

SEND TAX NOTICE TO:

(Name) Henry L. and Ella R. Borkowski

(Address) 4342 Milner Road West

Birmingham, AL 35242

This instrument was prepared by

(Name) Clayton T. Sweeney

(Address) 2700 Highway 280 East, Suite 290E, Birmingham, AL 35223

Form TITLE 5400 1-84

CORPORATION FORM WARRANTY DEED, JOINT TENANTS WITH RIGHT OF SURVIVORSHIP - THE TITLE GROUP INCORPORATED

STATE OF ALABAMA

COUNTY OF JEFFERSON

KNOW ALL MEN BY THESE PRESENTS.

That in consideration of THREE HUNDRED NINE THOUSAND AND NO/100 DOLLARS ----- \$309,000.00

to the undersigned grantor, BENSON CUSTOM HOMES, INC. a corporation.  
(herein referred to as GRANTOR), in hand paid by the GRANTEES herein, the receipt of which is hereby acknowledged, the said GRANTOR does by these presents, grant, bargain, sell and convey unto

HENRY L. BORKOWSKI AND ELLA R. BORKOWSKI

(herein referred to as GRANTEES) as joint tenants, with right of survivorship, the following described real estate, situated in  
Shelby County, Alabama:

Lot 159, according to the Final Record Plat of Greystone Farms, Milner's Crescent Sector, Phase 3, as recorded in Map Book 23, Page 71, in the Probate Office of Shelby County, Alabama.

This is a purchase money mortgage.

Subject to:

Ad valorem taxes for 1999 and subsequent years not yet due and payable until October 1, 1999.  
Existing covenants and restrictions, easements, building lines and limitations of record.

\$240,000.00 of the consideration was paid from the proceeds of a mortgage loan closed simultaneously herewith.

Inst # 1999-01504

01/12/1999-01504  
10:25 AM CERTIFIED  
SELF-CERTIFYING  
77.00

TO HAVE AND TO HOLD unto the said GRANTEES as joint tenants, with right of survivorship, their heirs and assigns, forever, it being the intention of the parties to this conveyance, that (unless the joint tenancy hereby created is severed or terminated during the joint lives of the grantees herein) in the event one grantee herein survives the other, the entire interest in fee simple shall pass to the surviving grantee, and if one does not survive the other, then the heirs and assigns of the grantees herein shall take as tenants in common. And said GRANTOR does for itself, its successors and assigns, covenant with said GRANTEES, their heirs and assigns, that is lawfully seized in fee simple of said premises, that they are free from all encumbrances, unless otherwise noted above, that it has a good right to sell and convey the same as aforesaid, and that it will and its successors and assigns shall, warrant and defend the same to the said GRANTEES, their heirs, executors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the said GRANTOR, by its President, Richard W. Benson  
who is authorized to execute this conveyance, has hereto set its signature and seal, this the 28th day of December 1998

BENSON CUSTOM HOMES, INC.

ATTEST:

By

Richard W. Benson

Richard W. Benson,

President

Secretary

STATE OF Alabama  
COUNTY OF Jefferson

I, Clayton T. Sweeney

a Notary Public in and for said County in said

State, hereby certify that Richard W. Benson

whose name as President of BENSON CUSTOM HOMES, INC.

a corporation, 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 conveyance, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal, this the 28th

day of December

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Clayton T. Sweeney

Notary Public

CLAYTON T. SWEENEY, ATTORNEY AT LAW