

Prepared by:
MALCOLM S. McLEOD, Esq.
✓ 1957 Hoover Court, Suite 306
Birmingham, AL 35226

Send Tax Notice to:
Jerry & Katherine Gaut
5650 Double Oak Lane
Birmingham, AL 35242

STATE OF ALABAMA)
COUNTY OF SHELBY)

JOINT SURVIVORSHIP DEED

KNOW ALL MEN BY THESE PRESENTS: That, for and in consideration of SIX HUNDRED SIXTY-EIGHT THOUSAND and no/100 DOLLARS (\$668,000.00) and other good and valuable consideration, this day in hand paid to the undersigned Grantor, **S & B CONSTRUCTION, LLC, an Alabama Limited Liability Company, by its Managing Member, Joseph A. Stamba, Jr.** (hereinafter referred to as Grantor), the receipt whereof is hereby acknowledged, the Grantor does hereby give, grant, bargain, sell and convey unto the Grantees, **JERRY S. GAUT and KATHERINE N. GAUT** (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, their heirs and assigns, the following described Real Estate, lying and being in the County of Shelby, State of Alabama, to-wit:

Lot 18, according to the Survey of Mountain Crest Estates, as recorded in Map Book 32, Page 76, in the Office of the Judge of Probate of Shelby County, Alabama; being situated in Shelby County Alabama.

Easement and Right of Way for Driveway:

Commence at the northwest corner of Lot 19, according to the Final Plat of Mountain Crest Estates, as recorded in Map Book 32, page 76, in the Probate Office of Shelby County, Alabama and run north 58 degrees 09' 33" east along the southeast right of way line of Double Oak Lane for 107.20 feet to the point of beginning of the easement herein described; thence continue along the last described course for 9.70 feet to the point of beginning of a curve to the right having a radius of 25.0 feet; thence run along said curve and said right of way line for 23.04 feet to the end of said curve and the point of beginning of a curve to the left having a radius of 66.00 feet; thence run along said curve and said right of way line for 24.25 feet; thence run south 35 degrees 51' 42" east along the northeast line of said Lot 19 for 37.36 feet; thence run north 77 degrees 47' 40" west for 62.70 feet, thence run north 45 degrees 58' 08" west for 20.40 feet to the point of beginning.

\$417,000.00 of the purchase price is being paid by a purchase money first mortgage and \$184,100.00 with an equity line mortgage being recorded simultaneously herewith.

TO HAVE AND TO HOLD, the tract or parcel of land above described together with all and singular 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, their heirs and assigns forever.

And said Grantor, for said Grantor, its heirs, successors, executors and administrators, covenants with Grantees, and with their heirs and assigns, that Grantor is 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, which are not yet due and payable, and except for any Restrictions, Exceptions and/or Covenants pertaining to the Real Estate of record in the Probate Office of said County; and that Grantor will, and its heirs, executors and administrators shall, warrant and defend the same to said Grantees, and their heirs and assigns, forever against the lawful claims of all persons.

IN WITNESS WHEREOF, said Grantor has hereunto set its hand and seal this the 4th day of October, 2007.

S & B CONSTRUCTION, LLC
By its Managing Member, Joseph A. Stamba, Jr.

STATE OF ALABAMA)
COUNTY OF JEFFERSON)

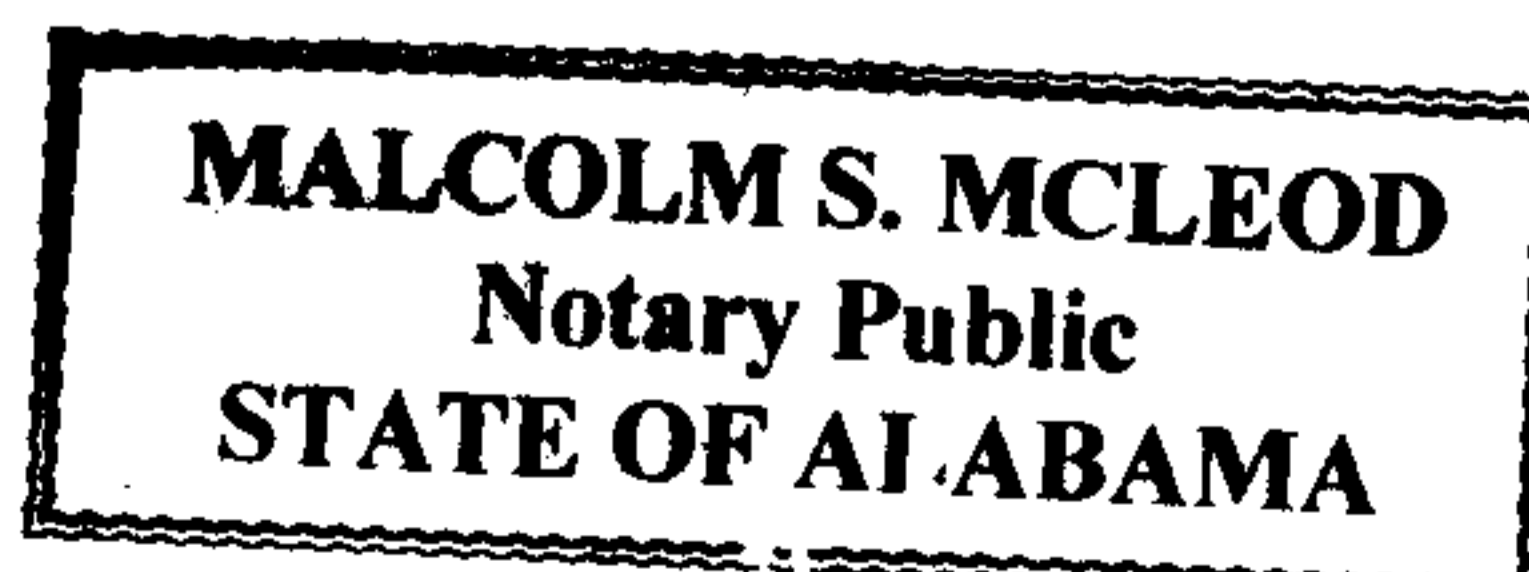
Shelby County, AL 10/11/2007
State of Alabama

Deed Tax: \$67.00

I, the undersigned, a Notary Public, in and for said County and State, hereby certify that **JOSEPH A. STAMBA, JR., whose name as Managing Member of S&B Construction, LLC, an Alabama Limited Liability Company, is signed to the foregoing conveyance 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, executed the same voluntarily for and as the act of said limited liability company on the day the same bears date.**

IN WITNESS WHEREOF, I have hereunto set my hand and seal this the 4th day of October, 2007.

NOTARY PUBLIC
My commission expires:



NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: Aug 15, 2010
BONDED THRU NOTARY PUBLIC UNDERWRITERS