume 32, page 48, in the Probate Office of Shelby County, Alabama.
5. Agreement with Alabama Power Company recorded in Misc. Volume 40, page 801, in the Probate Office of Shelby County, Alabama.
6. Restrictions or Covenants recorded in Misc. Volume 40, page 807, and Misc. Volume 47, page 278, in the Probate Office of Jefferson County, Alabama, Alabama, but omitting any covenant or restriction based on race, color, religion, sex, handicap, familial status, or national origin.

Joyce Marie Gells and Joyce Marie Rychlak is one and the same person.

\$144425.00 of the purchase price recited above 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 we do for ourselves and for our heirs, executors, and administrators covenant with the said GRANTEES, their heirs and assigns, that we are lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that we have a good right to sell and convey the same as aforesaid; that we will and 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 28th of June, 1996.

X  (Seal)  
George Frederick Gells, Jr.  
+  (Seal)  
Joyce Marie Gells

STATE OF ALABAMA  
JEFFERSON COUNTY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that George Frederick Gells, Jr., and wife, Joyce Marie Gells 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 28th day of June, 1996.

Inst # 1996-22040  
Affix Seal

07/09/1996-22040  
01:23 PM CERTIFIED

SHELBY COUNTY JUDGE OF PROBATE