

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

Send Tax Notice To:  
Brandon K. MacDonald and Marci  
MacDonald  
2045 Grove Parkway  
Birmingham, AL 35242

STATE OF ALABAMA )  
COUNTY OF SHELBY )

**STATUTORY JOINT SURVIVORSHIP DEED**

**KNOW ALL MEN BY THESE PRESENTS:** That, for and in consideration of **Three Hundred Fourteen Thousand Nine Hundred and 00/100 (\$314,900.00)**, and other good and valuable consideration, this day in hand paid to the undersigned **Stonecrest Home Builders, 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, **Brandon K. MacDonald and Marci MacDonald**, (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 1146, according to the Map of Highland Lakes, 11th Sector, an Eddleman Community, as recorded in Map Book 27, Page 84 A, B, C & D, 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, 11th Sector, recorded as Instrument No. 2000-41316 in the Probate Office of Shelby County, Alabama (which, together with all amendments thereto, is hereinafter collectively referred to as, the "Declaration").**

Subject To:

Ad valorem taxes for 2004 and subsequent years not yet due and payable until October 1, 2004. Existing covenants and restrictions, easements, building lines and limitations of record.

\$283,410.00 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.

This Instrument is executed as required by the Articles of organization and operational agreement of said LLC and same have not been modified or amended.

IN WITNESS WHEREOF, said GRANTOR has hereunto set his hand and seal this the **5th** day of **August, 2004**.

**Stonecrest Home Builders, LLC**

  
Joe D. Vines, Member

**Stonecrest Home Builders, LLC**

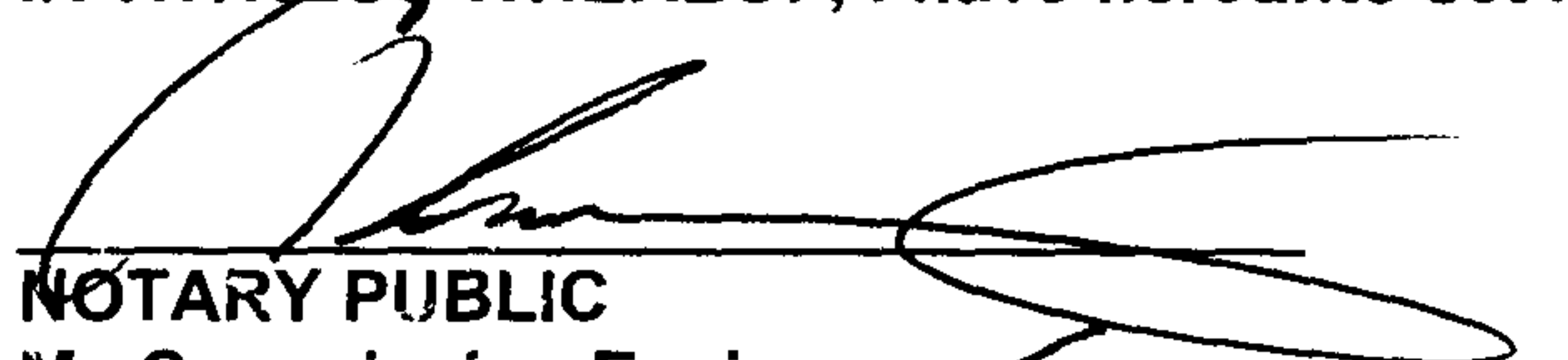
  
Mark P. Johnson, Member

STATE OF ALABAMA )

COUNTY OF JEFFERSON )

I, the undersigned, a Notary Public, in and for said County and State, hereby certify that Joe D. Vines and Mark P. Johnson, whose names as Members of Stonecrest Home Builders, LLC, An Alabama Limited Liability Company, are signed to the foregoing Instrument and who are known to me, acknowledged before me on this day that, being informed of the contents of the Instrument, they as such Members and with full authority, signed the same voluntarily for and as the act of said limited liability company.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this the 5th day of August, 2004.

  
NOTARY PUBLIC  
My Commission Expires: 6-5-2007

CLAYTON T. SWEENEY, ATTORNEY AT LAW