

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

SEND TAX NOTICE TO:
JOHN D. PEGUES
THEA T. PEGUES
1018 Knollwood Drive
Birmingham, AL 35242

STATE OF ALABAMA)
COUNTY OF SHELBY)

01/12/1999-01440
08:59 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
901 TEL 35.38

Corporation Form Dued 11/19/98

KNOW ALL MEN BY THESE PRESENTS, That in consideration of TWO HUNDRED SIXTY-FIVE THOUSAND DOLLARS (\$265,000.00) to the undersigned grantor, PROCTOR & SONS BUILDERS, INC., 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 JOHN D. PEGUES and THEA T. PEGUES (herein referred to as GRANTEES) as joint tenants, with right of survivorship, the following described real estate, situated in SHELBY County, Alabama:

Lot 939, according to the Survey of Highland Lakes, 9th Sector, an Eddleman Community, as recorded in Map Book 24 page 1 in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

Together with nonexclusive easement to use the private roadways, common areas, all as more particularly described in the Declaration of Easements and Master Protective Covenants for Highland Lakes, a Residential Subdivision, recorded as Inst. #1994-07111 and amended in Inst. No. 1996-17543 in the Probate Office of Shelby County, Alabama, and the Declaration of Covenants, Conditions and Restrictions for Highland Lakes, a Residential Subdivision, 9th Sector, Phase 1, as recorded as Inst. #1998-29634 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 1999 and subsequent years not yet due and payable until October 1, 1999. Existing covenants and restrictions, easements, building lines, and limitations of record.

\$238,495.00 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, Donald R. Proctor, who is authorized to execute this conveyance, has hereto set his signature and seal, this the 7th day of January, 1999.

PROCTOR & SONS BUILDERS, INC.

By: Donald R. Proctor
Donald R. Proctor
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 Donald R. Proctor, whose name as President of PROCTOR & SONS BUILDERS, INC., 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 7th day of January, 1999.

Notary Public
My Commission Expires: 5/30/99

Inst. # 1999-01440