

This instrument was prepared by:  
Clayton T. Sweeney, Attorney  
2700 Hwy. 280E, Suite 290E  
Birmingham, AL 35223

SEND TAX NOTICE TO:  
STEPHEN L. HOWARD  
CHRISTEN L. HOWARD  
2019 Blue Heron Circle  
Birmingham, AL 35242

STATE OF ALABAMA}  
COUNTY OF SHELBY}

Corporation Form Deed/HWROS

KNOW ALL MEN BY THESE PRESENTS, That in consideration of **THREE HUNDRED FORTY THOUSAND DOLLARS AND NO/100's (\$340,000.00)** to the undersigned grantor, **DAVID ACTON BUILDING CORPORATION**, a corporation, (herein referred to as **GRANTOR**), in hand paid by the **GRANTEES** herein, the receipt of whereof is acknowledged, the said **GRANTOR** does by these presents grant, bargain, sell, and convey unto **STEPHEN L. HOWARD and CHRISTEN L. HOWARD** (herein referred to as **GRANTEES**) as joint tenants, with right of survivorship, the following described real estate, situated in **SHELBY County, Alabama**:

Lot 239, according to the Survey of Highland Lakes, 2nd Sector, an Eddleman Community, as recorded in Map Book 20, Page 150, 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 in the Probate Office of Shelby County, Alabama, and the Declaration of Covenants, Conditions and Restrictions for Highland Lakes, a Residential Subdivision, 1st Sector, recorded as Instrument #1994-07112 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 1997 and subsequent years not yet due and payable until October 1, 1997. Existing covenants and restrictions, easements, building lines, and limitations of record.

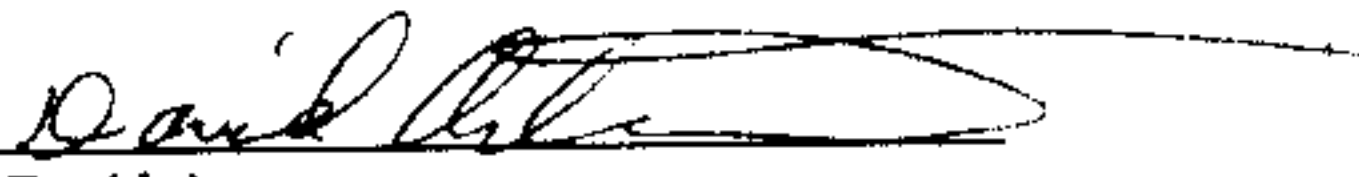
\$272,000.00 of the consideration was paid from the proceeds of a mortgage loan closed simultaneously herewith.

TO HAVE AND TO HOLD Unto the said **GRANTEES** as joint tenants, with right of survivorship, their heirs and assigns, forever; it being the intention of the parties to this conveyance, that (unless the joint tenancy hereby created is severed or terminated during the joint lives of the grantees herein) in the event one grantee herein survives the other, the entire interest in fee simple shall pass to the surviving grantee, and if one does not survive the other, then the heirs and assigns of the grantees herein shall take as tenants in common.

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 noted above, that I/we have a good right to sell and convey the same as aforesaid, and that I/we will and my/our heirs, executors, and administrators shall warrant and defend the same to the said **GRANTEES**, their heirs executors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the said **GRANTOR**, by its President, David Acton, who is authorized to execute this conveyance, has hereto set his signature and seal, this the 26th day of September, 1997.

DAVID ACTON BUILDING CORPORATION

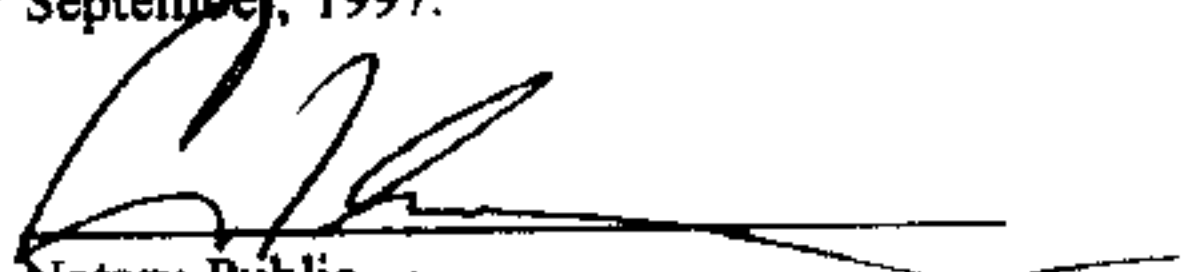
By:   
David Acton  
Its: President

STATE OF ALABAMA}  
JEFFERSON COUNTY}

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that David Acton, whose name as President of **DAVID ACTON BUILDING CORPORATION**, 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.

Given under my hand and official seal this 26th day of September, 1997.

10/08/1997-32844  
12:07 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
001 MEL 76.50

  
Notary Public  
My Commission Expires: 5/29/99

Inst # 1997-32844

CLAYTON T. SWEENEY, ATTORNEY AT LAW