

This Instrument was prepared by:

R. Shan Paden
PADEN & HARRIS
Attorneys at Law
100 Concourse Parkway, Suite 130
Birmingham, Alabama 35244

Send Tax Notice to:

H. K. Phillips
154 Kentwood Drive
Alabaster, AL 35007

STATE OF ALABAMA)
COUNTY OF SHELBY)

Inst # 1993-16965

**JOINT TENANTS WITH RIGHT OF SURVIVORSHIP
WARRANTY DEED**

KNOW ALL MEN BY THESE PRESENTS: That in consideration of ONE HUNDRED THIRTY-TWO AND 00/100THS (\$132,000.00) DOLLARS and other good and valuable consideration to the undersigned GRANTOR, M & K HOMES, INC., an Alabama Corporation (hereinafter referred to as GRANTOR), in hand paid by the GRANTEES herein, the receipt of which is hereby acknowledged, GRANTOR does by these presents, grant, bargain, sell and convey unto H. K. PHILLIPS and wife, LEE W. PHILLIPS (hereinafter referred to as GRANTEES) as joint tenants, with right of survivorship, the following described real estate, situated in Shelby County, Alabama, to-wit:

Lot 10, according to the Survey of Kentwood, as recorded in Map Book 16, page 109, in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

Subject to the following:

1. Taxes for the year 1993, which constitute a lien, but are not yet due and payable.
2. Building setback line of 30 feet reserved from Kentwood Way as set as Instrument #1993-26650 in Probate Office.
3. Public utility easements as shown by recorded plat, including 15 feet on the rear; 10 feet through Easterly portion; irregular on the Easterly corner reserved for storm drainage easement and as set out as Instrument #1993-26650.
4. Restrictions, covenants and conditions as set out in instrument(s) recorded as Instrument #1992-22254 and as Instrument #1992-26650 in Probate Office.

\$116,200 of the proceeds were derived from a purchase money mortgage in favor of BancBoston Mortgage Corporation.

TO HAVE AND TO HOLD unto the said GRANTEES as joint tenants, with right of survivorship, their heirs and assigns, forever; it

06/11/1993-16965
10:04 AM CERTIFIED
SHELBY COUNTY JUDGE DE PROBATE
26.00

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 we do for ourselves and for our heirs, executors, administrators, successors and assigns covenant with the said GRANTEES, their heirs and assigns, that we are lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that we have a good right to sell and convey the same as aforesaid; that we will and our heirs, executors, administrators, successors and assigns shall warrant and defend the same to the said GRANTEES, their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the said GRANTOR by its President, MIKE KENT, who is authorized to execute this conveyance, has hereto set its signature and seal, this the 28th day of May, 1993.

M & K HOMES, INC.

By: Mike Kent
MIKE KENT, Its President

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGEMENT

I Robert E. Paden, a Notary Public, in and for said County in said State, hereby certify that Mike Kent, whose name as President of M & K Homes, Inc., an Alabama 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 this the 28 day of May, 1993.

Robert E. Paden
Notary Public

My commission expires: 2/17/96

Inst # 1993-16965

06/11/1993-16965
10:04 AM CERTIFIED

SHELBY COUNTY JUDGE OF PROBATE
002 MCD 26.00