

This instrument was prepared by

MASON & FITZPATRICK, P.C.  
100 Concourse Pkwy., Suite 350  
Birmingham, Alabama 35244

WARRANTY DEED, JOINTLY FOR LIFE WITH REMAINDER TO SURVIVOR

STATE OF ALABAMA  
SHELBY COUNTY

KNOW ALL MEN BY THESE PRESENTS,

That in consideration of TWO HUNDRED NINE THOUSAND NINE HUNDRED & NO/100— (\$209,900.00) DOLLARS to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt whereof is acknowledged, we, D.M. Spencer, a married woman (herein referred to as grantors), do grant, bargain, sell and convey unto Jerry R. Higdon and wife, Rebecca L. Higdon (herein referred to as 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 338, according to the Survey of Brook Highland, an Eddleman Community, 7th Sector, as recorded in Map Book 13 Page 99 A&B, as set out in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama. Mineral and mining rights excepted.

Subject to existing easements, restrictions, set-back lines, rights of way, limitations, if any, of record.

\$150,000.00 of the above-recited purchase price was paid from a mortgage loan closed simultaneously herewith.

GRANTEES' ADDRESS: 3820 Kinross Drive, Birmingham, Alabama 35242

THIS PROPERTY IS NOT HOMESTEAD PROPERTY AS DEFINED BY THE CODE OF ALABAMA.

Dorothy M. Spencer and D.M. Spencer is one and the same person 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 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, 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 GRANTEES, their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, I have hereunto set my hand and seal, this 25th day of January, 1991.

STATE OF ALA. SHELBY CO.  
I CERTIFY THIS  
INSTRUMENT WAS FILED

91 JAN 29 PM 2:33

Judge of Probate

D.M. Spencer (SEAL)

1. Deed Tax	
2. Mtg. Tax	60.00
3. Recording Fee	
4. Indexing Fee	
5. No Tax Fee	3.50
6. Certified Fee	3.00
Total	66.50

STATE OF ALABAMA  
SHELBY COUNTY

General Acknowledgment

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that D.M. Spencer, a married woman whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 25th day of January A.D., 1991

Notary Public

RICHARD D. MINK  
MY COMMISSION EXPIRES  
10/23/93