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Shelby Cnty Judge of Probate, AL  
12/07/2009 10:58:31 AM FILED/CERT

09-0427

## Warranty Deed

Jointly for Life with Remainder to Survivor

STATE OF ALABAMA  
COUNTY OF SHELBY

Know All Men by These Presents: That in consideration of *One Hundred Seventy Six Thousand Dollars (\$176,000.00)* to the undersigned grantor (whether one or more), in hand paid by the grantee herein, the receipt whereof is acknowledged, I or we **Jennifer E. Stitt, a married woman, who is conveying individually and as Personal Representative of the Estate of Gary Alan Land, Shelby County, Alabama Probate Court Case Number PR-2008-000581**, (herein referred to as grantor, whether one or more), grant, bargain, sell and convey unto **Mark O. Wear and Barbara Wear** (herein referred to as grantee, whether one or more), the following described real estate, situated in **Shelby County, Alabama**, to-wit:

**Lot 42, according to the Amended Plat of Chessell Plantation, Phase I, Sector I, as recorded in Map Book 31, Page 21 A & B, in the Probate Office of Shelby County, Alabama. Together with the nonexclusive easement to the Common Areas as more particularly described in the Chessell Plantation Declaration of Covenants, Conditions and Restrictions, recorded as Instrument Number 2002-10788, in the Probate Office of Shelby County, Alabama, (which, together with all amendments thereto, is hereinafter collectively referred to as the Declaration).**

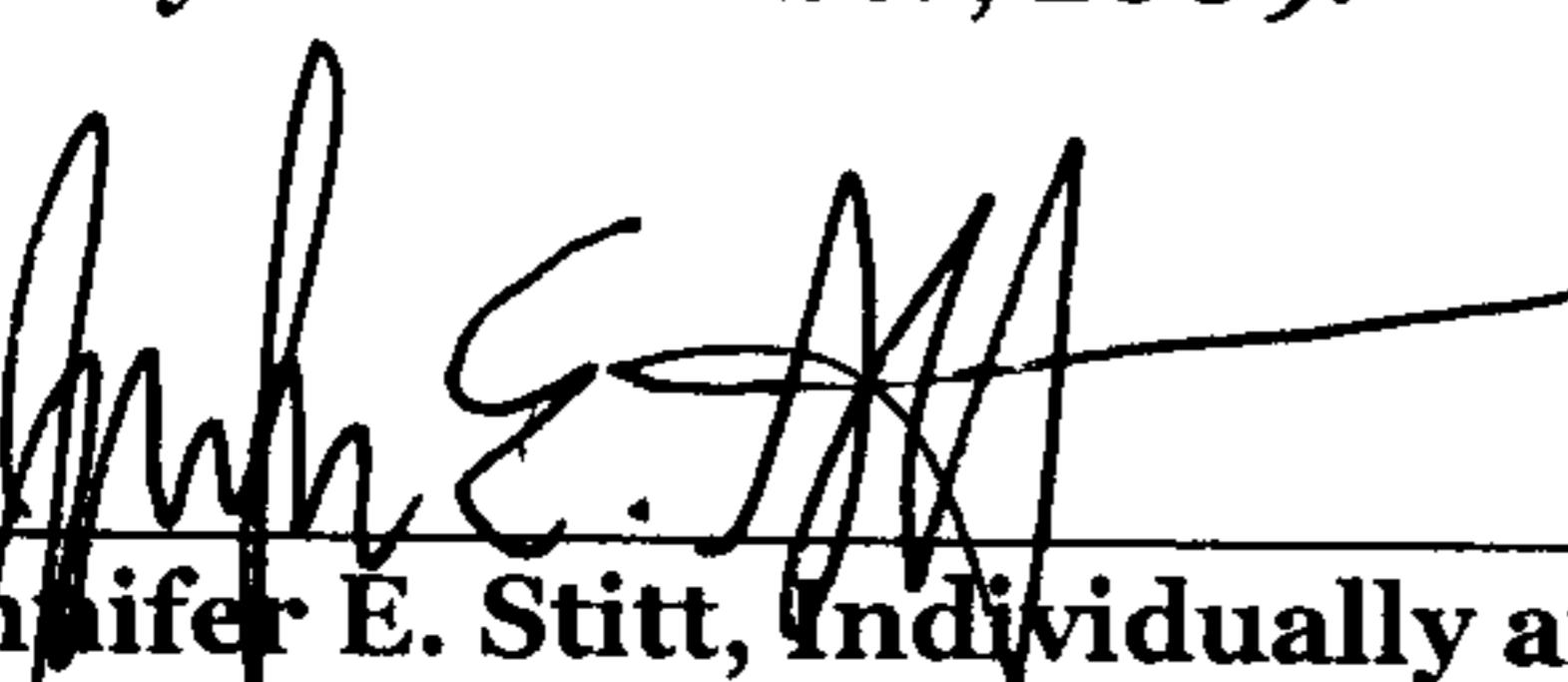
**Subject to all easements, restrictions, reservations, provisions, covenants, building set-back lines and rights of way of record along with the exceptions as shown on that certain title insurance policy associated with this transaction.**

**The above consideration is being paid by a purchase money mortgage filed simultaneously herewith.**

**The grantor constitutes the subject property is not her homestead or that of her spouse.**

To Have and to Hold to the said grantees for and during their joint lives and upon the death of either of them, then to the survivor of them in fee simple, and to the heirs and/or assigns of such survivor forever, together with every contingent remainder and right of reversion. And I (we) do, for myself (ourselves) and for my (our) heirs, executors and administrators, covenant with 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 stated 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 grantee(s), his, her or their heirs and assigns forever, against the lawful claims of all persons.

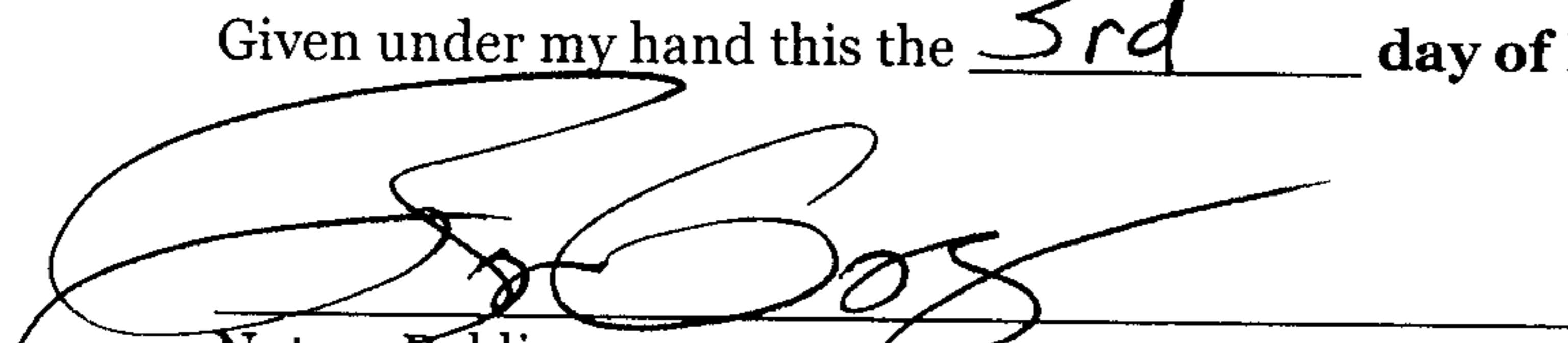
In Witness Whereof, I (we) have hereunto set my (our) hand(s) and seal(s) this the **3<sup>rd</sup> day of December, 2009.**

  
(Seal)  
**Jennifer E. Stitt, Individually and as Personal Representative  
of the Estate of Gary Alan Land, Shelby County, Alabama Probate  
Court Case Number PR-2008-000581**

STATE OF ALABAMA  
COUNTY OF SHELBY

I, Bryan Gregg, a Notary Public, in and for said County in said State, hereby certify that **Jennifer E. Stitt**, 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/they executed the same voluntarily on the day the same bears date.

Given under my hand this the 3<sup>rd</sup> day of December, 2009.

  
Notary Public  
My Commission Expires: 10-6-2011

Send Tax Notice To and This Instrument Prepared By:  
Mark O. Wear  
363 Chessell Plantation Lane  
Chelsea, AL 35043

