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

Send Tax Notice To:
James Whatley, Jr. and Freida Whatley
360 Highland View Drive
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 **One Million One Hundred Sixty Thousand and 00/100 ($1,160,000.00)**, and other good and valuable consideration, this day in hand paid to the undersigned **Distinctive Builders, Inc., an Alabama corporation** (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, **James Whatley, Jr. and Freida Whatley,** (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 30-07, according to the Survey of Highland Lakes, 30th Sector, an Eddleman Community, as recorded in Map Book 34, Page 116, 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 Instrument #1996-17543 and further amended in Instrument # 1999-31095 in the Probate Office of Shelby County, Alabama, and the Declaration of Covenants, Conditions and Restrictions for Highland Lakes, a Residential Subdivision, 30th Sector, recorded as Instrument #20050531000260070 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 2006 and subsequent years not yet due and payable until October 1, 2006. Existing covenants and restrictions, easements, building lines and limitations of record.

$1,044,000.00 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 its hand and seal this the **1st** day of **December, 2006.**

20061206000591810 1/1 $127.00
Shelby Cnty Judge of Probate,AL
12/06/2006 01:42:02PM FILED/CERT

Distinctive Builders, Inc.

Jeffrey M. Brown, President

Shelby County, AL 12/06/2006
State of Alabama

Deed Tax:$116.00

STATE OF ALABAMA)
:
COUNTY OF JEFFERSON)

I, the undersigned, a Notary Public, in and for said County and State, hereby certify that Jeffrey M. Brown, whose name as President of Distinctive Builders, Inc., an Alabama corporation, 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 Officer and with full authority, signed the same voluntarily for and as the act of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this the 1st day of December, 2006.

NOTARY PUBLIC
My Commission Expires: 5-2007

CLAYTON T. SWEENEY, ATTORNEY AT LAW