20030814000536880 Pg 1/1 143.50
Shelby Cnty Judge of Probate,AL
08/14/2003 14:24:00 FILED/CERTIFIED

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

Send Tax Notice To:
Quillian P. Hamby and Marcia W. Hamby
229 Salisbury Circle
Birmingham, AL 35242

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

KNOW ALL MEN BY THESE PRESENTS: That, for and in consideration of **Five Hundred Forty-Seven Thousand One Hundred Ninety and 00/100 ($547,190.00)**, 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, **Quillian P. Hamby and Marcia W. Hamby,** (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 2108, according to the Map of Highland Lakes, 21st Sector, Phase I & II, an Eddleman Community, as recorded in Map Book 30, Page 6, in the Probate Office of Shelby County, Alabama; being situated in 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 and amended in Inst. #1996-17543 and further amended in Inst. # 1999-31095 in the Probate Office of Shelby County, Alabama, and the Declaration of Covenants, Conditions and Restrictions for Highland Lakes, a Residential Subdivision, 21st Sector, Phase I & II, as recorded as Instrument No. 20020716000332740 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 2003 and subsequent years not yet due and payable until October 1, 2003. Existing covenants and restrictions, easements, building lines and limitations of record.

$415,000.00 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 **7th** day of **August, 2003.**

R & S Custom Homes, Inc.

Ronald T. Kelley, President

CLAYTON T. SWEENEY, ATTORNEY AT LAW

STATE OF ALABAMA)
:
COUNTY OF JEFFERSON)

I, the undersigned, a Notary Public, in and for said County and State, hereby certify that Ronald T. 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 7th day of August, 2003.

NOTARY PUBLIC
My Commission Expires: 6-5-2007