PLEASE RETURN TO:
MOSS & CONDON, LLC
300 UNION HILL DRIVE, SUITE 200
BIRMINGHAM, AL 35209

20021205000606490 Pg 1/1 13.50 Shelby Cnty Judge of Probate, AL 12/05/2002 10:53:00 FILED/CERTIFIED

This instrument was prepared by:
David P. Condon
Moss & Condon, L.L.C.
300 Union Hill Drive, Suite 200
Birmingham, Alabama 35209

STATE OF ALABAMA

SHELBY COUNTY

Send tax notice to:
Russell E. Day
156 Chadwick Drive
Helena, Alabama 35080

## WARRANTY DEED, JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

**KNOW ALL MEN BY THESE PRESENTS** 

That in consideration of <b>One Hundred Forty Eight Thousand Four Hundred and 00/100 and 00/100 Dollars (\$148,400.00)</b> to the undersigned grantors in hand paid by the grantees herein, the receipt whereof is acknowledged, we,
Jarrod R. Smith and his wife Tracey Clemmons Smith
(hereinafter referred to as "Grantors") do grant, bargain, sell and convey unto
Russell E. Day and Stacey A. Cisco
(hereinafter referred to as "Grantees") as joint tenants with right of survivorship, the following described real estate situated in Shelby County, Alabama to-wit:
Lot 90, according to the Final Plat of Chadwick, Sector 3, as recorded in Map Book 18, Page 98, in the Probate Office of Shelby County, Alabama
Tracey Clemmons Smith and Tracy Clemmons Smith are one in the same persons.
\$
Subject to: (1) 2003 ad valorem taxes not yet due and payable; (2) all mineral and mining rights not owned by the Grantors; and (3) all easements, rights-of-way, restrictions, covenants and encumbrances of record.
TO HAVE AND TO HOLD unto 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 we do for ourselves and for our heirs, executors, and administrators covenant with Grantees, their heirs and assigns, that we are lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that we have a good right to sell and convey the same as aforesaid; that we will and our heirs, executors and administrators shall warrant and defend the same to Grantees, their heirs and assigns forever, against the lawful claims of all persons.
IN WITNESS WHEREOF, we have set our hands and seals, this 15th day of November, 2002.
Jarrod R. Smith  (Seal)  Tracey Clemmons Smith  STATE OF ALABAMA  (Seal)
: JEFFERSON COUNTY )
I, the undersigned Notary Public in and for said County, in said State, hereby certify that Jarrod R. Smith and Tracey Clemmons Smith 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 conveyance they executed the same voluntarily on the day the same bears date.
Given under my hand and official seal this 15th day of November, 2002.
Notary Public: David P. Condon  My Commission Expires: 2-12-06