

THIS INSTRUMENT PREPARED BY:

Courtney Mason & Associates, P.C.  
1904 Indian Lake Drive, Suite 100  
Birmingham, Alabama 35244

STATE OF ALABAMA )

COUNTY OF SHELBY )

GRANTEE'S ADDRESS:

Edward C. Bonawitz  
907 Highland Lakes Lane  
Birmingham, Alabama 35244

**JOINT SURVIVORSHIP DEED**

  
20020603000257640 Pg 1/1 278.50  
Shelby Cnty Judge of Probate, AL  
06/03/2002 09:10:00 FILED/CERTIFIED

KNOW ALL MEN BY THESE PRESENTS: That, for and in consideration of Four Hundred Seventeen Thousand Five Hundred and 00/100 (\$417,500.00) DOLLARS, and other good and valuable consideration, this day in hand paid to the undersigned GRANTORS, **Alan M. Cohen and Elizabeth N. Cohen, husband and wife** (hereinafter referred to as GRANTORS), the receipt whereof is hereby acknowledged, the GRANTORS do hereby give, grant, bargain, sell and convey unto the GRANNEES, **Edward C. Bonawitz and Jane E. Bonawitz, husband and wife**, (hereinafter referred to as GRANNEES), 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 516, according to the Map of Highland Lakes, 5th Sector, Phase II, an Eddleman Community, as recorded in Map Book 19, Page 3 A & B, in the Probate Office of Shelby County, Alabama.

Together with nonexclusive easement to use the private roadways, Common Area, all as more particularly described in the Declaration of Easements and Master Protective Covenants for Highland Lakes, a Residential Subdivision, recorded as Instrument No. 1994-7111, in the Probate Office of Shelby County, Alabama, and the Declaration of Covenants, Conditions and Restrictions for Highland Lakes, a Residential Subdivision, 5th Sector, Phase II, as recorded in Instrument No. 1994-31018, in the Probate Office of Shelby County, (which together with all amendments thereto, in hereafter collectively referred to as, the "Declaration").

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

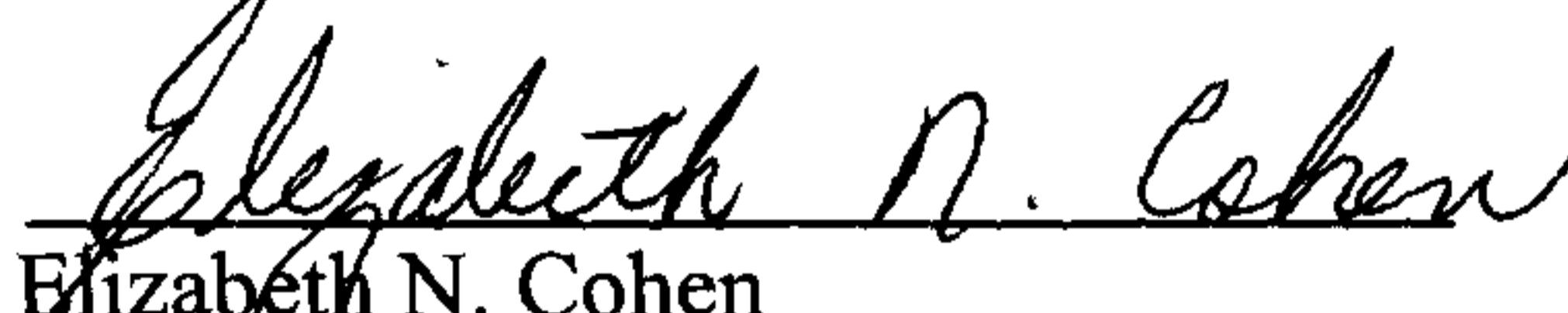
\$150,000.00 of the above-recited purchase price was paid from a mortgage loan closed simultaneously herewith.

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 GRANNEES, 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 GRANNEES 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 GRANNEES herein shall take as tenants in common, forever.

AND SAID GRANTORS, for said GRANTORS, GRANTORS' heirs, successors, executors and administrators, covenants with GRANNEES, and with GRANNEES' 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 GRANNEES, and GRANNEES' 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 29th day of May, 2002.

  
Alan M. Cohen

  
Elizabeth N. Cohen

STATE OF ALABAMA )

COUNTY OF SHELBY )

I, the undersigned, a Notary Public, in and for said County and State, hereby certify that Alan M. Cohen and Elizabeth N. Cohen, husband and wife 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 signed their names voluntarily on the day the same bears date.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this the 29th day of May, 2002.

NOTARY PUBLIC

My Commission Expires:

3/30/07

**COURTNEY H. MASON, JR.**  
**MY COMMISSION EXPIRES MARCH 5, 2003**