

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

GRANTEE'S ADDRESS:
John H. Crilly
34 The Oaks Circle
Birmingham, Alabama 35244

JOINT SURVIVORSHIP DEED

COUNTY OF SHELBY)

KNOW ALL MEN BY THESE PRESENTS: That, for and in consideration of One Hundred Eighty-One Thousand Four Hundred and 00/100 (\$181,400.00) DOLLARS, and other good and valuable consideration, this day in hand paid to the undersigned GRANTOR, **Thomas P. Himes, a married man** (hereinafter referred to as GRANTOR), the receipt whereof is hereby acknowledged, the GRANTOR does hereby give, grant, bargain, sell and convey unto the GRANTEES, **John H. Crilly and Pamela J. Crilly, 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 34, together with an undivided 1/43rd interest in Lot 44, (common area), according to the Map of The Oaks, as recorded in Map Book 10, Page 89, in the Office of the Judge of Probate 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.

\$145,120.00 of the above-recited purchase price was paid from a mortgage loan closed simultaneously herewith.

TPH This property is not the homestead of the grantor or the grantor's spouse as defined by the Code of Alabama.

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 GRANTOR, for said GRANTOR, GRANTOR'S heirs, successors, executors and administrators, covenants with GRANTEES, and with GRANTEES' heirs and assigns, that GRANTOR 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 GRANTOR will, and GRANTOR'S 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 GRANTOR has hereunto set his hand and seal this the 19th day of July, 1999.

Thomas P. Himes
Thomas P. Himes

STATE OF ALABAMA)

COUNTY OF SHELBY)

07/21/1999-30523
11:55 AM CERTIFIED

SHELBY COUNTY JUDGE OF PROBATE
001 HHS 45.00

I, the undersigned, a Notary Public, in and for said County and State, hereby certify that Thomas P. Himes, a married man 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 on the day the same bears date.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this the 19th day of July, 1999.

[Signature]
NOTARY PUBLIC

My Commission Expires: 3/3/03

COURTNEY H. MASON, JR.
MY COMMISSION EXPIRES MARCH 8, 2003

Inst # 1999-30523