

GRANTEES' ADDRESS

432 Woodward Rd  
Trussville, AL 35173

WARRANTY DEED WITH RIGHT OF SURVIVORSHIP

STATE OF ALABAMA )  
COUNTY OF SHELBY )

THIS INDENTURE, made this the 19<sup>th</sup> day of March, 2004, between MITCHELL E. KESSLER, a married man, CHARLES R. TROTTER, a married man, ANDREW H. ROBERTS, a married man and MITCHELL A. KESSLER, an unmarried man, hereinafter referred to as "Grantor", and RICHARD W. KIRCHNER and wife, ALICE V. KIRCHNER, hereinafter referred to as "Grantees";

WITNESSETH:

That Grantor, in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00), in hand paid by Grantees, the receipt whereof is hereby acknowledged, and other good and valuable consideration, does hereby grant, bargain, sell and convey unto Grantees as joint tenants, with right of survivorship, the following described real estate, to wit:

Parcel #12 of Standridge Division I in Map Book 31, Page 110C and 110D as recorded in the Office of the Judge of Probate of Shelby County, Alabama.

THE ABOVE DESCRIBED PROPERTY DOES NOT CONSTITUTE THE HOMESTEAD OR PRINCIPAL DWELLING OF GRANTOR OR HIS SPOUSE.

THIS PROPERTY IS CONVEYED SUBJECT TO THE FOLLOWING:

1. Ad valorem taxes accruing after October 1, 2003.
2. All utility easements of record or as same are now situated over, along, across or beneath said property, including but not limited to, a gas easement which is recorded in Shelby County Probate Office and an easement to Alabama Power Company as described in Vol 111, page 429, Probate Office, Shelby County, Alabama.
3. Rights of way for public roads as same are now situated over, along or across said property, including but not limited to, a 60 foot wide ingress and egress easement and a county road right of way as shown on the plat of Standridge Division I in Map Book 31, Page 110C and 110D as recorded in the Office of the Judge of Probate of Shelby County, Alabama.
4. Prior reservation, if any, of all minerals, oil and gas, mineral and mining rights, privileges and interests in, under and upon said property.
5. Approval of the Shelby County Health Department for further construction or division of subject property.

TO HAVE AND TO HOLD to said Grantees as joint tenants, with right of survivorship, and to their heirs and assigns forever, it being the intention of the parties of 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 Grantee does not survive the other, then the heirs and assigns of the grantees herein shall take as tenants in common.

Grantor, subject to any aforesaid exceptions and reservations, for himself and his heirs, executors and administrators, covenants with Grantees, their heirs and assigns, that he is lawfully seized in fee simple of said premises; that they are free from all encumbrances other than aforesaid; that he has a good right to sell and convey the same, and that he will forever defend the title conveyed hereby to Grantees against all claims.

Whenever used, the singular shall include the plural and the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF, Grantor has executed these presents on this the day and date first above mentioned.

  
MITCHELL E. KESSLER

  
CHARLES R. TROTTER

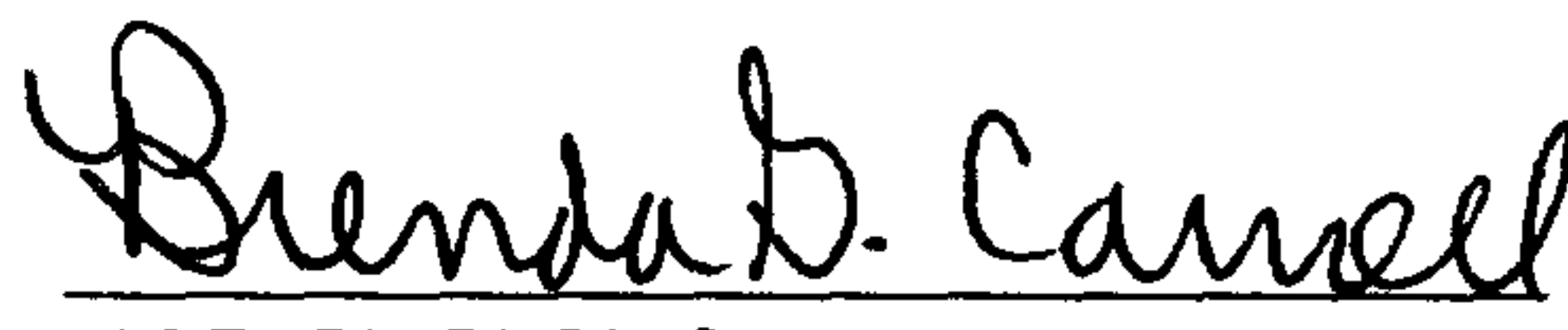
  
ANDREW H. ROBERTS

  
MITCHELL A. KESSLER

STATE OF ALABAMA )  
COUNTY OF ETOWAH )

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that MITCHELL E. KESSLER, a married man, CHARLES R. TROTTER, a married man, ANDREW H. ROBERTS, a married man and MITCHELL A. KESSLER, an unmarried man, 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 of office this the 19<sup>th</sup> day of March, 2004.

  
NOTARY PUBLIC

THIS INSTRUMENT PREPARED BY:

F. Michael Haney  
Inzer, Haney & McWhorter, P.A.  
P. O. Drawer 287  
Gadsden, AL 35902  
(256) 546-1656

MY COMMISSION EXPIRES  
SEPTEMBER 6, 2006