

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was  
prepared by:

SEND TAX NOTICE TO:

R. Shan Paden  
PADEN & PADEN  
Attorneys at Law  
Five Riverchase Ridge, Suite 100  
Birmingham, Alabama 35244-2893

ROBERT E. LANGSTON  
4104 MILNERS LANE  
BIRMINGHAM, AL 35242

Inst # 1999-07782

STATE OF ALABAMA)

COUNTY OF SHELBY)

**JOINT TENANTS WITH RIGHT OF SURVIVORSHIP**

**WARRANTY DEED**

**Know All Men by These Presents:** That in consideration of THREE HUNDRED TWENTY THREE THOUSAND and 00/100 (\$323,000.00) DOLLARS to the undersigned grantor, BENSON CUSTOM HOMES, INC. 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 ROBERT E. LANGSTON and DONNA W. LANGSTON, HUSBAND AND WIFE, (herein referred to as GRANTEES, as joint tenants, with right of survivorship, whether one or more) the following described real estate, situated in SHELBY County, Alabama, to-wit:

LOT 74, 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.

**SUBJECT TO:**

1. TAXES FOR THE YEAR BEGINNING OCTOBER 1, 1998 WHICH CONSTITUTES A LIEN BUT ARE NOT YET DUE AND PAYABLE UNTIL OCTOBER 1, 1999.
2. 30 FOOT BUILDING LINE ON FRONT OF LOT AS SHOWN ON RECORDED MAP.
3. 35 FOOT BUILDING LINE ON REAR OF LOT AS SHOWN ON RECORDED MAP.
4. 10 FOOT EASEMENT ON SIDES OF LOT AS SHOWN ON RECORDED MAP.
5. TITLE TO ALL MINERALS WITHIN AND UNDERLYING THE PREMISES, TOGETHER WITH ALL MINING RIGHTS AND OTHER RIGHTS, PRIVILEGES AND IMMUNITIES RELATING THERETO AS RECORDED IN VOLUME 121, PAGE 294 AND VOLUME 60, PAGE 260.
6. EASEMENT GRANTED TO SOUTH CENTRAL BELL TELEPHONE COMPANY RECORDED IN INST. #1995-7422.
7. RESTRICTIONS AND COVENANTS APPEARING OF RECORD IN VOLUME 301, PAGE 545 AND INST. #1998-10062.
8. AGREEMENT WITH SHELBY COUNTY CABLE AS RECORDED IN REAL VOLUME 350, PAGE 545.
9. AGREEMENT WITH WATER WORKS BOARD AS RECORDED IN REAL VOLUME 235, PAGE 574; INST. #1992-20786 AND INST. #1993-20840.
10. AGREEMENT WITH GREYSTONE RESIDENTIAL ASSOCIATION AS RECORDED IN INST. #1994-22318.
11. RIGHT-OF-WAY GRANTED TO ALABAMA POWER COMPANY RECORDED IN INST. #1998-34328.

02/25/1999-07782  
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12. RESTRICTIONS AND COVENANTS APPEARING OF RECORD IN INST. #1998-22251 AND INSTRUMENT #1998-22297.

\$130,000.00 of the consideration herein was derived from a mortgage closed simultaneously herewith.

**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 the said GRANTEES, his, her, or their heirs and assigns, that it 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, his, her, or their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the said GRANTOR, BENSON CUSTOM HOMES, INC., by its PRESIDENT, RICHARD W. BENSON who is authorized to execute this conveyance, has hereunto set its signature and seal, this the 16th day of February, 1999.

BENSON CUSTOM HOMES, INC.  
By: *Richard W. Benson*  
RICHARD W. BENSON, PRESIDENT

STATE OF ALABAMA)  
COUNTY OF SHELBY)

#### ACKNOWLEDGEMENT

I, the undersigned, 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 or she, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand this the 16TH day of FEBRUARY, 1999.

*J. M. V. G.*  
Notary Public

My commission expires: 9-29-02

Inst # 1999-07782

02/25/1999-07782  
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