

7431

---

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was  
prepared by:

✓ R. Shan Paden  
PADEN & PADEN  
Attorneys at Law  
5 Riverchase Ridge, Suite 100  
Birmingham, Alabama 35244

SEND TAX NOTICE TO:

RONALD KIRKSEY  
119 KINGSLEY ROAD  
ALABASTER, AL 35007

STATE OF ALABAMA)

COUNTY OF SHELBY)

**JOINT TENANTS WITH RIGHT OF SURVIVORSHIP**

**WARRANTY DEED**

**Known All Men by These Presents:** That in consideration of TWO HUNDRED THIRTY FIVE THOUSAND and 00/100 (\$235,000.00) DOLLARS to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, we, JERRY W. SNEAD and MARILYN H. SNEAD, HUSBAND AND WIFE (herein referred to as GRANTORS) do grant, bargain, sell and convey unto RONALD P. KIRKSEY and CYNTHIA J. KIRKSEY, HUSBAND AND WIFE, as joint tenants with right of survivorship as between RONALD P. KIRKSEY AND CYNTHIA J. KIRKSEY, and DWAYNE KIRKLAND JONES, A MARRIED PERSON, as tenant in common with the remaining GRANTEES, (herein referred to as GRANTEES), such that the equity interest of DWAYNE KIRKLAND JONES, as of the date of acquisition of the property shall be equal to \$150,415.98 which is consistent with the interest of the parties as set forth in the settlement agreement dated July 15, 2002, all right, title interest and claim in or to the following described real estate, situated in SHELBY County, Alabama, to-wit:

LOT 36, BLOCK 4, ACCORDING TO THE SURVEY OF NORWICK FOREST, 3<sup>RD</sup> SECTOR, FIRST PHASE, AS RECORDED IN MAP BOOK 18, PAGE 15, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

SUBJECT TO:

1. TAXES FOR THE YEAR BEGINNING OCTOBER 1, 2001 WHICH CONSTITUTES A LIEN BUT ARE NOT YET DUE AND PAYABLE UNTIL OCTOBER 1, 2002.

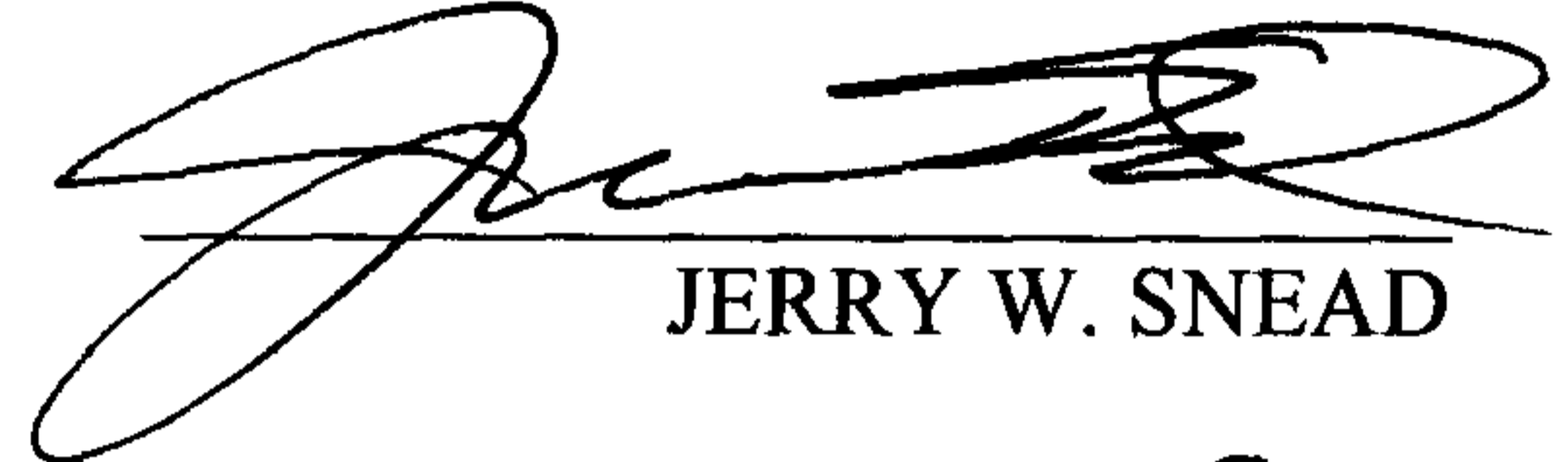
2. 35 FOOT BUILDING SETBACK LINE FROM KINGSLEY ROAD AND KINGSLEY CIRCLE AND A 5 FOOT EASEMENT ALONG REAR OF SAID LOT AS SHOWN RECORDED MAP OF SAID SUBDIVISION.
3. COVENANTS, CONDITIONS, AND RESTRICTIONS AS SET FORTH IN INSTRUMENT DOCUMENT RECORDED IN REAL 170, PAGE 137; REAL 182, PAGE 942; REAL 196, PAGE 766; REAL 228, PAGE 563 AND INSTRUMENT #1994-3062.
4. EASEMENT TO ALABASTER GAS AND WATER BOARD AS RECORDED IN REAL 124, PAGE 255.
5. EASEMENT TO ALABAMA POWER COMPANY AS RECORDED IN REAL 157, PAGE 664 AND CORRECTED IN REAL 179, PAGE 21 AND IN REAL 224, PAGE 583.
6. EASEMENT TO ALABAMA POWER COMPANY AND SOUTH CENTRAL BELL AS RECORDED IN REAL 157, PAGE 662 AND CORRECTED IN REAL 179, PAGE 21 AND IN REAL 224, PAGE 583.
7. RESTRICTIONS, LIMITATIONS AND CONDITIONS AS RECORDED IN MAP BOOK 11, PAGE 63; MAP BOOK 13, PAGE 23 AND MAP BOOK 18, PAGE 15.
8. EASEMENT TO ALABAMA POWER COMPANY AS RECORDED IN REAL 157, PAGE 664 AND CORRECTED IN REAL 179, PAGE 21.

\$90,000.00 of the consideration herein was derived from a mortgage 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 I (we) do for myself (ourselves) and for my (our) heirs, executors, and administrators covenant with the said GRANTEES, his, her, or 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, his, her, or their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the said GRANTORS, JERRY W. SNEAD and MARILYN H. SNEAD, HUSBAND AND WIFE, have hereunto set his, her or their signature(s) and seal(s), this the 15th day of July, 2002.

  
JERRY W. SNEAD


  
MARILYN H. SNEAD

STATE OF ALABAMA)  
COUNTY OF SHELBY)

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that JERRY W. SNEAD and MARILYN H. SNEAD, HUSBAND AND WIFE, whose name(s) is (are) signed to the foregoing conveyance, and who is (are) known to me, acknowledged before me on this day that, being informed of the contents of the conveyance he, she, or they executed the same voluntarily on the day the same bears date.

Given under my hand this the 15th day of July, 2002.

  
Notary Public

My commission expires: 9.29.02