

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

Send Tax Notice To:
Gary A. Carter and Linda S. Carter
611 Highland Lakes Cove
Birmingham, AL 35242

STATE OF ALABAMA

COUNTY OF SHELBY

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STATUTORY JOINT SURVIVORSHIP DEED

KNOW ALL MEN BY THESE PRESENTS: That, for and in consideration of **Eight Hundred Thirty-Four Thousand Three Hundred Sixty and 00/100 (\$834,360.00)**, and other good and valuable consideration, this day in hand paid to the undersigned **Sterling Companies, LLC, an Alabama limited liability comp by: Tynes Development Corporation**, (hereinafter referred to as GRANTORS), in hand paid by the GRANTEES herein, the receipt whereof is hereby acknowledged, the GRANTORS do hereby give, grant, bargain, sell and convey unto the GRANTEES, **Gary A. Carter and Linda S. Carter**, (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 133-A, according to the Resurvey of Highland Lakes, 1st Sector, an Eddleman Community, as recorded in Map Book 32, Page 95, 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, 1st Sector, recorded as Instrument No. 1994-07112 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 2005 and subsequent years not yet due and payable until October 1, 2005. Existing covenants and restrictions, easements, building lines and limitations of record.

\$750,050.00 of the consideration was paid from the proceeds of a mortgage loan closed simultaneously herewith.

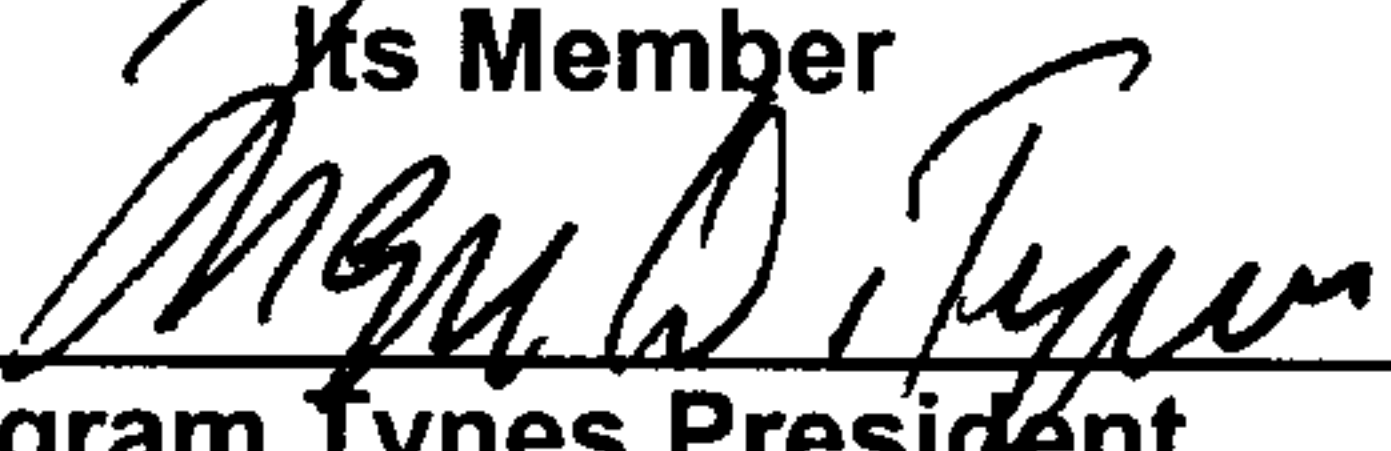
TO HAVE AND TO HOLD, the tract or parcel of land above described together with all and singular the rights, privileges, tenements, appurtenances, and improvements unto the said GRANTEES, for and during their joint lives and upon the death of either of them, then to the survivor of them in fee simple, and to the heirs and assigns of such survivor, forever.

IN WITNESS WHEREOF, said GRANTORS have hereunto set their hands and seals this the **19th** day of **November, 2004**.

Sterling Companies, LLC

By: **Tynes Development Corporation**

Its Member



Ingram Tynes, President

STATE OF ALABAMA

COUNTY OF JEFFERSON

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I, the undersigned, a Notary Public, in and for said County and State, hereby certify that Ingram Tynes, whose name as President of Tynes Development Corporation, an Alabama Corporation, which is Member of Sterling Companies, 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 President and with full authority, signed the same voluntarily for and as the act of said corporation acting in its capacity as Member of said limited liability company.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this the 19th day of November, 2004.



NOTARY PUBLIC
My Commission Expires: 6-5-2007