

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

GRANTEE'S ADDRESS:  
Benjamin V. Smith  
422 Chase Plantation Parkway  
Hoover, Alabama 35244

Inst # 1999-39304

**JOINT SURVIVORSHIP DEED**

COUNTY OF SHELBY )

**KNOW ALL MEN BY THESE PRESENTS:** That, for and in consideration of One Hundred Twenty-Four Thousand and 00/100 (\$124,000.00) DOLLARS, and other good and valuable consideration, this day in hand paid to the undersigned GRANTOR, Cooper M. Schley Jr., an unmarried 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, Benjamin V. Smith and Susan A. Smith, 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 22, according to the Survey of Chase Plantation, 4th Sector, as recorded in Map Book 9, Page 156 A & B, in the Probate Office of Shelby County, Alabama.

Subject to existing easements, current taxes, restrictions, set-back lines and rights of way, if any, of record.

\$116,550.00 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 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 17th day of September, 1999.

*Cooper M. Schley Jr.*  
By: *Van Anderson*  
Cooper M. Schley Jr. by his Attorney In Fact, Van Anderson  
*HIS 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 Van Anderson, as Attorney In Fact for Cooper M. Schley Jr., an unmarried 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, executed the same voluntarily, and acting within the scope and power of said power of attorney, in his capacity as Attorney In Fact for Cooper M. Schley Jr. on the day the same bears date.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this the 17th day of September, 1999.

NOTARY PUBLIC  
My Commission Expires: 3/7/03

COURTNEY H. MASON, 999-39304  
MY COMM. EXPIRES MARCH 5, 2003

09/20/1999-39304  
11:34 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
001 CJ1 16.00