

STATUTORY WARRANTY DEED

This instrument was prepared by

Send Tax Notice To: John B. Pass

(Name) Lamar Ham
3512 Old Montgomery Highway

(Address) Birmingham, AL 35209

name 121 Brook Highland Cove
 address Birmingham, AL 35242

CORPORATION FORM WARRANTY DEED, JOINTLY FOR LIFE WITH REMAINDER TO SURVIVOR

STATE OF ALABAMA
 COUNTY OF JEFFERSON

KNOW ALL MEN BY THESE PRESENTS,

That in consideration of One Hundred Fifty Nine Thousand Two Hundred Sixty Six and 00/100-Dollars

to the undersigned grantor, D.R. Horton, Inc. - Birmingham

(herein referred to as GRANTOR), in hand paid by the GRANTEES herein, the receipt of which is hereby acknowledged, the said GRANTOR does by these presents, grant, bargain, sell and convey unto

John B. Pass and Kelly I. Pass

(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 53, according to the Survey of The Village at Brook Highland as recorded in Map Book 24, page 93 in the Probate Office of Shelby County, Alabama.

Subject to current taxes, easements, restrictions, mineral and mining rights and rights of way of record.

\$151,250.00 of the purchase price was paid from the proceeds of a mortgage loan closed simultaneously herewith.

Inst # 1999-37821

09/09/1999-37821
 10:02 AM CERTIFIED
 SHELBY COUNTY CLERK OF PROBATE
 001 CRN 17.00

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.

IN WITNESS WHEREOF, the said GRANTOR, by its Assistant Secretary, Charles G. Arcara who is authorized to execute this conveyance, has hereto set its signature and seal, this the 3rd day of September 19 99

D.R. Horton, Inc. - Birmingham

ATTEST:

By Charles G. Arcara
 Charles G. Arcara, Assistant Secretary

STATE OF ALABAMA
 COUNTY OF JEFFERSON

I, Lamar Ham, a Notary Public in and for said County in said State, hereby certify that Charles G. Arcara whose name as Assistant Secretary of D.R. Horton, Inc. - Birmingham a corporation, 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, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation, D.R. Horton, Inc. - Birmingham

Given under my hand and official seal, this the 3rd day of September 19 99

[Signature]
 Notary Public

My Commission Expires November 9, 2001