

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

Send Tax Notice To
Gerald Simon and Joylene J. Simon
1307 Highland Lakes Trail
Birmingham, AL 35242

STATE OF ALABAMA

JOINT SURVIVORSHIP DEED

COUNTY OF SHELBY

KNOW ALL MEN BY THESE PRESENTS: That, for and in consideration of **Four Hundred Eighteen Thousand Eight Hundred and 00/100 (\$418,800.00)**, and other good and valuable consideration, this day in hand paid to the undersigned **R & S Custom Homes, 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** **Gerald Simon and Joylene J. Simon**, (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 258, according to the Map of Highland Lakes, 2nd Sector, an Eddleman Community, as recorded in Map Book 20, Page 150, in the Probate Office of 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, 2nd Sector, recorded as Instrument #1996-10928 in the Probate Office of Shelby County, Alabama (which, together with all amendments thereto, is hereinafter collectively referred to as, the "Declaration").

Mineral and mining rights excepted.

Subject To:

Ad valorem taxes for 2000 and subsequent years not yet due and payable until October 1, 2000 Existing covenants and restrictions, easements, building lines and limitations of record

\$376,900.00 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.

AND SAID **GRANTOR**, for said **GRANTOR**, **GRANTOR'S** heirs, successors, executors and administrators, covenants with **GRANTEES**, and with **GRANTEES'** heirs and assigns, that **GRANTOR** is 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 21st day of March, 2000.

R & S Custom Homes, Inc.

Ronald S. Kelley, President

Inst # 2000-09317

03/23/2000-09317
11:48 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 CJ1 53.00

STATE OF ALABAMA

COUNTY OF JEFFERSON

I, the undersigned, a Notary Public, in and for said County and State, hereby certify that Ronald S. Kelley, whose name as President of R & S Custom Homes, 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 21st day of March, 2000.


NOTARY PUBLIC

My Commission Expires: 6/5/03

Inst # 2000-09317

03/23/2000-09317
11:48 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 C31 53.00