

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

Send Tax Notice To:
David Downard and Tammy Downard
1119 Legacy Drive
Birmingham, AL 35242

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

KNOW ALL MEN BY THESE PRESENTS: That, for and in consideration of **Three Hundred Thirty-Five Thousand and 00/100 (\$335,000.00)**, and other good and valuable consideration, this day in hand paid to the undersigned **Autumn Lakes, L.L.C., An Alabama Limited Liability Company**, (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, **David Downard and Tammy Downard**, (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 the attached Exhibit "A".

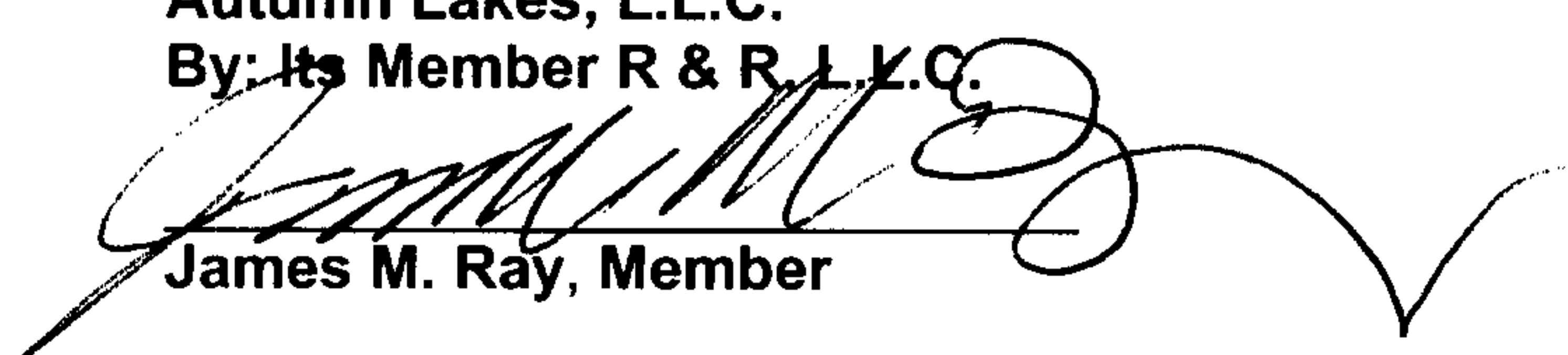
Subject To:
Ad valorem taxes for 2005 and subsequent years not yet due and payable until October 1, 2005. Existing covenants and restrictions, easements, building lines and limitations of record.

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.

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.

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.

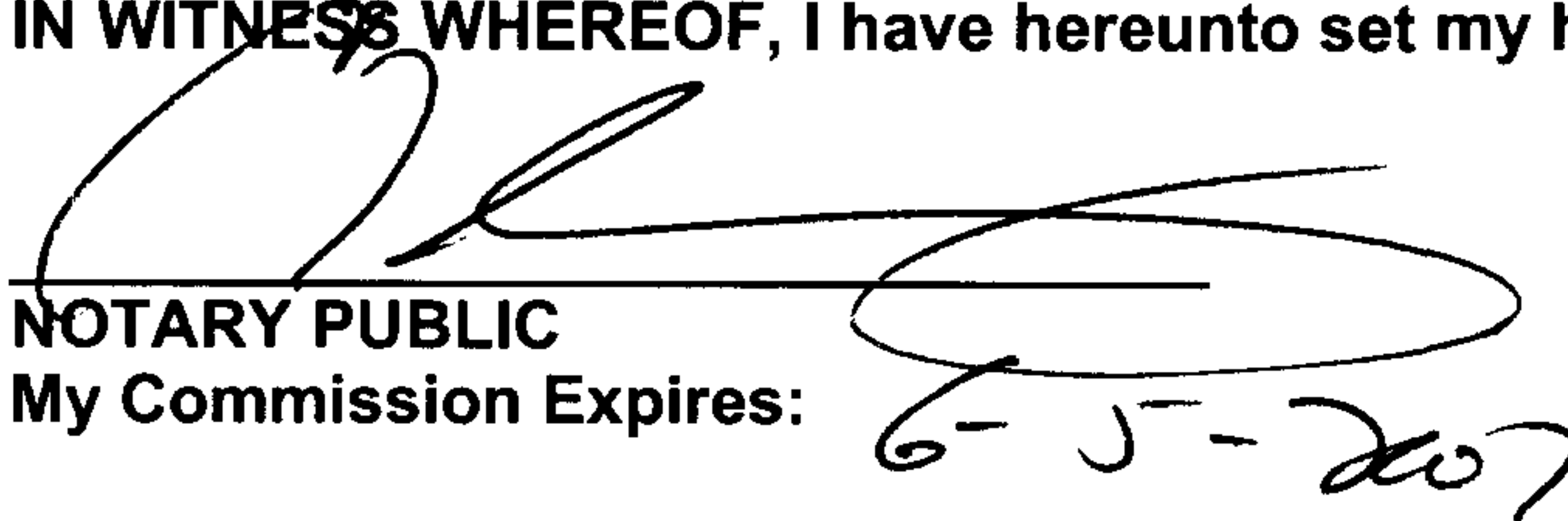
IN WITNESS WHEREOF, said GRANTORS have hereunto set their hands and seals this the **17th** day of **December, 2004**.

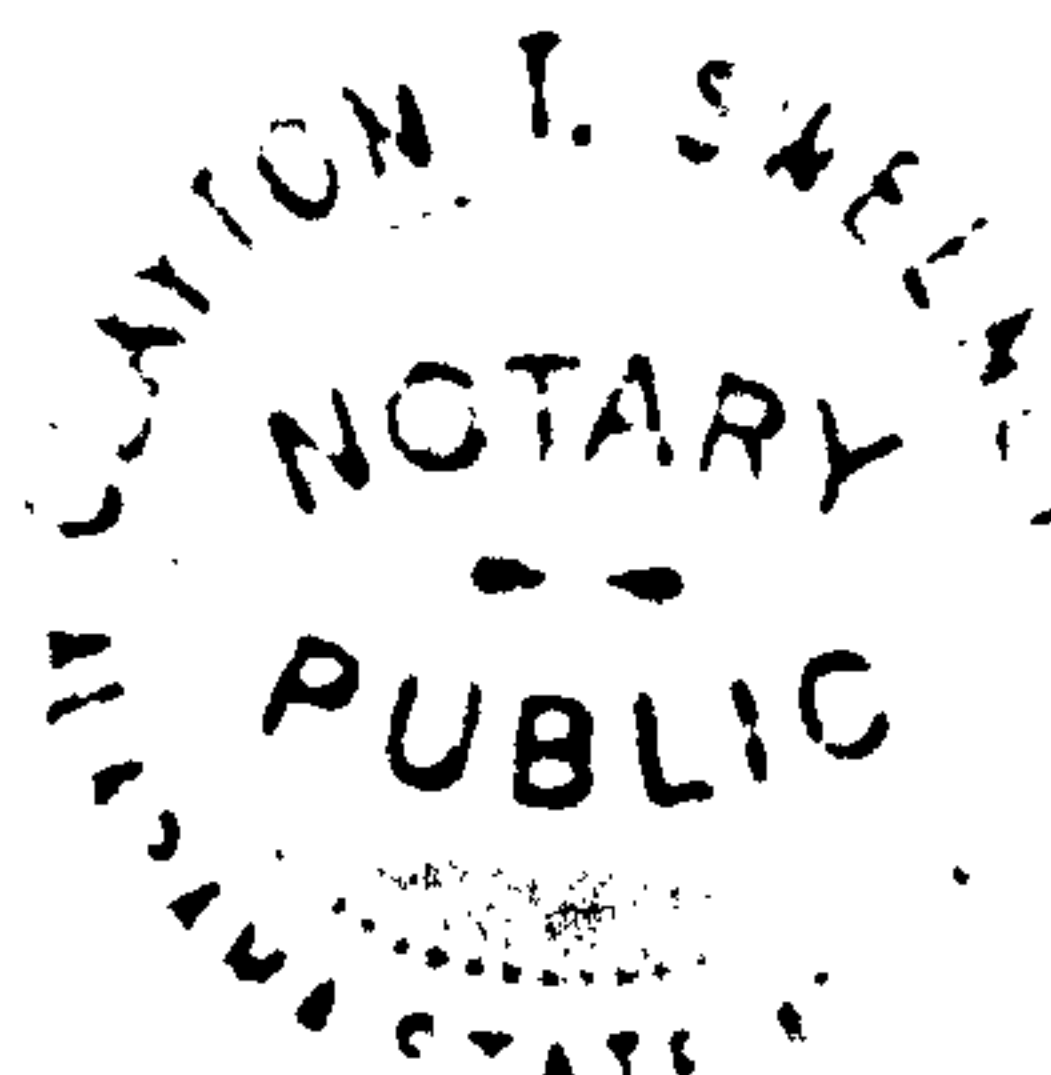
Autumn Lakes, L.L.C.
By: **Its Member R & R, L.L.C.**

James M. Ray, Member

STATE OF ALABAMA)
COUNTY OF JEFFERSON)

I, the undersigned, a Notary Public, in and for said County and State, hereby certify that James M. Ray, whose name as Member of R & R, L.L.C., An Alabama Limited Liability Company, which is member of Autumn Lakes, L.L.C., 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 member and with full authority, signed the same voluntarily for and as the act of said limited liability company acting in its capacity as Member of said limited liability company..

IN WITNESS WHEREOF, I have hereunto set my hand and seal this the 17th day of December, 2004.


NOTARY PUBLIC
My Commission Expires: **6-5-2007**



CLAYTON T. SWEENEY, ATTORNEY AT LAW

EXHIBIT A LEGAL DESCRIPTION

Commence at a 2" open top pipe in place accepted as the Northwest corner of Section 10, Township 20 South, Range 1 West, Shelby County, Alabama; thence proceed North 88 degrees 33 minutes 43 seconds East along the north boundary of said section for a distance of 1261.65 feet to a ½" capped rebar in place and the point of beginning; From this beginning point continue North 88 degrees 33 minutes 43 seconds East along the north boundary of said section for a distance of 240.29 feet to a ½" capped rebar in place; thence proceed South 37 degrees 06 minutes 10 seconds East for a distance of 556.26 feet to a rail road spike in place; thence proceed South 30 degrees 12 minutes 15 seconds East for a distance of 786.22 feet to a ½" capped rebar in place; thence proceed South 35 degrees 00 minutes 40 seconds West for a distance of 253.97 feet to a ½" capped rebar in place being located on the south boundary of the Northeast one-fourth of the Northwest one-fourth; thence proceed South 88 degrees 53 minutes 20 seconds West along the south boundary of the Northeast one-fourth of the Northwest one-fourth for a distance of 436.58 feet to a ½" capped rebar in place; thence proceed North 58 degrees 28 minutes 41 seconds West for a distance of 458.76 feet to a ½" capped rebar in place; thence proceed North 3 degrees 26 minutes 06 seconds West for a distance of 177.22 feet to a point; thence proceed North 30 degrees 43 minutes 58 seconds East for a distance of 355.50 feet to a point thence proceed South 82 degrees 50 minutes 23 seconds West for a distance of 241.91 feet to a ½" capped rebar in place; thence proceed North 55 degrees 20 minutes 04 seconds West for a distance of 84.61 feet to a ½" capped rebar in place; thence proceed North 13 degrees 24 minutes 17 seconds East for a distance of 609.85 feet to the point of beginning.

The above described property is located in the Northwest one-fourth of the Northwest one-fourth and the Northeast one-fourth of the Northwest one-fourth of Section 10, Township 20 South, Range 1 West, Shelby County, Alabama.

An Ingress and Egress and Utility Easement being more particularly described as follows: Commence at a 2" open top pipe in place accepted as the Northwest corner of Section 10, Township 20 South, Range 1 West, Shelby County, Alabama, thence proceed North 88 degrees 33 minutes 43 seconds East along the north boundary of Section 10 for a distance of 1501.94 feet to a ½" capped rebar in place; thence proceed South 37 degrees 06 minutes 10 seconds East for a distance of 556.26 feet to a ½" capped rebar in place; thence proceed South 30 degrees 12 minutes 15 seconds East for a distance of 731.22 feet to a ½" capped rebar in place and the point of beginning; From this beginning point continue South 30 degrees 12 minutes 15 seconds East for a distance of 55.0 feet; thence proceed South 35 degrees 00 minutes 40 seconds West for a distance of 200.45 feet to a point; thence proceed South 32 degrees 43 minutes 42 seconds East for a distance of 51.43 feet to a point; thence proceed South 1 degree 30 minutes 43 seconds West for a distance of 911.30 feet to a point located on the north right of way of Tara Drive; thence proceed North 83 degrees 03 minutes 58 seconds West along the north right of way of Tara Drive for a distance of 30.13 feet; thence proceed North 1 degree 30 minutes 34 seconds East for a distance of 907.19 feet to a point; thence proceed South 88 degrees 53 minutes 20 seconds West along the south boundary of the Northeast one-fourth of the Northwest one-fourth for a distance of 465.41 feet; thence proceed North 58 degrees 28 minutes 41 seconds West for a distance of 92.39 feet to a point; thence proceed North 88 degrees 49 minutes 42 seconds East for a distance of 294.47 feet to a point; thence proceed North 78 degrees 28 minutes 55 seconds East for a distance of 192.96 feet to a point; thence proceed north 53 degrees 11 minutes 54 seconds East for a distance of 79.43 feet to a point; thence proceed North 35 degrees 10 minutes 30 seconds East for a distance of 151.12 feet to the point of beginning.