

**SEND TAX NOTICES TO:**

STEPHEN L. JAY  
ALLISON L. JAY  
4037 MILNER WAY  
HOOVER, AL 35242

**WARRANTY DEED**

STATE OF ALABAMA  
COUNTY OF SHELBY

**KNOW ALL MEN BY THESE PRESENTS**, that in consideration of the sum of Three Hundred Ten Thousand and No/100 Dollars (\$310,000.00) to the undersigned grantors, in hand paid by the grantee herein, the receipt of which is hereby acknowledged, **BENSON CUSTOM HOMES, INC.**, (herein referred to as "Grantor"), hereby grants, bargains, sells, and conveys unto **STEPHEN L. JAY and ALLISON L. JAY** (herein referred to as "Grantee"), as joint tenants with rights of survivorship, the following described real estate situated in Shelby County, Alabama, to wit:

Lot 125, according to the Map and Survey of Greystone Farms Milner's Crescent Sector - Phase 2 as recorded in Map Book 21, Page 33, in the Probate Office of Shelby County, Alabama.

Subject to all easements, restrictions, covenants, rights of way and covenants of record; taxes for 1998 and subsequent years not yet due and payable.

\$248,000.00 of the purchase price recited herein was paid from the proceeds of two mortgage loans closed simultaneously herewith.

**TO HAVE AND TO HOLD** the described premises to Grantees, as joint tenants with right of survivorship, their heirs, executors, successors 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 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 THE GRANTOR** does for itself, successors and assigns, covenant with said Grantee, their heirs, executors, successors and assigns, that Grantor is lawfully seized in fee simple of the premises, that they are free from all encumbrances, unless otherwise noted above, that Grantor has good right to sell and convey the same as aforesaid, and that Grantor will and its successors and assigns shall warrant and defend same to said Grantee, their heirs, executors, successors and assigns forever, against the lawful claims of all persons.

**IN WITNESS WHEREOF**, the Grantor has signed and sealed this Deed on the 4th of December, 1997.

**BENSON CUSTOM HOMES, INC.**

  
**RICHARD W. BENSON** **PRESIDENT**

Inst # 1997-39871

STATE OF ALABAMA )  
JEFFERSON COUNTY )

12/08/1997-39871  
12:45 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
001 MCB 70.50

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.**, is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that being informed of the contents of said instrument, he, as such officer, and with full authority, executed the same voluntarily, as an act of said Corporation, acting as aforesaid.

Given under my hand and official seal, this 4th day of December, 1997.

  
**NOTARY PUBLIC** **Anne R. Strickland**  
My Commission Expires: 5/11/01

**THIS INSTRUMENT PREPARED BY:**  
Anne R. Strickland, Attorney at Law  
5330 Stadium Trace Parkway, Suite 250  
Birmingham, AL 35244  
(205) 733-1303

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