

381

STATE OF ALABAMA)

WARRANTY DEED

SHELBY COUNTY)

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, William L. Trucks was the owner of the hereinafter described property at the time of his death on, to-wit, during the month of July, 1919, at Montevallo, Shelby County, Alabama; and,

WHEREAS, said William L. Trucks died intestate, and no administration has been made, or is to be made, upon his estate, and all of the debts and claims against him, or his estate, have been paid, and there are none unpaid; and,

WHEREAS, said William L. Trucks was married only one time during his lifetime, and that time to Nannie D. Trucks, who died intestate, at Montevallo, Shelby County, Alabama, on, to-wit, during the month of October, 1924, and no administration has been made or is to be made upon the estate of said Nannie D. Trucks, and all of the debts and claims against her, or her estate, have been paid, and there are none unpaid; and,

WHEREAS, said Nannie D. Trucks was married only one time during her lifetime and that time to said William L. Trucks, and to this marriage, there were four children born, namely, Charlie H. Trucks, Mae Trucks Brownlee, Jennie Trucks Bozarth and Joseph J. Trucks; and,

WHEREAS, said Mae Trucks Brownlee and Joseph J. Trucks are now living and are over the age of twenty-one years; and,

WHEREAS, said Charlie H. Trucks died in Calera, Shelby County, Alabama, on, to-wit, during the month of July, 1956, and during his lifetime, he was married only one time, and that time to Susie Trucks, and to this marriage, there was one child born, namely, Jesse Hall Trucks, who is now living, and who is over the age of twenty-one years; and,

WHEREAS, said Charlie H. Trucks died intestate, and no administration has been made, or is to be made upon his estate, and all of the debts and claims against him, or his estate, have been paid, and there are none unpaid; and,

WHEREAS, said Susie Trucks, said wife of Charlie H. Trucks, was married only one time during her lifetime, and that time to said Charlie H. Trucks, and she died intestate on, to-wit, during the month of September, 1937, and no administration has been made, or is to be made upon her estate, and all of the claims against her, or her estate, have been paid, and there are none unpaid; and,

WHEREAS, on, to-wit, the 14th day of April, 1942, said Jennie Trucks Bozarth, who was then a single woman, conveyed by warranty deed to said Charlie H. Trucks and said Mae Trucks Brownlee her undivided one-fourth (1/4th) interest in said hereinafter described real estate, said deed being recorded in the Probate Office of Shelby County, Alabama, in Book 113 of Deeds, at Page 469; and,

WHEREAS, said Mae Trucks Brownlee, Joseph J. Trucks and Jesse Hall Trucks are desirous to sell and convey unto Lewis E. Kirkland and wife, Helen S. Kirkland, all of their right, title and interest in and to said following described property, and all of their right, title and interest in and to said described property to which they, or any of them, are entitled as the only heirs of said William L. Trucks, deceased, and as grantees in said certain deed from said Jennie Trucks Bozarth, and as heir of Charlie H. Trucks and Susie Trucks, Deceased.

NOW, THEREFORE, in consideration of the sum of Five Thousand, Five Hundred & No/100 (\$5,500.00) Dollars, to the undersigned grantors, Mae Trucks Brownlee, a widow; Joseph J. Trucks and wife, Ruth C. Trucks; Jesse Hall Trucks and wife, Evelyn Trucks, in hand paid by Lewis E. Kirkland and wife, Helen S. Kirkland, the receipt whereof is hereby acknowledged, we, the said Mae Trucks Brownlee, a widow; Joseph J. Trucks and wife, Ruth C. Trucks; and Jesse Hall Trucks and wife, Evelyn Trucks, do grant, bargain, sell and convey unto the said Lewis E. Kirkland and wife,

Helen S. Kirkland, as joint tenants, with right of survivorship, the following described real estate, situated in Shelby County, Alabama, to-wit:

Commencing at the NE Corner of SE 1/4 of NW 1/4, Section 21, Township 22 South, Range 3 West; thence North $89^{\circ} 51'$ West along the North boundary of the said SE 1/4 of NW 1/4, a distance of 70.0 feet to the point of beginning, lying on the west right of way line of Montevallo-Siluria Highway; thence continuing North $89^{\circ} 51'$ West along the North boundary of the said SE 1/4 of NW 1/4 a distance of 679.97 feet to a point; thence South $70^{\circ} 39'$ East along the east property line of the Chamberlain property, a distance of 274.84 feet to a point; thence South $19^{\circ} 35'$ East along the Northeast property line of the said Chamberlain property, a distance of 245.0 feet to a point on the Northwest boundary of a 20 foot wide alley or access located 20 feet Northwest of the Northwest boundary of Lyman's Addition to Montevallo; thence North $49^{\circ} 20'$ East along the Northwest boundary of the said 20 foot alley, a distance of 740.92 feet to a point on the West right of way line of the Montevallo-Siluria Highway; thence North $2^{\circ} 17'$ West along said right of way line a distance of 18.33 feet to the point of beginning; being 4.254 acres more or less.

TO HAVE AND TO HOLD Unto the said Lewis E. Kirkland and wife, Helen S. Kirkland, 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 grantee does not survive the other, then the heirs and assigns of the grantees herein shall take as tenants in common.

And we, Mae Trucks Brownlee, a widow; Joseph J. Trucks and wife, Ruth C. Trucks; Jesse Hall Trucks and wife, Evelyn Trucks, do for ourselves and for our heirs, executors and administrators, 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; that we do have a good right to sell and convey the same as aforesaid; that we will, and our heirs, executors and administrators 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, we, Mae Trucks Brownlee, a widow;
Joseph J. Trucks and wife, Ruth C. Trucks; Jesse Hall Trucks
and wife, Evelyn Trucks, have hereunto set our hands and seals, this
22 day of October, 1958.

Witnesses:

| | | |
|---------------------|---|--|
| <u>Anne Whalley</u> | 1 | <u>Mae Trucks Brownlee</u> (SEAL) Mae Trucks Brownlee |
| <u>Anne Whalley</u> | 1 | <u>Joseph J. Trucks</u> (SEAL) Joseph J. Trucks |
| <u>Anne Whalley</u> | 1 | <u>Ruth C. Trucks</u> (SEAL) Ruth C. Trucks |
| <u>Anne Whalley</u> | 1 | <u>Jesse Hall Trucks</u> (SEAL) Jesse Hall Trucks |
| <u>Anne Whalley</u> | 1 | <u>Evelyn Trucks</u> (SEAL) Evelyn Trucks |

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, William J. Smith, a Notary Public in and for said County,
in said State, hereby certify that Mae Trucks Brownlee, a widow, whose name
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,
she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this 22 day of October, 1958.

William J. Smith
Notary Public, Jefferson County, Alabama
My Commission expires Dec 12, 1960

NOV 1958

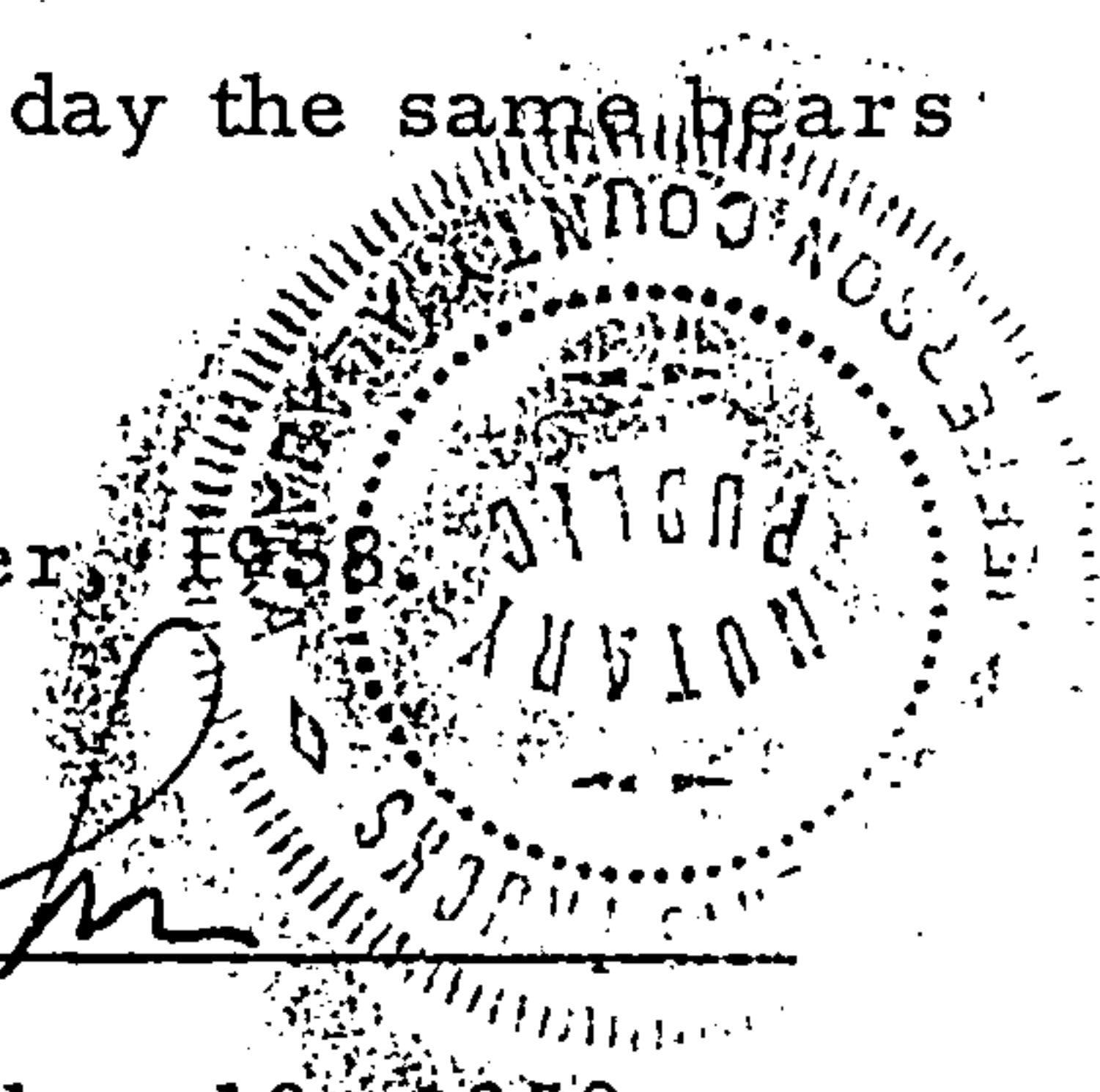
STATE OF ALABAMA)

JEFFERSON COUNTY)

I, [Signature], a Notary Public in and for said County,
in said State, hereby certify that Joseph J. Trucks, and wife, Ruth C. Trucks,
whose names are signed to the foregoing conveyance, and who are known to
me, acknowledged before me on this day, that, being informed of the contents
of the conveyance, they executed the same voluntarily on the day the same bears
date.

Given under my hand and official seal, this 22 day of October,

[Signature]
Notary Public
My commission expires ~~December 13, 1958.~~
***** JAN. 1960



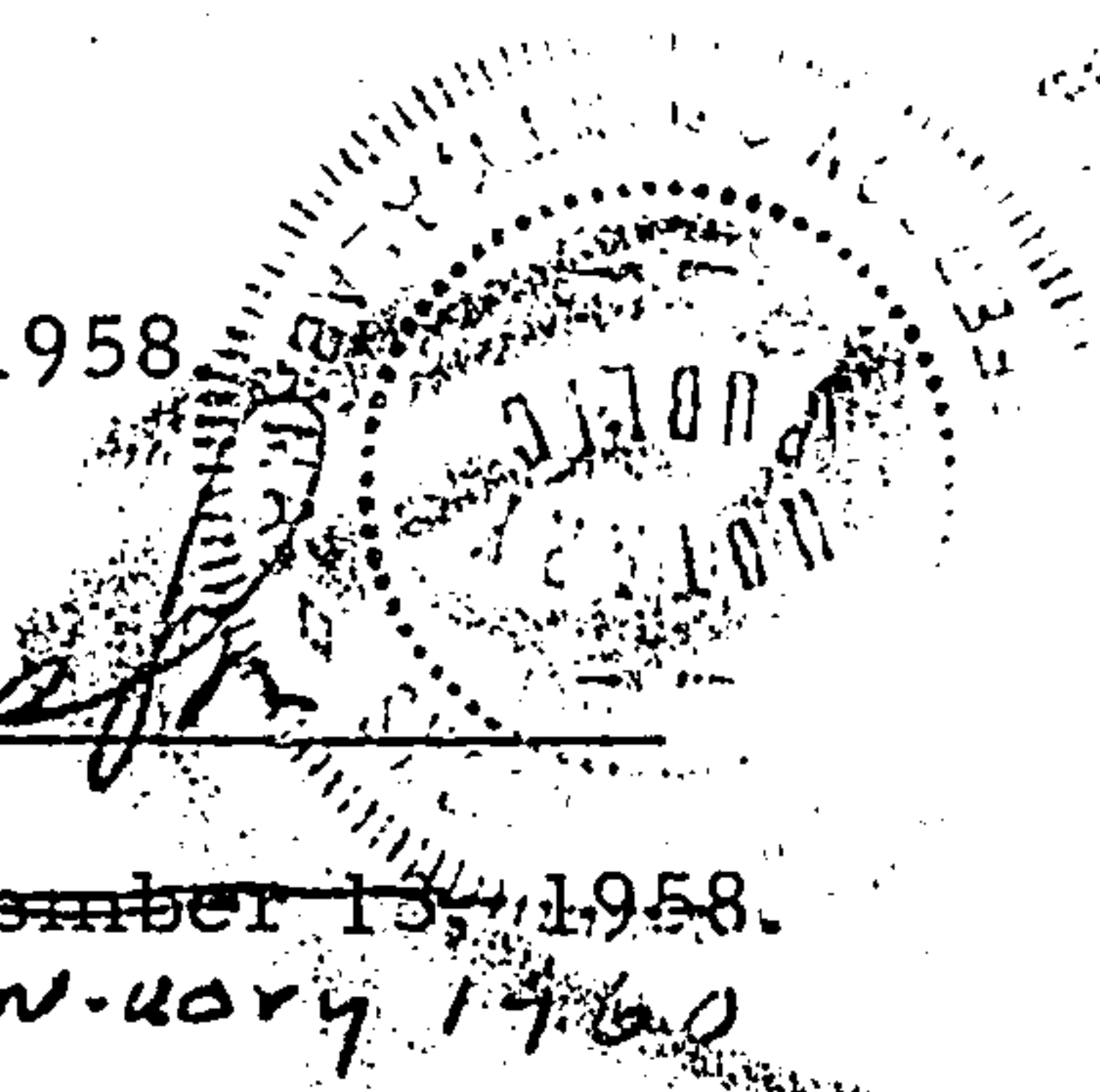
STATE OF ALABAMA)

JEFFERSON COUNTY)

I, [Signature], a Notary Public in and for said County,
in said State, hereby certify that Jesse Hall Trucks and wife, Evelyn Trucks,
whose names are signed to the foregoing conveyance, and who are known to me,
acknowledged before me on this day, that, being informed of the contents of
the conveyance, they executed the same voluntarily on the day the same bears
date.

Given under my hand and seal, this the 22 day of October, 1958

[Signature]
Notary Public
My commission expires ~~December 13, 1958.~~
JAN. 1960



STATE OF ALABAMA, SHELBY COUNTY

I, L.C. Walker, Judge of Probate, hereby certify that the within deed
was filed for record the 25 day of Oct, 1958, at 11 o'clock AM
and recorded in deed record 196 Page 323 and the Mortgage tax of
_____ Deed tax of 5.50 has been paid.

[Signature] Judge of Probate

