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Shelby Cnty Judge of Probate, AL  
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**STATE OF ALABAMA            )**  
  **)**  
**SHELBY COUNTY            )**     **WARRANTY DEED-JOINT TENANCY**  
  **)**     **WITH RIGHT OF SURVIVORSHIP**

KNOWN ALL MEN BY THESE PRESENTS, that for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, that William H. Kieran and Helen B. Kieran, hereinafter called "Grantors", do hereby grant, bargain, sell and convey unto William H. Kieran and Helen B. Kieran, hereinafter called "Grantees", for and during their joint lives and upon the death of either of them, then to the survivor of them in fee simple, together with every contingent remainder and right of reversion, the following described real estate, situated in Shelby County, Alabama, to-wit:

Lot No. 9 according to Waxa Subdivision, the same being a part of Sec. 35, Township 24, Range 15E, a plat of said subdivision being recorded in Map Book 5 Page 5 in the Probate Office of Shelby County, Alabama.

There is excepted from this conveyance and reserved to the Grantors all that part of the above described lot lying below that certain datum plane of 397 feet above mean sea level as established by the U.S. Coast and Geodetic Survey as adjusted in January, 1955. Grantees shall have the right to use and cut or clear the trees or timber on that part of said lot hereinabove described lying below said elevation of 397 feet above mean sea level until same is purchased or otherwise acquired by Alabama Power Company in connection with the raising of original Lay Lake by said Company.

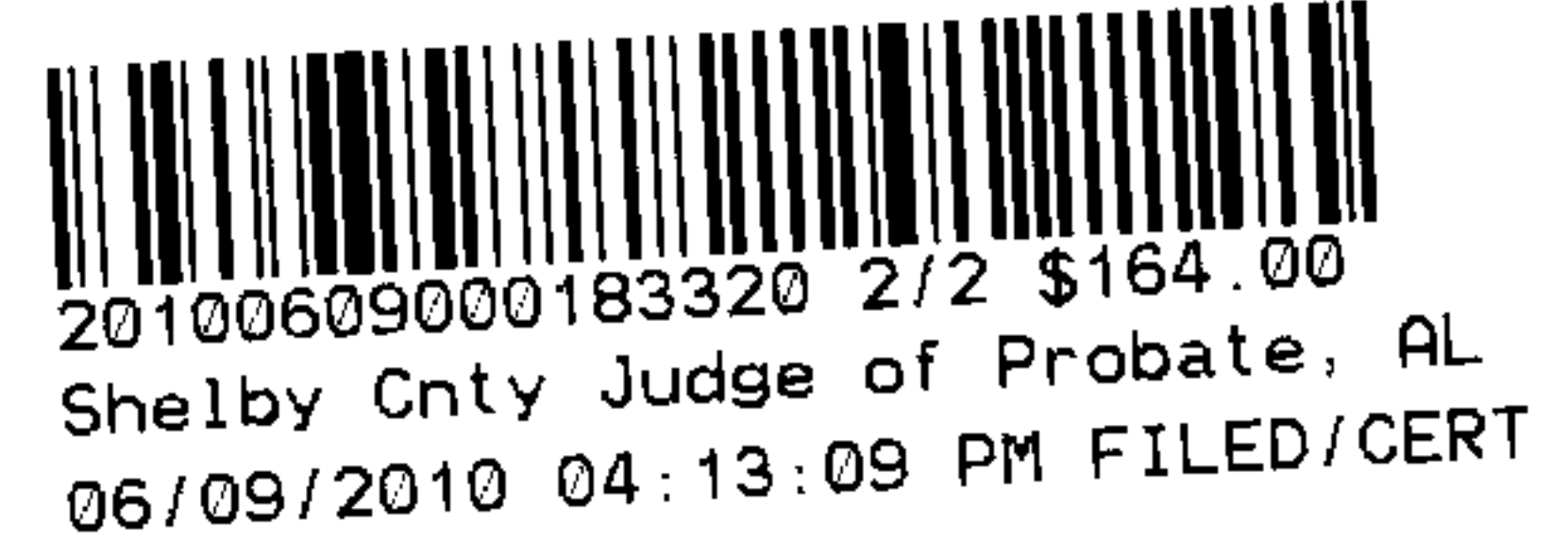
The elevation above sea level used when the original Lay Lake was constructed is converted to the United States Coast and Geodetic Survey elevation above mean sea level by subtracting 37.87 feet from such elevation that was used when said Lay Lake was originally constructed and is substantially the same as the 397 feet above mean sea level referred to hereinabove.

Said lot is conveyed subject to the protective covenants recorded in Deed Book 235, Pages 550 & 551, in the Probate Office of Shelby County, Alabama.

Mineral rights excepted.

TO HAVE AND TO HOLD to said Grantees in fee simple forever, for and during their joint lives and upon the death of either of them, then the survivor of them in fee simple, and to the heirs of such survivor forever, together with every contingent remainder and right of reversion.

The Grantors do individually and for the heirs, executors, and administrators of the Grantors covenant with said Grantees and the heirs and assigns of the Grantees, that the Grantors are lawfully seized in fee simple of said premises; that said premises are free from all encumbrances, unless otherwise noted above; that the



Grantors have a good right to sell and convey the said premises; that the Grantors and the heirs, executors, and administrators of the Grantors shall warrant and defend the said premises to the Grantees and the heirs and assigns of the Grantees forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the Grantors have executed this deed and affixed the seal of the Grantors thereto on this the 14<sup>th</sup> day of May, 2010, at Jefferson County, Alabama.

**GRANTORS**

William H. Kieran  
  
Helen B. Kieran

STATE OF ALABAMA     )  
                                      )  
JEFFERSON COUNTY    )

**ACKNOWLEDGMENT**

I, Terry Turner, a Notary Public for the State at Large, hereby certify that William H. and Helen B. Kieran, whose names are signed to the foregoing Warranty Deed and who are known to me, acknowledged before me on this day that, being informed of the contents of the Warranty Deed, they executed the same voluntarily on the day the same bears date.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE on this 14<sup>th</sup> day of May, 2010.

\_\_\_\_\_  
Notary Public  
My Commission Expires:

This Instrument Prepared By:  
Terry D. Turner, Jr., Esq.  
GENTLE, TURNER & SEXTON  
2 North 20th Street, Suite 1200  
Birmingham, AL 35203  
(205) 716-3000

Send Tax Notices To:  
Mr. And Mrs. William H. Kieran  
2643 Apollo Circle  
Birmingham, AL 35226-2665

The draftsmen make no warranty that the description referenced by this document is correct or that the Grantors are the owners of the premises. Unless separately contracted for, no title examination has been performed, and there are no representations made that any subdivision restrictions, state, county, or city regulations have been complied with. Further, there are no warranties concerning prescription or adverse possession by surrounding land owners or existing easements that may exist on the property but are not referenced in this document.