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Shelby Cnty Judge of Probate, AL
09/22/2003 13:26:00 FILED/CERTIFIED

This instrument was prepared by:
Daniel P. Rosser
Attorney At Law
P.O. Box 59501
Birmingham, AL 35259

SEND TAX NOTICE TO:
MARK A. BENTON
AMY T. BENTON
300 McCLURE DRIVE
WILSONVILLE, AL 35186

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

**STATE OF ALABAMA
COUNTY OF SHELBY**

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of **ONE HUNDRED FORTY FIVE THOUSAND AND NO/100'S (\$145,000.00) DOLLARS** to the undersigned grantor (whether one or more), in hand paid by the grantee herein, the receipt whereof is acknowledged, I or we, **GLENDAT. TAWBUSH, A(N) ~~UN~~MARRIED WOMAN** (herein referred to as grantor, whether one or more), grant, bargain, sell and convey unto **MARK A. BENTON AND AMY T. BENTON** (herein referred to as GRANTEES, whether one or more), as joint tenants with right of survivorship, the following described real estate, situated in **SHELBY County, Alabama to-wit:**

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE.

This conveyance is made subject to covenants, restrictions, reservations, easements and rights-of-ways, if any, heretofore imposed of record affecting Grantor's title to said property, and municipal zoning ordinances now or hereafter becoming applicable and taxes or assessments now or hereafter becoming due against said property.

The preparer of this instrument has served as a scrivener only and has not examined title to the property for purposes of Grantors's representations made herein or rendered any opinion with respect thereto.

\$ 142,759.00 of the consideration herein was derived from a mortgage loan closed simultaneously herewith.

TO HAVE AND TO HOLD to the said GRANTEES as joint tenants, with right of survivor ship, 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 I (we) do, for myself (ourselves) and for my (our) heirs, executors and administrators, covenant with said GRANTEES, his, her or their heirs and assigns, that I am (we are) lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise stated above; that I (we) have a good right to sell and convey the same as aforesaid; that I (we) will, and my (our) heirs, executors and administrators shall warrant and defend the same to the said grantee, his, her or their heirs and assigns forever, against the lawful claims of all persons.

8 IN WITNESS WHEREOF, I/(we), **GLENDAT. TAWBUSH**, have hereunto set my (our) hand(s) and seal(s) this September day of 2003.

Glenda T. Tawbush (SEAL)
GLENDAT. TAWBUSH

_____(SEAL)

STATE OF ALABAMA
Shelby COUNTY

I, THE UNDERSIGNED, a Notary Public in and for said County, in said State, here by certify that **GLENDAT. TAWBUSH** whose name(s) (is/are) signed to the foregoing conveyance, and who (is/are) known to me, acknowledged before me on this day, that being informed of the contents of the conveyance, HE/SHE/THEY executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 8th day of September, 2003

Notary Public

My commission expires 8-27-03

EXHIBIT A

LEGAL DESCRIPTION:

Lot 9, Sector C, according to the survey of The Homestead as recorded in Map Books 8, Page 167 in the Probate Office of Shelby County, Alabama, and the following described parcel: Commence at the Northeast corner of Section 18, Township 21 South, Range 2 East; thence run South 87 degrees 03 minutes 59 seconds West for 609.92 feet; thence run South 01 degrees 46 minutes 31 seconds East for 4185.83 feet; thence run South 88 degrees 13 minutes 29 seconds West for 633.27 feet to the point of beginning; thence run South 20 degrees 30 minutes 37 seconds East 205.52 feet; thence run South 89 degrees 59 minutes 59 seconds West for 117.63 feet to the point of commencement of a curve to the right having a central angle of 42 degrees 50 minutes and a radius of 25.0 feet; thence run along the arc of said curve for 18.69 feet to the end of said curve and the point of commencement of a curve to the left having a central angle of 29 degrees 09 minutes 30 seconds and a radius of 50.0 feet; thence run along the arc of said curve for 25.45 feet; thence run North 08 degrees 00 minutes 15 seconds East for 130.18 feet; thence run North 10 degrees 02 minutes 03 seconds West for 269.43 feet; thence run South 71 degrees 34 minutes 32 seconds East for 37.58 feet; thence run South 20 degrees 30 minutes 37 seconds East 222.54 feet to the point of beginning. According to survey of Steven H. Gay, RLS #17522, dated June 9, 1997.