



20020515000228610 Pg 1/1 12.00
Shelby Cnty Judge of Probate, AL
05/15/2002 08:46:00 FILED/CERTIFIED

This deed is a replacement deed for the one executed on February 15, 2002 which was lost prior to recording.

STATE OF ALABAMA

COUNTY OF SHELBY

SURVIVORSHIP WARRANTY DEED

THIS INDENTURE, made and entered into on this 15th day of February, 2002, by and between Louis E. Montgomery, an unmarried man, party of the first part, and Alan S. Gertler and Doris L. Gertler, parties of the second part,

WITNESSETH:

FOR AND IN CONSIDERATION OF THE SUM OF TEN DOLLARS AND 00/100 (\$10.00) to the party of the first part, in hand paid by the parties of the second part, and other valuable consideration, the receipt whereof is hereby acknowledged, the party of the first part has granted, bargained and sold, and does by these presents grant, bargain, sell and convey unto the parties of the second part for and during their joint lives, and upon the death of either, to the survivor, in fee simple, the following described real estate, to-wit:

Lots 4 and 5, according to the Amended Map of Saddle Creek Run, as recorded in Map Book 15, Page 22, in the Probate Office of Shelby County, Alabama.
Mineral and mining rights excepted

Subject to taxes for the current year, easements of record, easements as located, and restrictions of record, if any.

The mailing address of the grantees is: 2680 Saddle Creek Trail
Birmingham, Alabama 35242

Simultaneously with the delivery of this deed, grantees executed a purchase money mortgage in the amount of 1,180,000.00 to secure an amount borrowed to finance the above described property.

mtg. Recorded in 2002 04/15 000175631

TO HAVE AND TO HOLD, together with all and singular the rights, tenements, hereditaments and appurtenances thereunto belonging, or in anywise appertaining, unto the parties of the second part, for and during their joint lives, and upon the death of either of them, to the survivor, his or her heirs and assigns, in fee simple.

And the party of the first part does hereby covenant with the part of the second parties that he is lawfully seized in fee of the said premises, that he has good right to sell and convey the same; that said premises are free from encumbrance, except as herein stated; and that he will forever warrant and defend the title to said premises against the lawful claims and demands of all persons, whosoever.

IN WITNESS WHEREOF, the party of the first part has hereto set his hand and seal on this the day and year herein first above written.

Louis E. Montgomery {SEAL}
LOUIS E. MONTGOMERY

State of Alabama
County of Jefferson

I, the undersigned, a Notary Public, in and for said State and County, hereby certify that on this 3rd day of April, 2002, personally appeared before me Louis E. Montgomery, who is known to me and who acknowledged before me on this day that, being informed of the contents of the conveyance, he has executed the same voluntarily on this day.

WITNESS my hand and Notarial Seal.

Stacy L. Morris
Notary Public
My commission expires 9-15-02

THIS INSTRUMENT WAS PREPARED BY:

Rogers, Young, Wollstein, Jackson & Whittington, LLC
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