

WARRANTY DEED Joint tenants with right of survivorship

1997-34605

STATE OF ALABAMA  
COUNTY OF JEFFERSON

KNOW ALL MEN BY THESE PRESENTS, That in consideration of One Hundred Ninety Thousand and no/100's Dollars (\$190,000.00) and other good and valuable consideration to the undersigned grantors, JERRY W. NOLEN and wife, CONNIE H. NOLEN in hand paid by the Grantees herein, the receipt whereof is hereby acknowledged the said JERRY W. NOLEN and wife, CONNIE H. NOLEN do grant, bargain, sell and convey unto MICHAEL L. SMITH and DONNA H. SMITH as joint tenants with right of survivorship, the following described real estate situated in Shelby County, Alabama, to-wit:

Lot 38, according to the Map and Survey of Indian Creek, Phase III, as recorded in Map Book 15, Page 74 in the Probate Office of Shelby County, Alabama.

\$180,500.00 of the consideration is paid by a mortgage which is filed simultaneously herewith.

TO HAVE AND TO HOLD, to 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 or more grantees herein survives the other, the entire interest in fee simple shall pass to the surviving grantees, 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 of 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 the 30th day of September, 1997.

*Jerry W. Nolen*  
\_\_\_\_\_  
JERRY W. NOLEN

*Connie H. Nolen*  
\_\_\_\_\_  
CONNIE H. NOLEN

STATE OF ALABAMA  
COUNTY OF JEFFERSON

10/24/1997-34605  
10:45 AM CERTIFIED  
NOTARY PUBLIC

I, the undersigned, a Notary Public in and for said County, in said State hereby certify that Jerry W. Nolen and Connie H. Nolen whose names are signed to the foregoing conveyance and who are known to me, acknowledged before me, 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 seal this the 30th day of September, 1997.



\_\_\_\_\_  
Notary Public

This instrument was prepared by:  
F. Wayne Keith  
400 Vestavia Parkway, Suite 250  
Birmingham, Alabama 35216

Send Tax Notice to:  
Michael L. Smith  
116 Indian Landing Road  
Pelham, Alabama 35124