20051129000616780 1/2 $15.00
Shelby Cnty Judge of Probate,AL
11/29/2005 02:02:06PM FILED/CERT

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

Send Tax Notice To:
Rosewood, Inc.
6601 A Walt Drive
Birmingham, Alabama 35242

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

400,000

KNOW ALL MEN BY THESE PRESENTS: That, for and in consideration of **Ten and no/100---------- Dollars**, and other good and valuable consideration, this day in hand paid to the undersigned **David Downard, and wife, Tammy Downard,** (hereinafter referred to as GRANTORS), in hand paid by the GRANTEE herein, the receipt whereof is hereby acknowledged, the GRANTORS do hereby give, grant, bargain, sell and convey unto the GRANTEE, **Rosewood, Inc.,** (hereinafter referred to as GRANTEE), 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:

Commence at the Southwest Corner of the NEI/4 of the NWI/4 of Section 10, Township 20 South, Range I West, Shelby County, Alabama, thence proceed North 88 degrees 52 minutes 45 seconds East along the South boundary of said quarter-quarter section for a distance of 378.88 feet to a I/2" rebar in place, said point being THE POINT OF BEGINNING; from this beginning point, continue North 88 degrees 52 minutes 45 seconds East along the South boundary of said quarter-quarter section for a distance of 469.13 feet (set I/2" rebar); thence proceed North 00 degrees 23 minutes 48 seconds West for a distance of 80.10 feet; thence proceed North 05 degrees 41 minutes 01 seconds East for a distance of 68.97 feet; thence proceed North 16 degrees 43 minutes 30 seconds East for a distance of 174.79 feet; thence proceed North 30 degrees 33 minutes 36 seconds West for a distance of 664.56 feet; thence proceed North 32 degrees 17 minutes 35 seconds West for a distance of 524.47 feet (set I/2" rebar); thence proceed South 88 degrees 34 minutes 23 seconds West for a distance of 295.88 feet to a I/2" rebar in place; thence proceed South 13 degrees 25 minutes 57 seconds West for a distanc of 608.54 feet to a I/2" rebar in place; thence proceed South 55 degrees 18 minutes 24 seconds East for a distance of 84.61 feet; thence proceed North 82 degrees 52 minutes 03 seconds east for a distnace of 241.91 feet; thence proceed South 30 degrees 45 minutes 38 seconds West for a distance of 355.50 feet; thence proceed South 03 degrees 21 minutes 26 seconds East for a distance of 177.22 feet; thence proceed South 58 degrees 23 minutes 46 seconds East for a distance of 459.59 feet to the point of beginning.

The above described land is located in the NE I/4 of the NW I/4 and the NW I/4 of the NW I/4 of Section 10, Township 20 South, Range 1 West, Shelby County, Alabama.

Together with the right of ingress and egress and installation of utilities under the terms and conditions set out in Inst. No. 20050715000374790 in said Probate Office.

Subject To:
Ad valorem taxes for 2006 and subsequent years not yet due and payable until October 1, 2006. Existing covenants and restrictions, easements, building lines and limitations of record.

$400,000.00 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 GRANTEE, 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.

20051129000616780 2/2 $15.00
Shelby Cnty Judge of Probate,AL
11/29/2005 02:02:06PM FILED/CERT

AND SAID GRANTORS, for said GRANTORS, GRANTORS' heirs, successors, executors and administrators, covenants with GRANTEE, and with GRANTEE'S successors 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 GRANTEE, and GRANTEE'Ssuccessors and assigns forever against the lawful claims of all persons.

IN WITNESS WHEREOF, said GRANTORS have hereunto set their hands and seals this the **21st** day of **November, 2005.**

David Downard

Tammy Downard

STATE OF ALABAMA)
:
COUNTY OF JEFFERSON)

I, the undersigned, a Notary Public, in and for said County and State, hereby certify that David Downard, and wife, Tammy Downard , whose names are signed to the foregoing conveyance and who are known to me, acknowledged before me on this day that, being informed of the contents of the Instrument they executed the same voluntarily on the day the same bears date.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this the 21st day of November, 2005.

NOTARY PUBLIC
My Commission Expires: 6-5-2007

OLAYTON T. SHELDON
NOTARY PUBLIC