20050726000375200 1/1 $59.00
Shelby Cnty Judge of Probate,AL
07/26/2005 03:07:01PM FILED/CERT

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

Send Tax Notice To:
Tracy T. Scherer and Timothy Scherer
1056 Blue Stone Way
Birmingham, AL 35242

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

KNOW ALL MEN BY THESE PRESENTS: That, for and in consideration of **Four Hundred Seventy-Five Thousand and 00/100 ($475,000.00)**, and other good and valuable consideration, this day in hand paid to the undersigned **New Haven Homes, LLC, an Alabama Limited Liability Company** (hereinafter referred to as GRANTOR), in hand paid by the GRANTEES herein, the receipt whereof is hereby acknowledged, the GRANTOR does hereby give, grant, bargain, sell and convey unto the GRANTEES, **Tracy T. Scherer and Timothy Scherer,** (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:

Lot 1258, according to the Map of Highland Lakes, 12th Sector, Phase III, an Eddleman Community, as recorded in Map Book 33, Page 46, in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.
Together with nonexclusive easement to use the private roadways, Common Area all as more particularly described in the Declaration of Easements and Master Protective Covenants for Highland Lakes, a Residential Subdivision, recorded as Instrument #1994-07111 and amended in Inst. #1996-17543 and amended in Inst. # 1999-31095 in the Probate Office of Shelby County, Alabama, and the Declaration of Covenants, Conditions and Restrictions for Highland Lakes, a Residential Subdivision, 12th Sector, Phase III, recorded as Instrument No. 20040510000244590 in the Probate Office of Shelby County, Alabama (which, together with all amendments thereto, is hereinafter collectively referred to as, the "Declaration").

Subject To:
Ad valorem taxes for 2005 and subsequent years not yet due and payable until October 1, 2005. Existing covenants and restrictions, easements, building lines and limitations of record.

THIS INSTRUMENT IS EXECUTED AS REQUIRED BY THE ARTICLES OF ORGANIZATION AND OPERATIONAL AGREEMENT OF SAID LLC AND SAME HAVE NOT BEEN MODIFIED OR AMENDED.

$427,450.00 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.

IN WITNESS WHEREOF, said GRANTOR has hereunto set his hand and seal this the **19th** day of **July, 2005.**

New Haven Homes, LLC

Clarence Channell, III, Member

CLAYTON T. SWEENEY, ATTORNEY AT LAW

STATE OF ALABAMA)
:
COUNTY OF JEFFERSON)

Shelby County, AL 07/26/2005
State of Alabama

Deed Tax:$48.00

I, the undersigned, a Notary Public, in and for said County and State, hereby certify that Clarence Channell, III, whose name as Member of New Haven Homes, LLC, an Alabama Limited Liability Company, is signed to the foregoing Instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the Instrument, he as such Member and with full authority, signed the same voluntarily for and as the act of said limited liability company.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this the 19th day of July, 2005.

NOTARY PUBLIC
My Commission Expires: 6-5-2007

CLAYTON T. SWEENEY NOTARY PUBLIC ALABAMA STATE AT LARGE