

This instrument was prepared by:
Clayton T. Sweeney, Attorney
2700 Highway 280 East, Suite 390E
Birmingham, AL 35223

Send Tax Notice To:
John T. Bowen and Darlene E. Bowen
4120 Ashington Drive
Birmingham, AL 35242

STATE OF ALABAMA

JOINT SURVIVORSHIP DEED

COUNTY OF SHELBY

KNOW ALL MEN BY THESE PRESENTS: That, for and in consideration of **Three Hundred Forty-Seven Thousand and 00/100 (\$347,000.00)**, and other good and valuable consideration, this day in hand paid to the undersigned **David Smelcer, and wife Robin W. Smelcer**, (hereinafter referred to as GRANTORS), in hand paid by the GRANTEE herein, the receipt whereof is hereby acknowledged, the GRANTORS do hereby give, grant, bargain, sell and convey unto the GRANTEE, **John T. Bowen and Darlene E. Bowen**, (hereinafter referred to as GRANTEE), 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 192, according to the Survey of Brook Highland, an Eddleman Community, 6th Sector, 1st Phase, as recorded in Map Book 14, Page 83 A & B, in the Probate Office of Shelby County, Alabama.

Subject To:

Ad valorem taxes for 2001 and subsequent years not yet due and payable until October 1, 2001. Existing covenants and restrictions, easements, building lines and limitations of record.

\$160,000.00 of the consideration was paid from the proceeds of 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 GRANTEE, for and during their joint lives and upon the death of either of them, then to the survivor of them in fee simple, and to the heirs and assigns of such survivor, forever.

AND SAID GRANTORS, for said GRANTORS, GRANTORS' heirs, successors, executors and administrators, covenants with GRANTEE, and with GRANTEE'S 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 GRANTEE, and GRANTEE'S 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 **7th** day of **August**, 2001.

David Smelcer

Robin W. Smelcer

STATE OF ALABAMA

COUNTY OF JEFFERSON

I, the undersigned, a Notary Public, in and for said County and State, hereby certify that David Smelcer, and wife Robin W. Smelcer, 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 Instrument they executed the same voluntarily on the day the same bears date.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this the 7th day of August, 2001.

NOTARY PUBLIC

My Commission Expires: 6/5/03

Inst # 2001-35302

08/20/2001-35302
08:20 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
001 MSB 198.00

CLAYTON T. SWEENEY, ATTORNEY AT LAW