

This instrument was prepared by C. A. J. Beaver, 2010 City Federal Bldg., Birmingham, Alabama.

STATE OF ALABAMA

SHELBY COUNTY

EXECUTORS DEED

KNOW ALL MEN BY THESE PRESENTS:

That, Whereas, Edward B. Rucker, also known as Edward Brewer Rucker, executed a certain contract on August 3, 1968 with Henry William Wood, II and Carolyn L. Wood, hereinafter called Grantees, wherein said Edward B. Rucker agreed to sell to said Grantees the hereinafter described real estate situated in Shelby County, Alabama, a copy of which contract is attached hereto and made a part hereof, reference to which is hereby made; and

Whereas, said Edward Brewer Rucker died before the execution of the conveyance called for under the terms of said contract, and

Whereas, the Birmingham Trust National Bank and Emma Jean Rucker have been appointed Co-Executors of the estate of said Edward Brewer Rucker, deceased, and under the terms and provisions of the Last Will and Testament of said Edward Brewer Rucker, deceased, all as shown upon the records of the Probate Court of Jefferson County, Alabama, and are now acting as such Co-Executors; and

Whereas under Section 37 of Title 47 of the Code of Alabama, Recompiled 1958, the said Co-Executors are authorized and empowered to execute this deed according to the form prescribed by law for the conveyance of real estate to said Grantees, in accordance with the terms of said contract; and

Whereas, the said Emma Jean Rucker joins in this deed for the purpose of conveying to said Grantees all of her individual title of every kind and description, including dower and homestead, if any, in and to the hereinafter described land;

NOW, THEREFORE, IN CONSIDERATION OF THE PREMISES, and the sum of One Thousand Three Hundred Seventy-five and no/100 (\$1,375.00) Dollars cash in hand paid to the undersigned Grantors, receipt whereof is hereby acknowledged, the undersigned Birmingham Trust National Bank, a national banking corporation, and Emma Jean Rucker, as Co-Executors under the Last Will and Testament of Edward Brewer Rucker, deceased; and Emma Jean Rucker, individually, a widow, have this day bargained, sold and by these presents do hereby grant, bargain, sell and convey unto said Henry William Wood, II and wife, Carolyn L. Wood

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as joint tenants, with right of survivorship, an undivided one-fourth interest in and to the following described real estate, situated in Shelby County, Alabama, to-wit:

A parcel of land situated in the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ and NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 10, Township 22 South, Range 3 West and the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 11, Township 22 South, Range 3 West, Shelby County, Alabama, more particularly described as follows: Commence at the SW corner of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 11; thence in a Easterly direction along the South line of said quarter-quarter 985.12 feet; thence 91 deg. 43 min. to the left in a Northerly direction 1621.26 feet to the point of beginning; thence continue on last described course 508.74 feet to a point on the southwesterly right of way line of the Scott property; thence 63 deg. 09 min. and 30 sec. to the left in a Northwesterly direction 1093.86 feet to the accepted NW corner of said NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 11; thence continue on last described course 133.92 feet to a point on the southeasterly right of way line of Alabama Highway #119; thence 82 deg. 08 min. 45 sec. to the left in a southwesterly direction along said Southeasterly right of way line of Alabama Highway #119, a distance of 250.50 feet; thence 90 deg. to the left in a southeasterly direction 1505.84 feet to the point of beginning, containing 11 acres, more or less.

Subject to:

1. Taxes for the year 1969 and subsequent years.
2. Rights claimed by the Alabama Power Company under the following transmission line permits recorded in Deed Book 107, Page 218, Deed Book 138, Page 163; Deed Book 142, Page 428, Deed Book 181, Page 432 in Probate Office.
3. Subject to the following restrictions: Any house constructed upon said property must have a minimum of 1800 square feet of floor space and shall have an exterior of brick or brick veneer and shall have a setback from the front of said property line (i.e., from the southeasterly right of way line of Alabama Highway #119) of at least a distance of 100 feet from the frontmost portion of said house; and any appurtenances of any other kind not attached to said house shall have a minimum setback of at least 300 feet from said front of said property line.
4. Rights claimed under the public road right of way deed to Shelby County recorded in Deed Book 124, Page 190 in Probate Office.

TO HAVE AND TO HOLD unto 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 grantee does not survive the other, then the heirs and assigns of the grantees herein shall take as tenants in common.

And said Grantors do for themselves, their heirs, successors and assigns, covenant with said Grantees, their heirs and assigns, that they are lawfully seized in fee simple of said premises, that they are free from all encumbrances, except as set forth hereinabove, that it has a good right to sell and convey the same as aforesaid, and that they will, and their heirs, successors and assigns shall, warrant and defend the same to the said Grantees, their heirs, executors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the said Birmingham Trust National Bank, a National Banking Corporation, as Co-Executor of the Last Will and Testament of Edward B. Rucker, deceased, has set its signature by its Vice President and Trust Officer, who is duly authorized, and has caused the same to be attested by its Secretary, on this 15 day of April, 1969.

BIRMINGHAM TRUST NATIONAL BANK

ATTEST:

William F. Thompson Assistant Cashier
Secretary

By Carey F. Hollingsworth, Jr.
Vice President and Trust Officer

Emma Jean Rucker
Emma Jean Rucker, as Co-Executor under the Last Will and Testament of Edward B. Rucker, deceased

Emma Jean Rucker
Emma Jean Rucker, individually

STATE OF ALABAMA
JEFFERSON COUNTY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Carey F. Hollingsworth, Jr., whose name as Vice President and Trust Officer of Birmingham Trust National Bank, a national banking corporation, as Co-Executor under the Last Will and Testament of Edward B. Rucker, deceased, 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 said conveyance, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation, acting in its capacity as Co-Executor as aforesaid.

Given under my hand this 14th day of April, 1969.

Francis L. Frederick
Notary Public

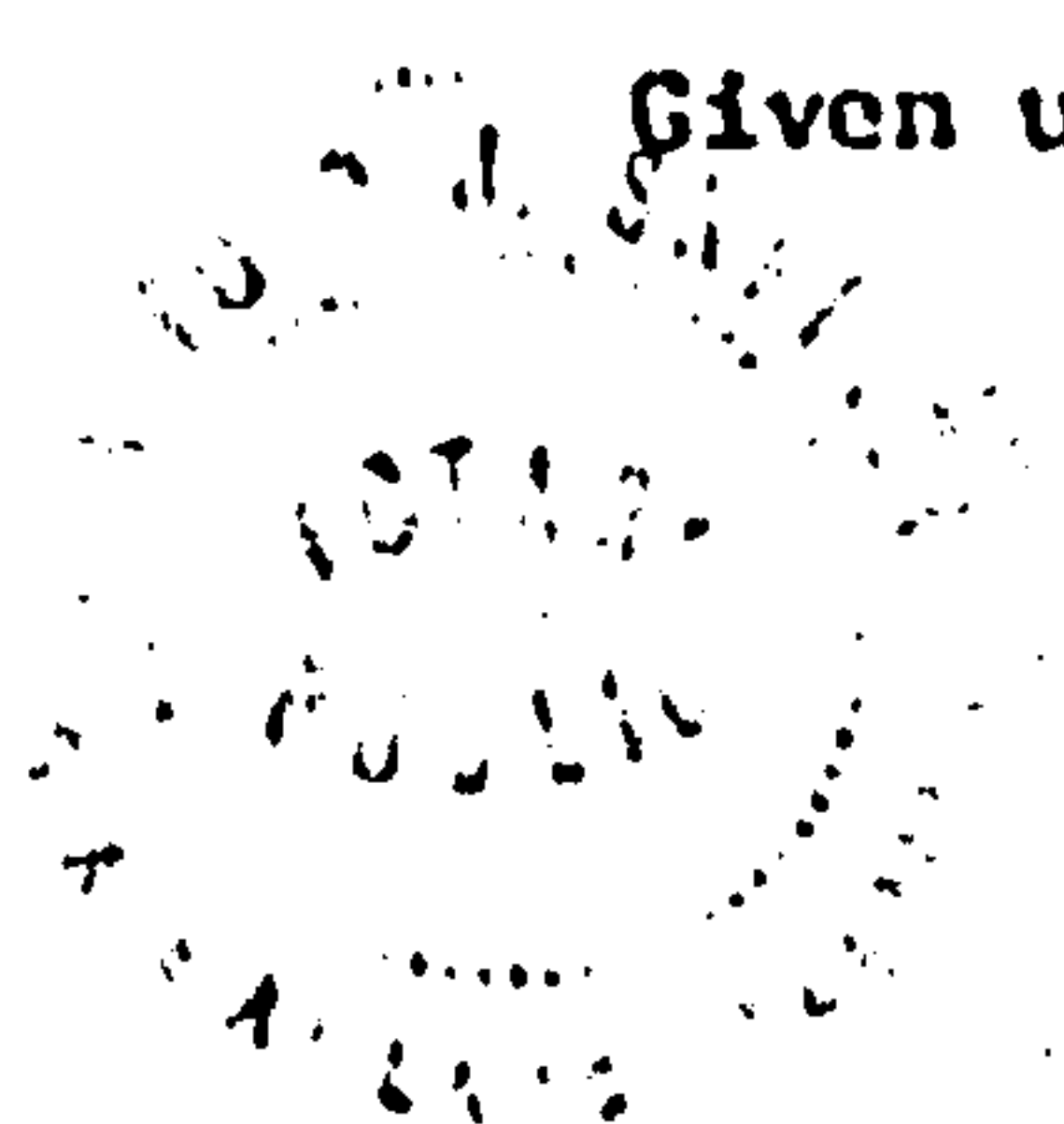
My Commission Expires January 1, 1972

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STATE OF ALABAMA
JEFFERSON COUNTY

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Emma Jean Rucker, whose name as Co-Executor under the Last Will and Testament of Edward B. Rucker, deceased, 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, in her capacity as such Co-Executor, executed the same voluntarily on the day the same bears date.

Given under my hand this the 15 day of April, 1969.

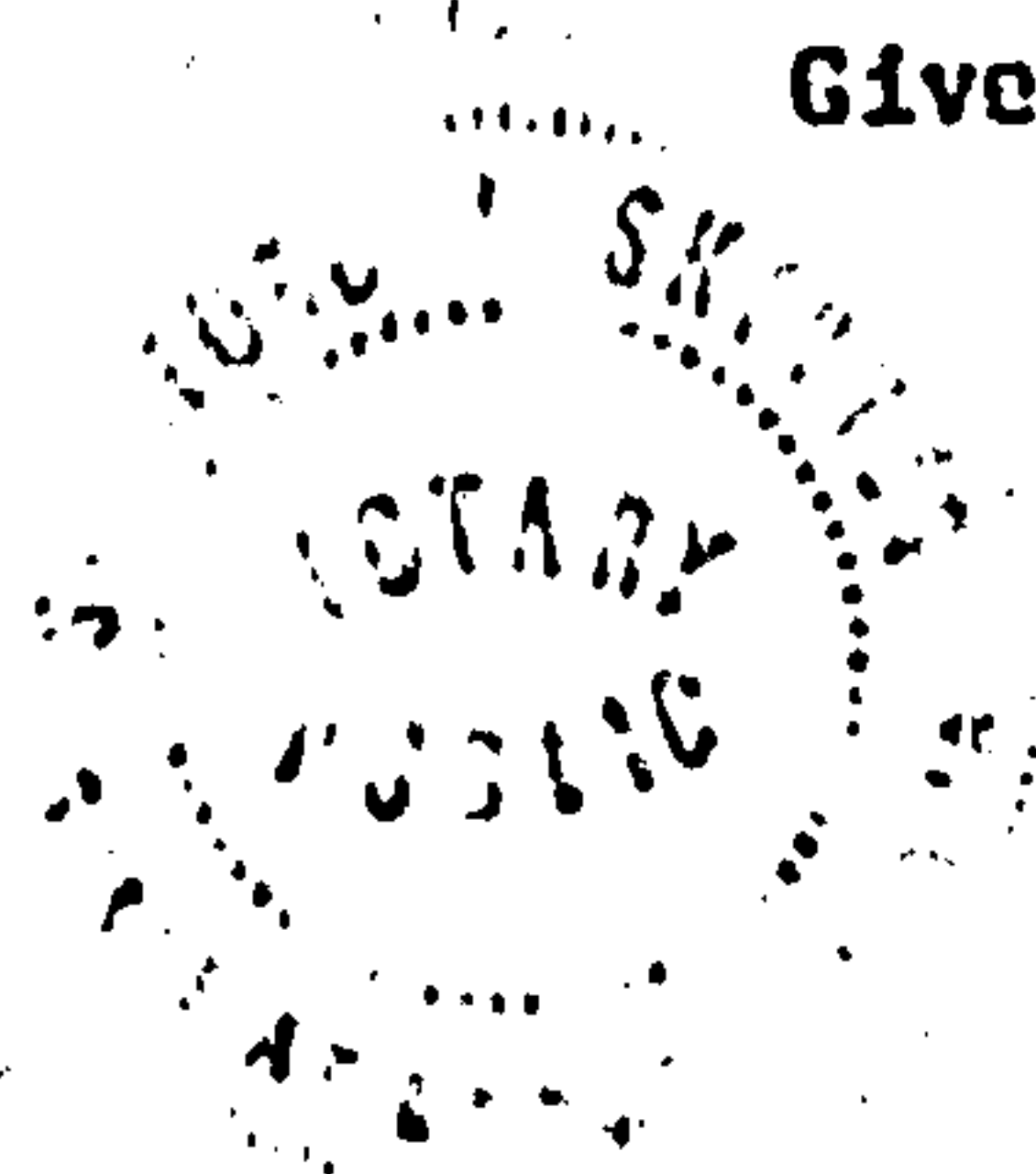
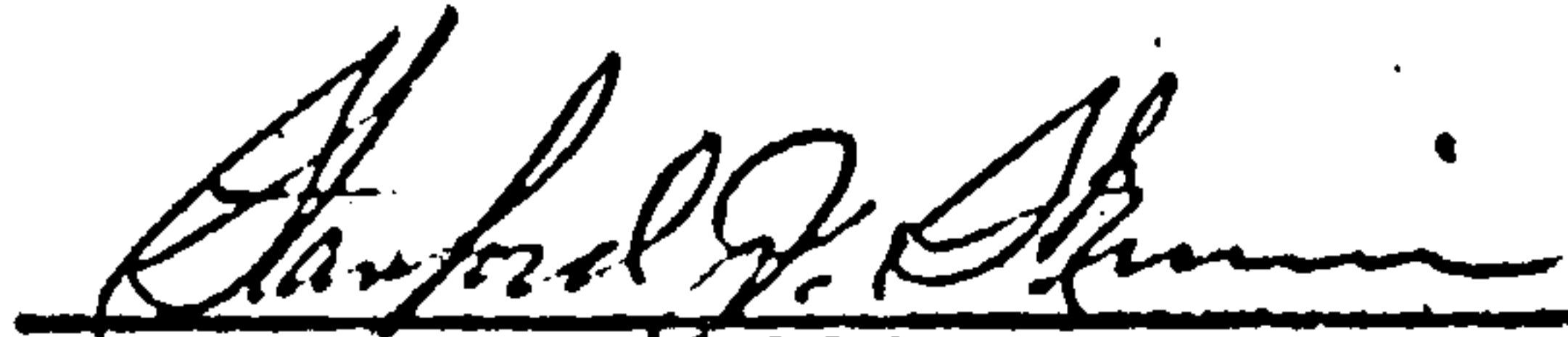


Notary Public

STATE OF ALABAMA
JEFFERSON COUNTY

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Emma Jean Rucker, 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 15 day of April, 1969.



Notary Public

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED
1969 APR 17 PM 8:04
REC. BK. & PAGE AS SHOWN ABOVE
U.C.C. FILE NUMBER OR
CORRESPONDENCE
JUDGE OF PROBATE