

Send Tax Notices to:

Frederick F. Sommer
563 Castlebridge Lane
Birmingham, AL 35242

CORPORATE STATUTORY WARRANTY DEED
JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

STATE OF ALABAMA)

KNOW ALL MEN BY THESE PRESENTS

JEFFERSON COUNTY)

That in consideration of EIGHT HUNDRED SIXTY THOUSAND DOLLARS and 00/100--- (\$860,000.00) to the undersigned Grantor, Kimbrell 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 the said Frederick F. Sommer and Wilma S. Sommer (herein referred to as Grantees), as joint tenants with right of survivorship, the following described real estate, situated in Shelby County, Alabama to-wit:

Lot 12A, according to a Resurvey of Lots 11 and 12, Greystone, 5th Sector, Phase II, as recorded in Map Book 20, Page 92, in the Probate Office of Shelby County, Alabama.

Subject to:

1. Advalorem taxes for the current tax year 1997.
2. Easements, restrictions and reservations of record.

\$600,000.00 of the purchase price recited above was paid from mortgage loan executed simultaneously herewith.

TO HAVE AND TO HOLD, to 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.

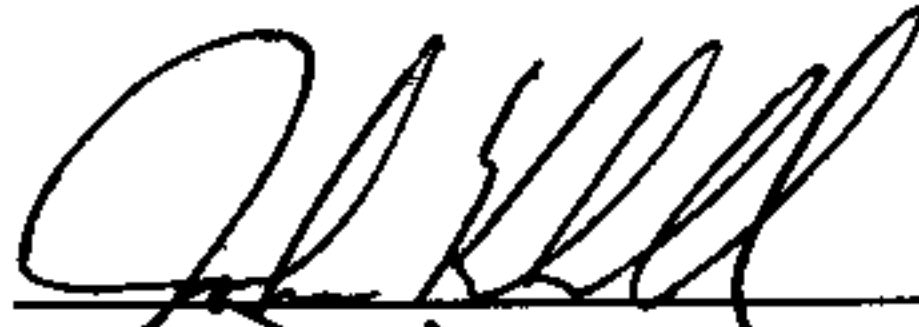
12/04/1996-39869
01:15 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 NEL 271.00

Inst # 1996-39869

IN WITNESS WHEREOF, the said Kimbrell Homes, Inc., a corporation, by it's President, who is authorized to execute this conveyance, has hereto set his signature and seal this the 27th day of November, 1996.

Kimbrell Homes, Inc.

By:
Its:


President

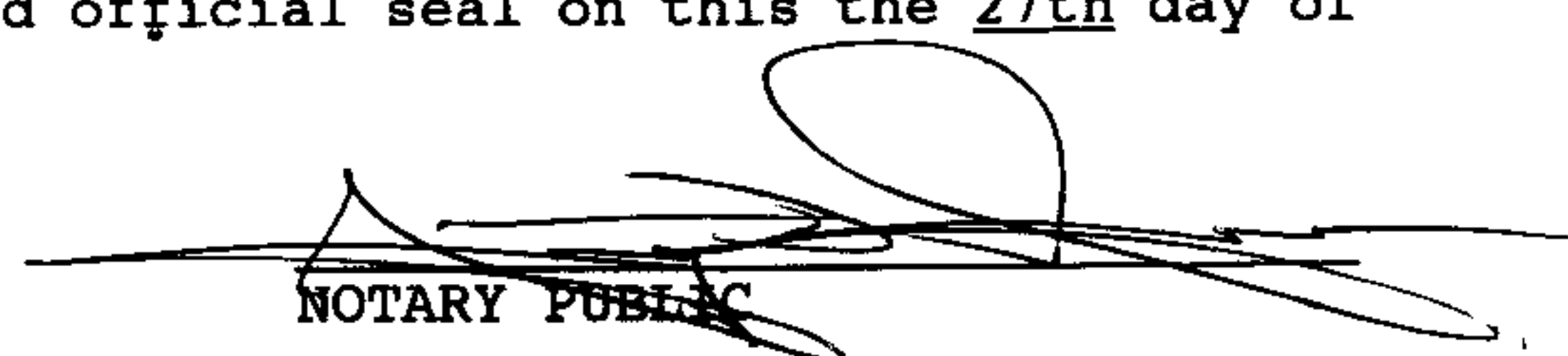
STATE OF ALABAMA)

JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said State and in said County, hereby certify that John Kimbrell, whose name as President of Kimbrell 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 Kimbrell Homes, Inc..

GIVEN under my hand and official seal on this the 27th day of November, 1996.

(NOTARIAL SEAL)


NOTARY PUBLIC

My Commission Expires: 10-21-99

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