

THIS DEED PREPARED WITHOUT BENEFIT OF A TITLE SEARCH

Send Tax Notice to:  
L.J. Rhodes and Janice Rhodes  
3460 Water Oak Drive  
Birmingham, Alabama 35243

STATE OF ALABAMA )  
SHELBY COUNTY )

Inst. 00 1999-50434

12/15/1999-50434  
08:48 AM CERTIFIED

**WARRANTY DEED**  
**TENANTS IN COMMON WITH CROSS CONTINGENT REMAINDERS**

KNOW ALL MEN BY THESE PRESENTS, that for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable considerations to the undersigned, L.J. RHODES and his wife JANICE S. RHODES (hereinafter together referred to as the "Grantors"), in hand paid by L.J. RHODES and his wife JANICE S. RHODES (hereinafter together referred to as the "Grantees"), the receipt of which is hereby acknowledged, the said Grantors do by these presents grant, bargain, sell and convey unto the said Grantees, as tenants in common with equal rights and interest for the period or term that the said Grantees shall both survive, and unto the survivor of the said Grantees, at the death of the other, and to the heirs and assigns of such survivor in fee simple forever, such tenancy expressly intended to create co-tenants in common for life with a contingent remainder in fee in favor of the survivor of the said Grantees, the following described real estate situated in Shelby County, Alabama, to-wit:

Lot 8, according to the Survey of Heatherwood, Sector 3, as recorded in Map Book 8, page 29 A & B in the Office of the Judge of Probate of Shelby County, Alabama; being situated in Shelby County, Alabama, which has the address of 129 Oakmont Road, Birmingham, Alabama 35244.

This conveyance is made subject to the following:

1. 1999 ad valorem taxes, a lien due and payable.
2. 2000 ad valorem taxes, a lien due and payable October 1, 2000.
3. All recorded encumbrances, if any, recorded or unrecorded easements, liens, rights-of-way, and other matters of record in the Probate Office of Shelby County, Alabama, together with any deficiencies in quantity of land, discrepancies as to boundary lines, overlaps, etc., which would be disclosed by a true and accurate survey of the property conveyed herein.

**NOTE:** The Grantors and the Grantees herein, L.J. Rhodes and his wife Janice S. Rhodes are one and the same parties. This conveyance is made in order to change the manner in which title to the within property is held for the purposes of estate planning for the parties.

**NOTE:** One of the Grantors, L. J. Rhodes is executing this Warranty Deed for the sole purpose of complying with homestead laws in the State of Alabama, even though title to the real property described above exists only in the name of Grantor Janice S. Rhodes.

By the execution and delivery of this Deed, Grantors and Grantees acknowledge that it is not their intention to create a joint tenancy with right of survivorship, but, on the contrary it is their intention to create and they do hereby create a form of concurrent ownership in property as tenants in common during the respective lives of the Grantees, with cross-contingent remainders in fee to and in favor of the survivor, and to the heirs and assigns of such survivor, which interests so created in the Grantees are indestructible by the act of one of the Grantees.

And the Grantors, for themselves and their successors and assigns, covenant with the said Grantees that Grantors are lawfully seized of said premises in fee simple; that they are free from all encumbrances except as hereinabove stated; that Grantors have a good right to sell and convey the same as aforesaid; and that Grantors will, and Grantor's successors and assigns shall warrant and defend the same unto the said Grantees, their heirs and assigns forever, against the lawful claims of any and all persons.

TO HAVE AND TO HOLD to the said Grantees, as tenants in common and with equal rights and interest for the period or term that the said Grantees shall both survive, and unto the survivor of the said Grantees, at the death of the other and to the heirs and assigns of such survivor in fee simple forever, such tenancy expressly intended to create co-tenants in common for life with a contingent remainder in fee in favor of the survivor of the Grantees.

IN WITNESS WHEREOF, the said Grantors have hereto set their hands and seals on this the 24 day of November, 1999.

L. J. Rhodes (SEAL)  
L. J. Rhodes

Janice S. Rhodes (SEAL)  
Janice S. Rhodes

STATE OF ALABAMA )  
Jefferson COUNTY )

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that L.J. Rhodes, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of said instrument, he executed the same voluntarily for the purposes therein contained as of the day the same bears date.

Given under my hand and official seal on this the 24 day of Nov., 1999.

Jackie L. Peavy  
NOTARY PUBLIC  
My Commission Expires: 9-20-00.

STATE OF ALABAMA )  
Jefferson COUNTY )

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Janice S. Rhodes, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of said instrument, he/she executed the same voluntarily for the purposes therein contained as of the day the same bears date.

Given under my hand and official seal on this the 24 day of Nov., 1999.

Jackie L. Peavy  
NOTARY PUBLIC  
My Commission Expires: 9-20-00.

THIS INSTRUMENT PREPARED BY:

Judith F. Todd, Esquire  
Sirote & Permutt, P.C.  
P.O. Box 55727  
Birmingham, Alabama 35255-5727

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2 SHELBY COUNTY JUDGE OF PROBATE  
002 CJ1 36.00