WARRANTY DEED JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

20060825000417340 1/2 \$67.00 Shelby Cnty Judge of Probate, AL 08/25/2006 08:52:46AM FILED/CERT

This instrument was prepared by: WILLIAM PATRICK COCKRELL WPC & ASSOCIATES LLC

Send tax notice to:
MARK T. GILMER
KIMBERLY R. GILMER

(Name)

(Name)

ONE PERIMETER PARK S STE 451N BIRMINGHAM, ALABAMA 35243

308 EMERALD LANE CHELSEA, AL 35043

(Address)

(Address)

STATE OF ALABAMA
COUNTY OF SHELBY

Shelby County, AL 08/25/2006 State of Alabama Deed Tax: \$53.00

KNOW ALL MEN BY THESE PRESENTS,

That in consideration of TWO HUNDRED SIXTY TWO THOUSAND NINE HUNDRED dollars (\$262,900.00) and other good and valuable consideration, to the undersigned Grantor, or Grantors in hand paid by the Grantees herein, the receipt whereof is acknowledged, we (I), LESTER C. RUTTKA and LINDA J. RUTTKA, HUSBAND AND WIFE (herein referred to as Grantor) do, grant, bargain, sell and convey unto MARK T. GILMER and KIMBERLY R. GILMER, HUSBAND AND WIFE (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 26, ACCORDING TO THE MAP AND SURVEY OF EMERALD PARC SUBDIVISION, AS RECORDED IN MAP BOOK 29, PAGE 47, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

A PURCHASE MONEY MORTGAGE IN THE AMOUNT OF 210,320.00 AND 52,580.00 IS FILED HEREWITH.

TO HAVE AND TO HOLD, to 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.

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And we (I) do for ourselves (myself), successors and assigns covenant with the said Grantees, their heirs and assigns, that we (I) are (am) lawfully seized in fee simple of said premises, that they are free from all encumbrances, unless otherwise noted above; that we (I) have a good right to sell and convey the same as aforesaid; that we (I) will and our (my) 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 and seal, 07/27/06.

Lever C. Butter_ (Seal)

LESTER C. RUTTKA

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LINDA J. RUTTKA

STATE OF ALABAMA

COUNTY OF SHELBY

General Acknowledgment

(Seal)

I, <u>William Patrick Cockrell</u>, a Notary Public in and for said County in said State, hereby certify that <u>LESTER C. RUTTKA</u> and <u>LINDA J. RUTTKA</u>, 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 07/27/06.

Notary Public

Return to: William Patrick Cockrell WPC & Associates LLC

Jennifer L. Banik
Notary Public, AL State at Large
My Comm. Expires Feb. 7, 2000