

This instrument was prepared by:  
Clayton T. Sweeney, Attorney  
2700 Highway 280 East, Suite 160  
Birmingham, AL 35223

Send Tax Notice To:  
Kenneth L. Johns and Janice A. Johns  
4957 Cahaba Valley Trace  
Birmingham, AL 35242

STATE OF ALABAMA )  
COUNTY OF SHELBY ) **JOINT SURVIVORSHIP DEED**

**KNOW ALL MEN BY THESE PRESENTS:** That, for and in consideration of **Three Hundred Forty-Five Thousand and 00/100 (\$345,000.00)**, and other good and valuable consideration, this day in hand paid to the undersigned **Calvin N. Fleming, and wife, Paula K. Fleming**, (hereinafter referred to as GRANTORS), in hand paid by the GRANTEES herein, the receipt whereof is hereby acknowledged, the GRANTORS do hereby give, grant, bargain, sell and convey unto the GRANTEES, **Kenneth L. Johns and Janice A. Johns**, (hereinafter referred to as GRANTEES), for and during their joint lives and upon the death of either, then to the survivor of them in fee simple, together with every contingent remainder and right of reversion, the following described Real Estate, lying and being in the County of **Shelby**, State of Alabama, to-wit:

**See Exhibit "A" attached hereto and made a part hereof**

Subject To:


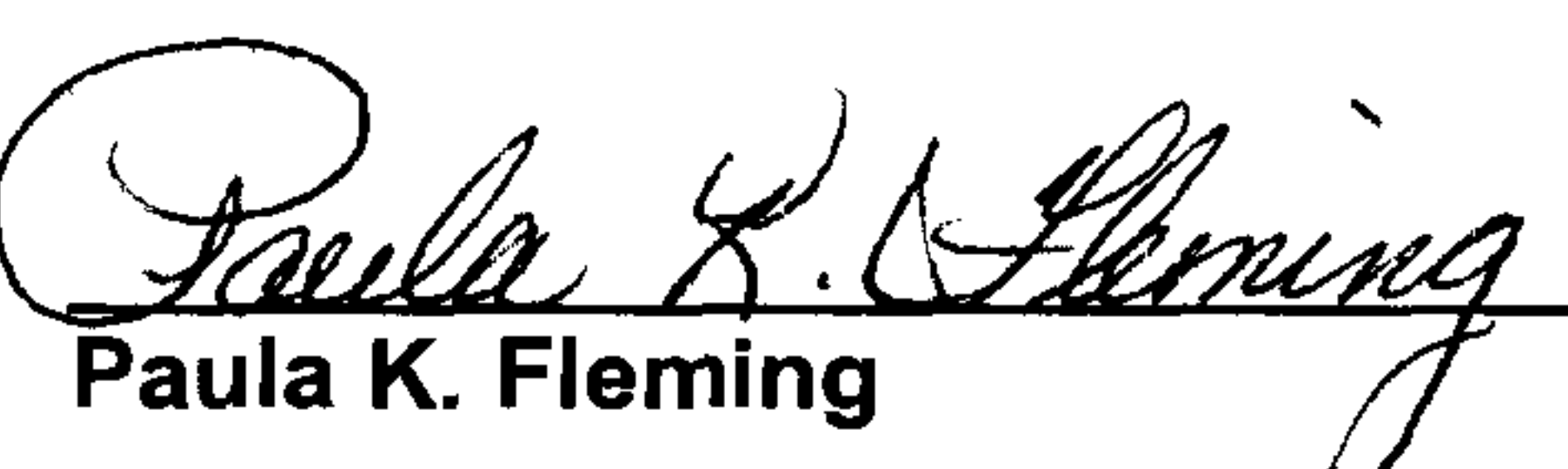
Ad valorem taxes for 2004 and subsequent years not yet due and payable until October 1, 2004. Existing covenants and restrictions, easements, building lines and limitations of record.

\$327,700.00 of the consideration was paid from the proceeds of a mortgage loan closed simultaneously herewith.

TO HAVE AND TO HOLD, the tract or parcel of land above described together with all and singular the rights, privileges, tenements, appurtenances, and improvements unto 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.

AND SAID GRANTORS, for said GRANTORS, GRANTORS' heirs, successors, executors and administrators, covenants with GRANTEES, and with GRANTEES' heirs and assigns, that GRANTORS are lawfully seized in fee simple of the said Real Estate; that said Real Estate is free and clear from all Liens and Encumbrances, except as hereinabove set forth, and except for taxes due for the current and subsequent years, and except for any Restrictions pertaining to the Real Estate of record in the Probate Office of said County; and that GRANTORS will, and GRANTORS' heirs, executors and administrators shall, warrant and defend the same to said GRANTEES, and GRANTEES' heirs and assigns, forever against the lawful claims of all persons.


IN WITNESS WHEREOF, said GRANTORS have hereunto set their hands and seals this the **24th** day of **May, 2004**.

CLAYTON T. SWEENEY, ATTORNEY AT LAW  
  
Calvin N. Fleming  
  
Paula K. Fleming

STATE OF ALABAMA )  
COUNTY OF JEFFERSON )

I, the undersigned, a Notary Public, in and for said County and State, hereby certify that Calvin N. Fleming, and wife, Paula K. Fleming, 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 Instrument they executed the same voluntarily on the day the same bears date.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this the 24th day of May, 2004.

  
NOTARY PUBLIC  
My Commission Expires: 4/29/06

**EXHIBIT "A"**

From the Southeast corner of the Southwest quarter of the Southwest quarter of Section 14, Township 19 South, Range 2 West, run Easterly along the South boundary line of Section 14, Township 19 South, Range 2 West for 68.3 feet to the point of beginning of the land herein described; thence turn an angle of  $91^{\circ} 56' 45''$  to the left and run Northerly 202.85 feet, more or less to a point in the center of a County Highway No. 14; thence turn an angle of  $114^{\circ} 14' 35''$  to the left and run Southwesterly along the center of said County Highway for 100.79 feet; thence turn an angle of  $13^{\circ} 41'$  to the right and continue Southwesterly along the center of County Highway for 200.0 feet; thence turn an angle of  $22^{\circ} 10'$  to the right and run Northwesterly along the center of said County Highway for 200.0 feet; thence turn an angle of  $18^{\circ} 29'$  to the right and continue Northwesterly along the center of said County Highway for 200.0 feet; thence turn an angle of  $10^{\circ} 15'$  to the right and continue Northwesterly along the center of said County Highway for 98.36 feet; thence turn an angle of  $178^{\circ} 22'$  to the left and run Southeasterly 312.59 feet to a point in the center of an Old Public Road; thence turn an angle of  $02^{\circ} 29'$  to the left and continue Southeasterly along the center of Public Road for 414.92 feet; thence turn an angle of  $48^{\circ} 33'$  to the left and run Northeasterly along the center of said Public Road for 74.94 feet; thence turn an angle of  $42^{\circ} 05'$  to the left and continue Northeasterly along the center of said Public Road 168.75 feet more or less, to the point of beginning. This land being part of the South half of the Southwest quarter of Section 14, and a part of the North half of the Northwest quarter of Section 23, Township 19 South Range 2 West, Shelby County, Alabama and is subject to rights of way for public roads and easements of record.