

This instrument prepared by:
John N. Randolph, Attorney
Sirote & Permutt P.C.
2222 Arlington Avenue
Birmingham, Alabama 35205

Send Tax Notice to:
Steven F. Cole
Sarah E. Cole
913 Riverchase Parkway
Birmingham, Alabama 35244

WARRANTY DEED, Joint Tenants with Right of Survivorship

State of Alabama

KNOW ALL MEN BY THESE PRESENTS,

Shelby County

That in consideration of **One Hundred Eighty-Two Thousand and 00/100 Dollars (\$182,000.00)** to the undersigned grantor in hand paid by the GRANTEES herein, the receipt whereof is acknowledged, we, **Claude E. Killian and wife, Mary H. Killian** (herein referred to as (grantors) do grant, bargain, sell and convey unto **Steven F. Cole and Sarah E. Cole** herein referred to as GRANTEES) as joint tenants with right of survivorship, the following described real estate situated in Shelby County, Alabama, to-wit:

Lot 14, according to the survey of Riverchase Country Club, Second Addition, Phase II, Residential Subdivision, as recorded in Map Book 8, Page 161, in the Office of the Judge of Probate of Shelby County, Alabama; situated in Shelby County, Alabama.

Steven F. Cole is one and the same person as Steven Fred Cole.

Subject to:

1. Ad valorem taxes for the current tax year which grantees herein assume and agree to pay.
2. Building setback line of 45 feet reserved from Parkway West as shown by plat.
3. Public utility easements as shown by recorded plat, including a 40 foot easement from rear and a 10 foot easement on the Northeast side.
4. Declaration fo Protective Covenants, Agreements, Easements Charges and Liens for Riverchase (Residential) recorded in Miscellaneous Book 14 beginning at Page 536, as amended in Miscellaneous Book 17, beginning at Page 550, and further amended by Real 142, page 659; and a Notice of Compliance Certificate, recorded in Misc. Book 34, Page 549 in Probate Office.
5. Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto as recorded in Deed Book 127, Page 140.

\$60,000.00 of the purchase price recited above was paid from the proceeds of a mortgage loan closed simultaneously herewith.

TO HAVE AND TO HOLD 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.

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 from 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 15th of May, 2001.

X Claude E. Killian (Seal)
Claude E. Killian

X Mary H. Killian (Seal)
Mary H. Killian

STATE OF ALABAMA
JEFFERSON COUNTY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that **Claude E. Killian and wife, Mary H. Killian** whose names are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day, 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 official seal this 15th day of May, 2001.

Mandy H. Hays
Notary Public
My Commission Expires: _____
Affix Seal

Inst # 2001-27778

07/05/2001-27778
01:25 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
001 CJ1 133.00