

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

GRANTEE'S ADDRESS:
Eric Gault
99 Valleydale Court
Birmingham, Alabama 35244

COUNTY OF SHELBY)

JOINT SURVIVORSHIP DEED
C O R R E C T E D

20020917000447160 Pg 1/3 18.00
Shelby Cnty Judge of Probate, AL
09/17/2002 11:37:00 FILED/CERTIFIED

KNOW ALL MEN BY THESE PRESENTS: That, for and in consideration of Ten thousand dollars and no/100ths Dollars, (\$ 10,000.00) and other good and valuable consideration, this day in hand paid to the undersigned GRANTORS, **Russell L. Brooks and Gina Brooks, husband and wife** (hereinafter referred to as GRANTORS), the receipt whereof is hereby acknowledged, the GRANTORS do hereby give, grant, bargain, sell and convey unto the GRANTEES, **Eric Gaut and Misty Gaut, 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.

THIS DEED IS BEING RE-RECORDED TO ATTACHED EXHIBIT "B" HERETO AND MADE A PART HEREOF.

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

~~XXXXXXXXXXXXXXXXXXXX of the above described purchase price was paid from a mortgage loan secured by XXXXX XXXXXX~~

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 GRANTORS, for said GRANTORS, GRANTORS' heirs, successors, executors and administrators, covenants with GRANTEES, and with GRANTEES' heirs and assigns, that GRANTORS 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 GRANTORS will, and GRANTORS' 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 GRANTORS have hereunto set their hands and seals this the 21st day of June, 2002.

Russell L. Brooks
Russell L. Brooks

Gina Brooks
Gina Brooks

STATE OF ALABAMA)

COUNTY OF SHELBY)

I, the undersigned, a Notary Public, in and for said County and State, hereby certify that Russell L. Brooks, a married man 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 28th day of June, 2002.

NOTARY PUBLIC

My Commission Expires: 2-20-03

PEGGY I. MURPHREE
MY COMMISSION EXPIRES FEBRUARY 20, 2003

State of Alabama)

County of Shelby)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Gina Brooks, a married woman 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 conveyance, she executed the same voluntarily on the day the same bears date.

GIVEN UNDER MY HAND THIS 21ST DAY OF JUNE, 2002.

My commission expires: 2/4/04

Peggy I. Murphree
Notary Public

EXHIBIT "A"
LEGAL DESCRIPTION

20020709000316520 Pg 2/2 24.00
Shelby Cnty Judge of Probate, AL
07/09/2002 10:01:00 FILED/CERTIFIED

Parcel I

Commence at the Southeast corner of the Northeast quarter of the Southeast quarter of Section 16, Township 19 South, Range 2 West; thence from the East line of said quarter-quarter, turn an angle to the left of 44 degrees 09 minutes and run in a Northwesterly direction a distance of 974 feet to the point of beginning; thence turn an angle to the left of 91 degrees 00 minutes and run in a Southwesterly direction a distance of 218.81 feet; thence turn an angle to the right of 91 degrees 21 minutes and run in a Northwesterly direction a distance of 381.70 feet; thence turn an angle to the right of 49 degrees 15 minutes 24 seconds and run in a Northerly direction a distance of 99.61 feet; thence turn an angle to the left of 48 degrees 56 minutes 06 seconds and run in a Northwesterly direction a distance of 207.93 feet to it's intersection with the Southeast right-of-way line of Valley Dale Road; thence turn an angle to the right of 65 degrees 14 minutes 45 seconds and run in a Northeasterly direction along the Southeasterly right-of-way line of Valley Dale Road a distance of 22.02 feet; thence turn an angle to the right of 65 degrees 14 minutes 45 seconds and run in a Southeasterly direction a distance of 207.81 feet; thence turn an angle to the right of 48 degrees 56 minutes 06 seconds and run in a Southerly direction a distance of 99.53 feet; thence turn an angle to the left of 49 degrees 15 minutes 24 seconds and run in a Southeasterly direction a distance of 222.73 feet; thence turn an angle to the left of 91 degrees 21 minutes and run in a Northeasterly direction a distance of 197.89 feet; thence turn an angle to the right of 91 degrees 00 minutes and run in a Southeasterly direction a distance of 149.31 feet to the point of beginning. Situated in Shelby County, Alabama.

Parcel II

Commence at the Southeast corner of the Northeast quarter of the Southeast quarter of Section 16, Township 19 South, Range 2 West; thence from the East line of said quarter-quarter turn in an angle to the left of 44 degrees 09 minutes and run in a Northwesterly direction a distance of 1,148.31 feet; thence turn in an angle to the left 91 degrees 00 minutes and run in a Southwesterly direction for a distance of 218.74 feet; thence turn in an angle to the left of 88 degrees 39 minutes and run in a Southeasterly direction for a distance of 36.33 feet for the point of beginning. From the point of beginning, thus obtained continue along last described course for a distance of 40 feet; thence turn an angle to the right of 105 degrees 00 minutes and run in a Southwesterly direction for a distance of 10 feet; thence turn an angle to the right of 89 degrees 27 minutes and run in a Northwesterly direction for a distance of 38.60 feet to the point of beginning.

Parcel III

Commence at the Southeast corner of the Northeast quarter of the Southeast quarter Section 16, Township 19 South, Range 2 West; thence from the East line of said quarter – quarter, turn an angle to the left of 44 degrees 09 minutes and run in a Northwesterly direction a distance of 1,148.31 feet to the point of beginning; form the point of beginning thus obtained thence turn an angle to the left of 91 degrees, and run in a Southwesterly direction a distance of 197.47 feet; thence turn an angle to the left of 88 degrees 39 minutes and run in a Southeasterly direction for a distance of 25.01 feet; thence turn an angle to the left of 91 degrees 21 minutes and run in a Northeasterly direction for a distance of 197.89 feet; thence turn an angle to the left of 89 degrees and run in a Northwesterly direction for a distance of 25 feet to the point of beginning.

LESS AND EXCEPT the portion of the property described in the Right-of-Way Deed for Public Road in Instrument #2001-45544 recorded in the Probate Court of Shelby County, Alabama.

And as further consideration, the herein grantees expressly assume and promise to pay that certain mortgage to Douglas Matlock and Virginia Matlock as recorded in Instrument #2001-18072, in the Probate Office of Shelby County, Alabama, according to the terms and conditions of said mortgage and the indebtedness thereby secured.

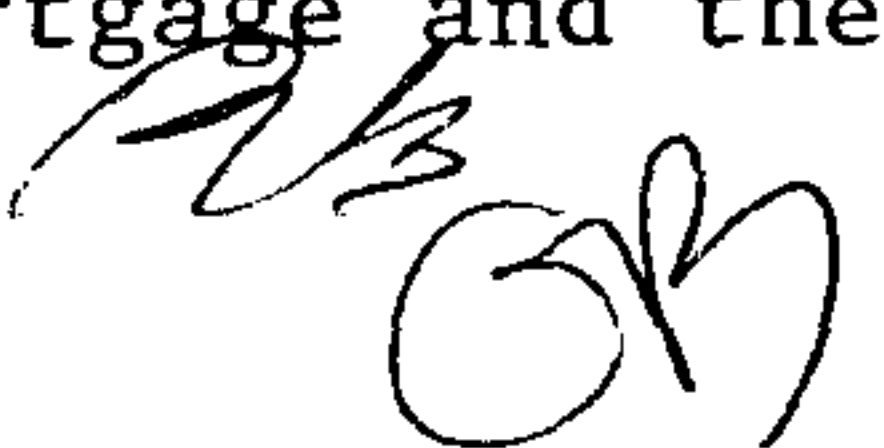


EXHIBIT "B"

And as further consideration, the herein grantee(s) expressly assume(s) and promise(s) to pay that certain mortgage to Douglas Matlock and Virginia Matlock as recorded in Instrument #2001-18072, in the Probate Office of Shelby County, Alabama, according to the terms and conditions of said mortgage and the indebtedness thereby secured.