

THIS INSTRUMENT PREPARED BY:
Courtney Mason & Associates, P.C.
1904 Indian Lake Drive, Suite 100
Birmingham, Alabama 35244

GRANTEE'S ADDRESS
Clarence R. Gaines
1314 County Road 42
Calera, Alabama 35040

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

KNOW ALL MEN BY THESE PRESENTS: That, for and in consideration of One Hundred Forty Thousand and 00/100 (\$140,000.00) DOLLARS, and other good and valuable consideration, this day in hand paid to the undersigned GRANTOR, **Howard Finley, Jr.**, a single individual (hereinafter referred to as GRANTOR), the receipt whereof is hereby acknowledged, the GRANTOR does hereby give, grant, bargain, sell and convey unto the GRANTEES, **Clarence R. Gaines and Judith D. Gaines, husband and wife**, (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:

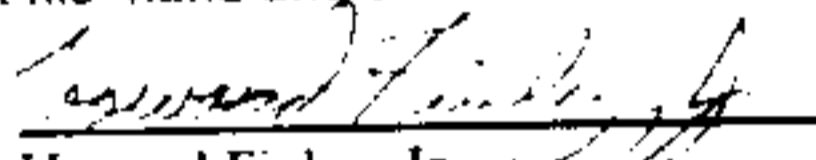
See Attached Exhibit A for Legal Description

Subject to existing easements, current taxes, restrictions, set-back lines and rights of way, if any, of record
\$100,000.00 of the above-recited purchase price was paid from 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, 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, forever.

AND SAID GRANTOR, for said GRANTOR, GRANTOR'S heirs, successors, executors and administrators, covenants with GRANTEES, and with GRANTEES' heirs and assigns, that GRANTOR 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 GRANTOR will, and GRANTOR'S 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 GRANTOR has hereunto set his hand and seal this the 11th day of December, 1998


Howard Finley, Jr.

STATE OF ALABAMA)
COUNTY OF SHELBY)

I, the undersigned, a Notary Public, in and for said County and State, hereby certify that Howard Finley, Jr., a single individual whose name 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 Instrument signed his name voluntarily on the day the same bears date

IN WITNESS WHEREOF, I have hereunto set my hand and seal this the 11th day of December, 1998


NOTARY PUBLIC
My Commission Expires: 10/3/2001

MARK L. ROWE
MY COMMISSION EXPIRES
10/03/2001

Instr # 1398-49846
12/15/1998-49846
10:43 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 CRW 51.00

Exhibit A

From the Northwest corner of the NW 1/4-NE 1/4 of Section 2, Township 22 South, Range 2 West, proceed South along the West boundary of said 1/4-1/4 section for a distance of 1401.77 feet to the point of beginning of property herein described, said point being on the South right of way line of Shelby County Highway #42; thence continue along the aforementioned course a distance of 44.78 feet to a 1 1/2 foot iron pipe; thence turn an angle of 00 degrees, 39 minutes, 59 seconds, left and run South a distance of 668.83 feet to an iron pin; thence turn an angle of 89 degrees, 54 minutes, 16 seconds, left and run East a distance of 326.88 feet to a point in the center of an easement being 30 feet in width; thence turn an angle of 90 degrees, 09 minutes, 20 seconds left and run North along the centerline of said 30 foot wide easement for a distance of 610.25 feet to a point in the center of an old public road, said point being the termination of said 30 foot wide easement; thence continue North along the aforementioned course a distance of 116.66 feet to a point on the South right of way line of said County Highway #42; thence turn an angle of 92 degrees, 10 minutes, 54 seconds left and run West along the South right of way line of said road a distance of 325.76 feet to the point of beginning. The above described property being the same property as described by the certain deed on record in the Office of the Judge of Probate of Shelby County, Alabama, in Deed Book 63, Page 514, and also all that part of the W 1/2 of the W 1/2 of SW 1/4 of NE 1/4 and the W 1/2 of W 1/2 of NW 1/4 of NE 1/4 lying North of an old public road and South of County Highway #42, all in the West one-half of the NE 1/4 of Section 2, Township 22 South, Range 2 West, Shelby County, Alabama. Mineral and mining rights excepted.

Inst # 1998-49846

12/15/1998-49846
10:43 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
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