

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

GRANTEE'S ADDRESS:
David A. Elseberry

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

KNOW ALL MEN BY THESE PRESENTS: That, for and in consideration of One Hundred Forty-Six Thousand Five Hundred and 00/100 (\$146,500.00) DOLLARS, and other good and valuable consideration, this day in hand paid to the undersigned GRANTOR, Carter Homes and Development, Inc., a corporation (hereinafter referred to as GRANTOR), the receipt whereof is hereby acknowledged, the GRANTOR does hereby give, grant, bargain, sell and convey unto the GRANTEES, David A. Elsberry and Anna Marie Elsberry,, (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 Legal Description attached as Exhibit "A"

Subject to existing easements, current taxes, restrictions, set-back lines and rights of way, if any, of record.

\$144,500.00 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, the said GRANTOR by its Vice President, Rayburn Carter who is authorized to execute this conveyance, hereto set his signature and seal this the 31st day of March, 1999.

Carter Homes and Development, Inc.


By: Rayburn Carter, Vice President

STATE OF ALABAMA)
COUNTY OF SHELBY)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Rayburn Carter, whose name as Vice President of Carter Homes and Development, 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.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this the 31st day of March, 1999.


NOTARY PUBLIC

My Commission Expires: 2-20-03

Inst # 1999-13918

04/02/1999-13918
09:12 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 CRH 13.00

Exhibit "A"

PARCEL I:

A parcel of land in the West half of Section 13, Township 20 South, Range 3 West, Shelby County, Alabama; described as follows:

Commence at the most Northerly corner of Laurel Cliffs, as recorded in Map Book 12, Page 35, in the Office of the Judge of Probate, said county; thence run South 61 degrees, 57 minutes, 42 seconds East along the Northeast right-of-way of Carl Nichols Drive and line of said subdivision 50.00 feet; thence run along a sewer line easement the following calls: North 29 degrees, 47 minutes, 08 seconds East a distance of 106.10 feet; North 36 degrees, 22 minutes, 44 seconds East a distance of 394.55 feet; North 46 degrees, 55 minutes, 44 seconds East a distance of 302.98 feet to the POINT OF BEGINNING: thence continue last course along said sewer line: a distance of 8.91 feet to a manhole, North 21 degrees, 42 minutes, 48 seconds East a distance of 82.95 feet; thence leave said sewer line and run North 63 degrees, 20 minutes, 18 seconds West a distance of 141.30 feet, thence run South 26 degrees, 39 minutes, 42 seconds West a distance of 91.00 feet; thence run South 63 degrees, 20 minutes, 18 seconds East a distance of 145.37 feet to the POINT OF BEGINNING.

Together with, subject to and benefitting from a perpetual 30 foot easement described as follows:

Commence at the most Northerly corner of Laurel Cliffs, as recorded in Map Book 12, Page 35, in the Office of the Judge of Probate, said county; thence run South 61 degrees, 57 minutes, 42 seconds East along the Northeast right-of-way of Carl Nichols Drive and line of said subdivision 50.00 feet; thence run along a sewer line the following calls: North 29 degrees, 47 minutes, 08 seconds East a distance of 106.10 feet; North 36 degrees, 22 minutes, 44 seconds East a distance of 394.55 feet; North 46 degrees, 55 minutes, 44 seconds East a distance of 311.79 feet; North 21 degrees, 42 minutes, 48 seconds East a distance of 180.39 feet to a point on the Southwest right-of-way of Yeager Court (60 foot r.o.w.); thence leave said sewer line and run North 63 degrees, 20 minutes, 18 seconds West along Yeager Court a distance of 31.06 feet to the POINT OF BEGINNING of said 30 foot easement, 15 feet on each side of the following described center line; thence run South 29 degrees, 49 minutes, 45 seconds West a distance of 97.21 feet to the end of said center line.

Situated in Shelby County, Alabama.

PC

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