

THIS INSTRUMENT PREPARED BY:
Courtney Mason & Associates, P.C.
1904 Indian Lake Drive, Suite 100
Birmingham, Alabama 35244

GRANTEE'S ADDRESS:
Richard C. Kirby, Jr.

STATE OF ALABAMA)

JOINT SURVIVORSHIP DEED

COUNTY OF SHELBY)

KNOW ALL MEN BY THESE PRESENTS: That, for and in consideration of Two Hundred Fifty-Seven Thousand Nine Hundred and 00/100 (\$257,900.00) DOLLARS, and other good and valuable consideration, this day in hand paid to the undersigned GRANTORS, **Miro Nowak and wife, Pauline Nowak**, (hereinafter referred to as GRANTORS), the receipt whereof is hereby acknowledged, the GRANTORS do hereby give, grant, bargain, sell and convey unto the GRANTEES, **Richard C. Kirby, Jr. and Patricia Ann Painter Kirby, husband and wife**, (hereinafter referred to as GRANTEES), for and during their joint lives and upon the death of either, then to the survivor of them in fee simple, together with every contingent remainder and right of reversion, the following described Real Estate, lying and being in the County of SHELBY, State of Alabama, to-wit:

Lot 5, according to the Map of Meadowbrook, 5th Sector, 3rd Phase, as recorded in Map Book 10, Page 27 A & B, in the Probate Office of 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.

\$140,000.00 of the above-recited purchase price was paid from a mortgage loan closed simultaneously herewith.

TO HAVE AND TO HOLD, the tract or parcel of land above described together with all and singular the rights, privileges, tenements, appurtenances, and improvements 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, forever.

AND SAID GRANTORS, for said GRANTORS, GRANTORS' heirs, successors, executors and administrators, covenants with GRANTEES, and with GRANTEES' heirs and assigns, that GRANTORS are lawfully seized in fee simple of the said Real Estate; that said Real Estate is free and clear from all Liens and Encumbrances, except as hereinabove set forth, and except for taxes due for the current and subsequent years, and except for any Restrictions pertaining to the Real Estate of record in the Probate Office of said County; and that GRANTORS will, and GRANTORS' heirs, executors and administrators shall, warrant and defend the same to said GRANTEES, and GRANTEES' heirs and assigns, forever against the lawful claims of all persons.

IN WITNESS WHEREOF, said GRANTORS have hereunto set their hands and seals this the 30th day of April, 1998.

Miro Nowak by Svend Aage Bentzen
Miro Nowak *his Attorney in Fact*
By: Svend Aage Bentzen, his Attorney-in-Fact
Pauline Nowak by Svend Aage Bentzen
Pauline Nowak *her Attorney in Fact*
By: Svend Aage Bentzen, her Attorney-in-Fact

STATE OF ALABAMA)

COUNTY OF SHELBY)

I, the undersigned, a Notary Public, in and for said County and State, hereby certify that **Svend Aage Bentzen** for Miro Nowak, as Attorney In Fact, whose name 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 Instrument signed his name voluntarily in his capacity as Attorney in Fact on the day the same bears date.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this the 30th day of April, 1998.

Mark L. Rowe

NOTARY PUBLIC

My Commission Expires: 10/3/2001 Inst # 1998-15959

MARK L. ROWE
MY COMMISSION EXPIRES
10/03/2001

05/04/1998-15959
09:29 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 SNA 129.00

STATE OF ALABAMA)

COUNTY OF SHELBY)

I, the undersigned, a Notary Public, in and for said County and State, hereby certify that **Svend Aage Bentzen** for **Pauline Nowak**, as Attorney In Fact, whose name 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 Instrument signed her name voluntarily in her capacity as Attorney In Fact on the day the same bears date.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this the 30th day of April, 1998.



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