

This instrument was prepared by:
Clayton T. Sweeney, Attorney
2700 Highway 280 East, Suite 160
Birmingham, AL 35223

Send Tax Notice To:
Donald Wayne Merrill and Susan W.
Merrill
854 Savannah Lane
Calera, AL 35040

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

KNOW ALL MEN BY THESE PRESENTS: That, for and in consideration of **One Hundred Twenty-Six Thousand and 00/100 (\$126,000.00)**, and other good and valuable consideration, this day in hand paid to the undersigned **H.P.H. Properties, LLC, an Alabama Limited Liability Company** (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, **Donald Wayne Merrill and Susan W. Merrill**, (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 67, according to the Survey of Savannah Pointe, Sector II, Phase IV, as recorded in Map Book 29, Page 45, in the Office of the Judge of Probate of Shelby County, Alabama.

Subject To:

Ad valorem taxes for 2002 and subsequent years not yet due and payable until October 1, 2002. Existing covenants and restrictions, easements, building lines and limitations of record.

\$125,800.00 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.

IN WITNESS WHEREOF, said GRANTOR has hereunto set his hand and seal this the **31st** day of **May**, **2002**.

H.P.H. Properties, LLC

by: HPHB, LLC, Member

Alan C. Howard by Ken Crittenden Attorney in Fact
Alan C. Howard, Member

by: **Ken Crittenden, Attorney in Fact**

STATE OF ALABAMA)
COUNTY OF JEFFERSON)

I, the undersigned, a Notary Public, in and for said County and State, hereby certify that **KEN CRITTENDEN** as Attorney in Fact for **Alan C. Howard**, under that certain Limited Power of Attorney recorded on May 13, 2002, in Instrument No. 20020513000224200, in the Probate Office of Shelby County, Alabama, whose name as **Member of HPHB, LLC**, an Alabama Limited Liability Company, which is Member of **H.P.H. Properties, LLC**, an Alabama Limited Liability Company 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 Attorney in Fact for such Member and with full authority signed the same voluntarily for and as the act of said limited liability company acting in its capacity as Member of said limited liability company..

IN WITNESS WHEREOF, I have hereunto set my hand and seal this the **31st** day of **May**, **2002**.


NOTARY PUBLIC
My Commission Expires:

CLAYTON T. SWEENEY, ATTORNEY AT LAW