

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

GRANTEE'S ADDRESS:
Buford H. Pate
5613 Afton Drive
Birmingham, Alabama 35242

JOINT SURVIVORSHIP DEED

COUNTY OF SHELBY)


20021119000576140 Pg 1/2 19.00
Shelby Cnty Judge of Probate, AL
11/19/2002 08:57:00 FILED/CERTIFIED

KNOW ALL MEN BY THESE PRESENTS: That, for and in consideration of Ninety-Two Thousand Seven Hundred Twenty and 00/100 (\$92,720.00) DOLLARS, and other good and valuable consideration, this day in hand paid to the undersigned GRANTOR, **Sunny R. Clowdus, a single individual** (hereinafter referred to as GRANTOR), the receipt whereof is hereby acknowledged, the GRANTOR does hereby give, grant, bargain, sell and convey unto the GRANTEES, **Buford H. Pate and Sarah B. Pate, 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.

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

\$88,000.00 of the above-recited purchase price was paid from a mortgage loan closed simultaneously herewith.

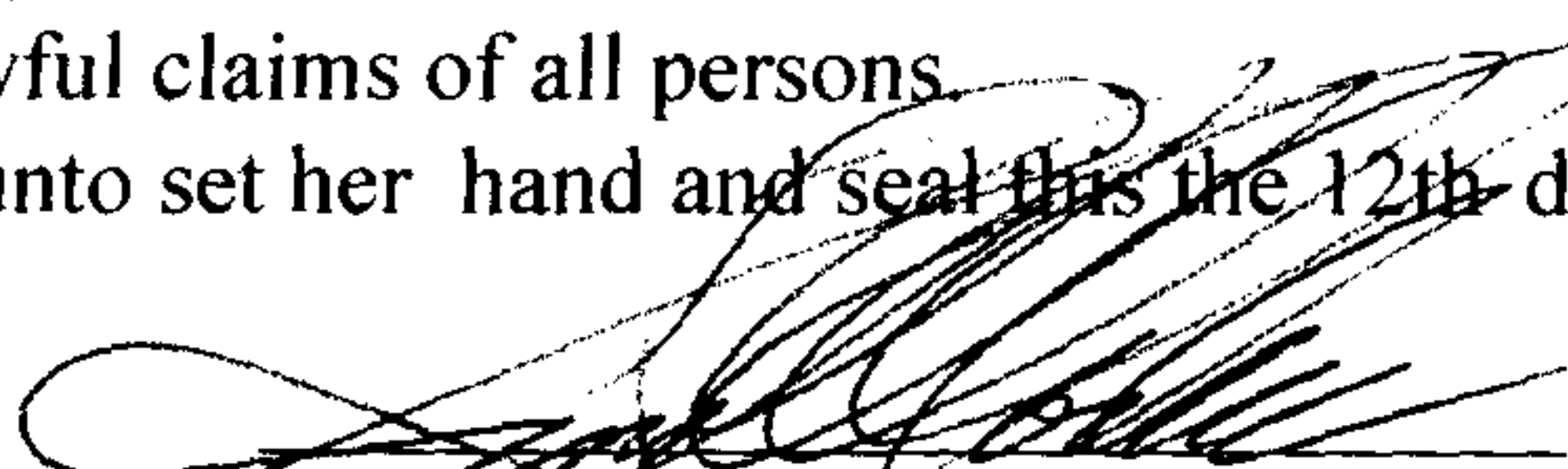
This property has some restrictive covenants as following:

- A. No trailers nor manufactured homes of any kind except while building the home with a maximum of 8 months**
- B. No aircraft landings of any kind**
- C. No fencing closer to the roadway than 10 feet in order to create a natural buffer, nor 25 ft. from the middle of the 30 ft. road**
- D. No commercial business that requires ground storage. In home business is permissible unless it requires traffic.**
- E. The bridge roadway and key coded gated entry usage will have a nominal annual maintenance fee shared by all land owners.**
- F. No disabled automobiles can be on premise unless inside a garage.**
- G. The exterior of all buildings must be completed once began in a timely manner with a maximum of 8 months.**
- H. No nuisance animals are permitted.**
- I. No more than 4 houses can be built on this parcel.**
- J. The Shelby County building code must be followed on all buildings.**
- K. No metal buildings of any kind nor corrugated tin roofs are allowed.**
- L. Winding Stair Trail is the entry road for this parcel.**
- M. No new driving bridge can be built across Shoal Creek for this parcel.**
- N. No buildings or homes are permitted within 20 feet of any boundary line nor within 60 feet of center of Winding Stair Trail Road.**
- O. Grantor grants and reserves a 30 foot easement for underground utilities along the westerly side of property being conveyed.**

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.

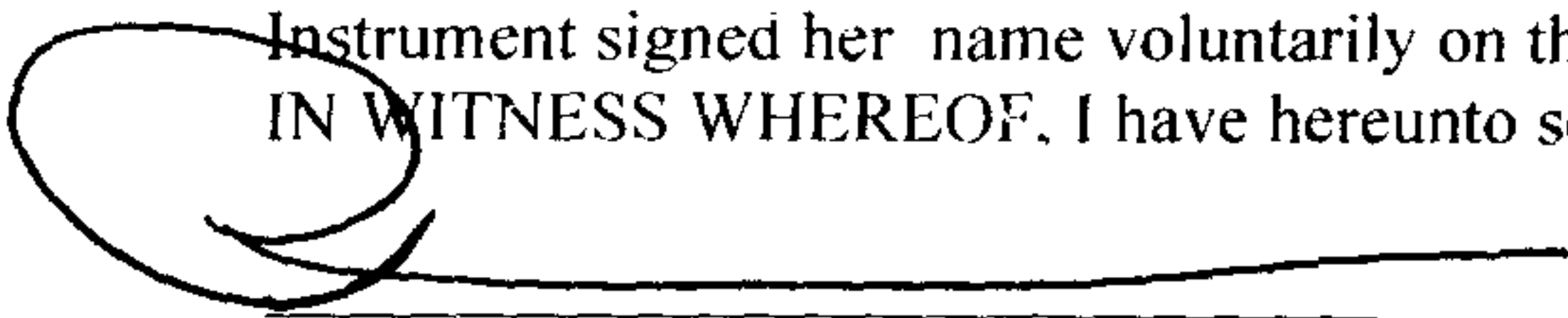
IN WITNESS WHEREOF, said GRANTOR has hereunto set her hand and seal this the 12th day of November, 2002.


Sunny R. Clowdus

STATE OF ALABAMA)
COUNTY OF SHELBY)

I, the undersigned, a Notary Public, in and for said County and State, hereby certify that Sunny R. Clowdus, a single individual 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 her name voluntarily on the day the same bears date.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this the 12th day of November, 2002.


NOTARY PUBLIC

PEGGY I. MURPHREE
MY COMMISSION EXPIRES FEBRUARY 20, 2003
My Commission Expires: 2-20-03

EXHIBIT "A"

Commence at the SE corner of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 8, Township 18 South, Range 1 East; thence run North along the East line thereof for 299.75 feet; thence $93^{\circ}48'53''$ left run Westerly 60.52 feet to the Point of Beginning; thence continue last described course for 498.40 feet; thence $78^{\circ}42'41''$ right run Northwesterly 431.48 feet; thence $21^{\circ}14'27''$ right run Northerly 62.33 feet; thence $24^{\circ}37'30''$ left run Northwesterly 301.49 feet to the centerline of Shoal Creek; thence $53^{\circ}35'16''$ right run Northeasterly along said creek for 142.44 feet; thence $41^{\circ}55'32''$ right continue along said creek for 351.93 feet; thence $113^{\circ}49'34''$ right run Southerly 93.68 feet; thence $95^{\circ}19'42''$ left run Easterly 99.95 feet; thence $112^{\circ}17'46''$ right run Southwesterly 270.34 feet; thence $85^{\circ}13'21''$ left run Southeasterly 141.24 feet; thence $16^{\circ}29'45''$ left run 142.52 feet to the centerline of a road; thence $75^{\circ}12'54''$ right run Southerly along said road for 65.03 feet; thence $8^{\circ}43'39''$ left continue along said road for 304.44 feet; thence $5^{\circ}51'22''$ left for 106.47 feet to the Point of Beginning.

Together with that certain easement for ingress and egress as recorded in Deed book 73, page 461.

Situated in Shelby County, Alabama.

