

This instrument was prepared by

Send Tax Notice To: Emory R. Payne

(Name) William H. Halbrooks  
#1 Independence Plaza, Suite 704  
(Address) Birmingham, Alabama 35209

name  
112 Sommersby Circle  
address  
Pelham, Alabama 35124

WARRANTY DEED, JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

STATE OF ALABAMA

Jefferson COUNTY

} KNOW ALL MEN BY THESE PRESENTS,

That in consideration of One Hundred Two Thousand, Five Hundred & no/100----(\$102,500.00) Dollars to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt whereof is acknowledged, we,  
Charles G. Kessler, Jr., a married man

(herein referred to as grantors) do grant, bargain, sell and convey unto

Emory R. Payne and Carol T. Payne

(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 50, according to the Survey of Sommersby Townhomes, as recorded in Map Book 20, Page 112, in the Probate Office of Shelby County, Alabama. Mineral and mining rights excepted.

Subject to current taxes, easements, and restrictions of record.

\$ 87,500.00 of the purchase price recited above was paid from a mortgage loan closed simultaneously herewith.

The property conveyed herein is not the homestead of Charles G. Kessler, Jr. nor that of his spouse.

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 I (we) do for myself (ourselves) and for my (our) heirs, executors, and administrators covenant with the said GRANTEES, their heirs and assigns, that I am (we are) lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that I (we) have a good right to sell and convey the same as aforesaid; that I (we) will and my (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, I have hereunto set my hand(s) and seal(s), this 11th day of July, ~~19~~2002.

\_\_\_\_ (Seal)

Charles G. Kessler, Jr. (Seal)  
Charles G. Kessler, Jr.

\_\_\_\_ (Seal)

\_\_\_\_ (Seal)

\_\_\_\_ (Seal)

\_\_\_\_ (Seal)

STATE OF ALABAMA

Jefferson COUNTY

General Acknowledgment

I, the undersigned  
Charles G. Kessler, Jr., a Notary Public in and for said County, in said State, hereby certify that whose name(s) is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 11th day of July A.D., ~~19~~2002.

William H. Halbrooks  
William H. Halbrooks

Notary Public  
Notary Public