20070105000007200 1/1 $101.00
Shelby Cnty Judge of Probate,AL
01/05/2007 02:56:34PM FILED/CERT

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

Send Tax Notice To:
Roger W. Smith and Linda M. Smith
1009 Cole Circle
Birmingham, AL 35242

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

KNOW ALL MEN BY THESE PRESENTS: That, for and in consideration of **Four Hundred Forty Thousand and 00/100 ($440,000.00)**, and other good and valuable consideration, this day in hand paid to the undersigned **David A. Matthews, and wife, Constance E. Matthews,** (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, **Roger W. Smith and Linda M. Smith,** (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 506-A, according to the Resurvey of Lots 506 through 510, Eagle Point, 5th Sector, as recorded in Map Book 19, Page 98, in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

Subject To:
Ad valorem taxes for 2007 and subsequent years not yet due and payable until October 1, 2007. Existing covenants and restrictions, easements, building lines and limitations of record.

$350,000.00 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.

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 **29th** day of **December, 2006.**

David A. Matthews

Constance E. Matthews

Shelby County, AL 01/05/2007
State of Alabama

Deed Tax:$90.00

STATE OF ALABAMA)
:
COUNTY OF JEFFERSON)

I, the undersigned, a Notary Public, in and for said County and State, hereby certify that David A. Matthews, and wife, Constance E. Matthews , 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 29th day of December, 2006.

NOTARY PUBLIC
My Commission Expires: 6-5-2007

CLAYTON T. SWEENEY, ATTORNEY AT LAW