

AGREEMENT BETWEEN
C. H. FULTON, AND MARY RUTH LUCK GORDON, AS EXECUTRIX
UNDER THE LAST WILL AND TESTAMENT OF CLARICE WHITE LUCK,
MARY RUTH LUCK GORDON AND HARRIS M. GORDON

6939

Re: The NE $\frac{1}{4}$ of Section 12, Township 21,
Range 3 West, Shelby County, Alabama

STATE OF ALABAMA)

COUNTY OF SHELBY)



19770328000028130 1/9 \$.00
Shelby Cnty Judge of Probate, AL
03/28/1977 12:00:00 AM FILED/CERT

THIS AGREEMENT, made and entered into by and between
C. H. Fulton (hereinafter referred to as "Fulton") and Mary
Ruth Luck Gordon, as Executrix under the Last Will and Testament
of Clarice White Luck, Mary Ruth Luck Gordon, Individually and
her husband, Harris M. Gordon (hereinafter referred to as
"Luck-Gordon"), on this the 3rd day of September, 1976;

W I T N E S S E T H :

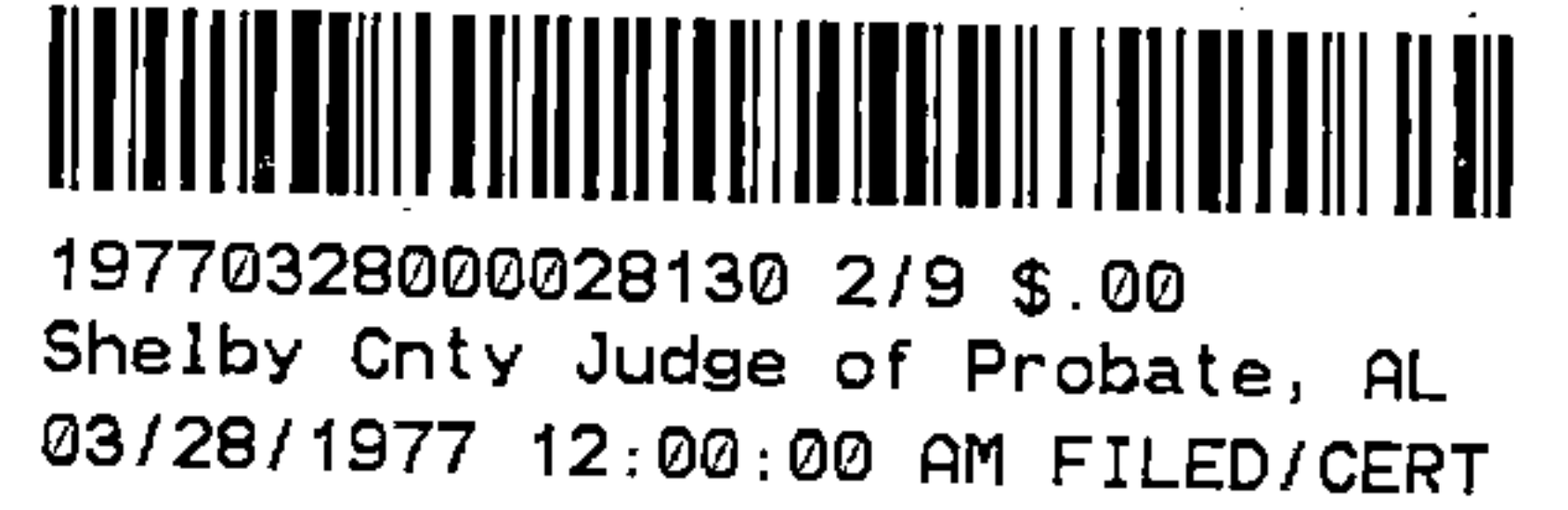
WHEREAS, Clarice White Luck died testate while residing
in Shelby County, Alabama, on to-wit, the 6th day of April,
1976, and her Last Will and Testament has been duly admitted to
Probate in the Probate Court of Shelby County, Alabama, and
Letters Testamentary have been duly issued to Mary Ruth Luck
Gordon, as Executrix under said Last Will and Testament; and
Mary Ruth Luck Gordon is the sole devisee and beneficiary under
said Last Will and Testament; and

WHEREAS, Luck-Gordon own and have been in possession of
the North Half of the Northeast Quarter of Section 12, Township
21, Range 3 West, for a number of years last past, claiming to
own said North Half, since 1928; and

WHEREAS, Fulton acquired title to all of the South Half
of the said Northeast Quarter of Section 12, by deed from
K. B. Nicholson and wife, Lois Nicholson, dated the 10th day
of September, 1948; except a triangular portion in the Southeast
corner thereof, said triangular portion being 1050 ft. along the
East boundary of said section, and 312 ft. along the South line
of the Southeast Quarter of the said Northeast Quarter of said
Section 12; and

WHEREAS, Fulton, by means conveyance has sold parts of
the said South Half of the Northeast Quarter of Section 12, so

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acquired to Floyd E. Marshall, which parcels are now owned by Van Dyke and White; and to Troy Hoagland; which parcel is now owned by Jack Williams; and to Eugene and Agnes Mitchell; and to Shelby County for highway purposes; retaining the remaining part of said South Half of the Northeast Quarter of said Section 12; and

WHEREAS, there have been various surveys of the line dividing the North Half from the South Half of said Northeast Quarter, and the parties hereto desire to recognize and establish as the boundary between the North Half and the South Half of the said Northeast Quarter, a line previously established by William Douglas by survey made in the year 1965, which survey used as starting point markers established by a survey made by Walter Schoel during the year 1935 of the adjoining section; and

WHEREAS, C. H. Fulton and W. S. Pritchard, Jr. are the owners of the Northwest Quarter of the Northwest Quarter of Section 7, Township 21, Range 2 West, Shelby County, Alabama, which is the Quarter-Quarter Section directly east and adjoining the said Northeast Quarter of the Northeast Quarter; and

WHEREAS, the survey so made by Walter Schoel locates the boundary between the North Half of said Section 12 and the North Half of said Section 7 to the East of the boundary as shown by the attached survey made by Coulter & Gay Engineering Company, which Schoel line is the correct line; and

WHEREAS, there is attached hereto a survey of said Section 12, as made by Coulter & Gay Engineering Company dated March 22, 1974, a map of which survey is attached hereto and made a part hereof, and sometimes herein referred to as Coulter & Gay Survey; and

WHEREAS, the undersigned desire to recognize and establish the boundary between the North Half and the South Half of said Northeast Quarter, which boundary is indicated on the

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attached survey and referred to as "line as shown on survey of Wm. Douglas in 1965" as stated above; and, also the boundary between the said Northeast Quarter of the Northeast Quarter of Section 12, and the Northwest Quarter of the Northwest Quarter of Section 7, said boundary being identified as the Walter Schoel line on the Coulter & Gay Survey.

NOW, THEREFORE, in consideration of One Dollar (\$1.00) cash in hand paid by each of the undersigned to each of the undersigned, the receipt of which is hereby acknowledged by each of the undersigned, and for other good and sufficient consideration, it is hereby mutually agreed as follows:

1. That the true and correct boundary dividing the properties owned by each of the undersigned in the Northeast Quarter of Section 12, Township 21, Range 3 West, and the Northwest Quarter of the Northwest Quarter of Section 7, Township 21, Range 2 West, Shelby County, Alabama, are the lines shown on the attached survey identified by asterisks and labeled "line as shown on survey of Wm. Douglas in 1965", and the "Walter Schoel line as surveyed in 1935".

2. In consideration of the within premises, the undersigned Mary Ruth Luck Gordon, as Executrix under the Last Will and Testament of Clarice White Luck, Mary Ruth Luck Gordon and husband, Harris M. Gordon, hereby quitclaim and convey to C. H. Fulton all their right, title and interest in and to that part of the Northeast Quarter of Section 12, Township 21, Range 3 West, Shelby County, Alabama, now owned and claimed by C. H. Fulton, lying south of said line shown on the attached survey identified with asterisks and referred to as the Wm. Douglas line.

3. In consideration of the within premises, the undersigned, C. H. Fulton, a single man, and W. S. Pritchard, Jr. and wife, Ann A. Pritchard, hereby quitclaim and convey to Mary Ruth Luck Gordon and Harris M. Gordon all of their right, title and interest in and to that part of the Northeast Quarter of



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Section 12, Township 21, Range 3 West, Shelby County, Alabama, lying north of the line shown on the attached survey marked with asterisks and referred to as the Wm. Douglas line, and also all that part of the Northeast Quarter of the Northeast Quarter of said Section 12, Township 21, Range 3 West, and the Northwest Quarter of the Northwest Quarter of said Section 7, Township 21, Range 2 West, as the case may be, lying west of the Walter Schoel line shown on the attached survey and situated in Shelby County, Alabama.

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals on the date and year first above noted.

WITNESS:

Sarah F. Redfield

C. H. Fulton

(SEAL)

Roberta F. Meadows

Mary Ruth Luck Gordon

(SEAL)

Mary Ruth Luck Gordon, Executrix under the Last Will and Testament of Clarice White Luck, Deceased

Mary Ruth Luck Gordon

(SEAL)

Mary Ruth Luck Gordon

Harris M. Gordon

(SEAL)

Harris M. Gordon

W. S. Pritchard, Jr.

(SEAL)

W. S. Pritchard, Jr.

Ann A. Pritchard

(SEAL)

Ann A. Pritchard

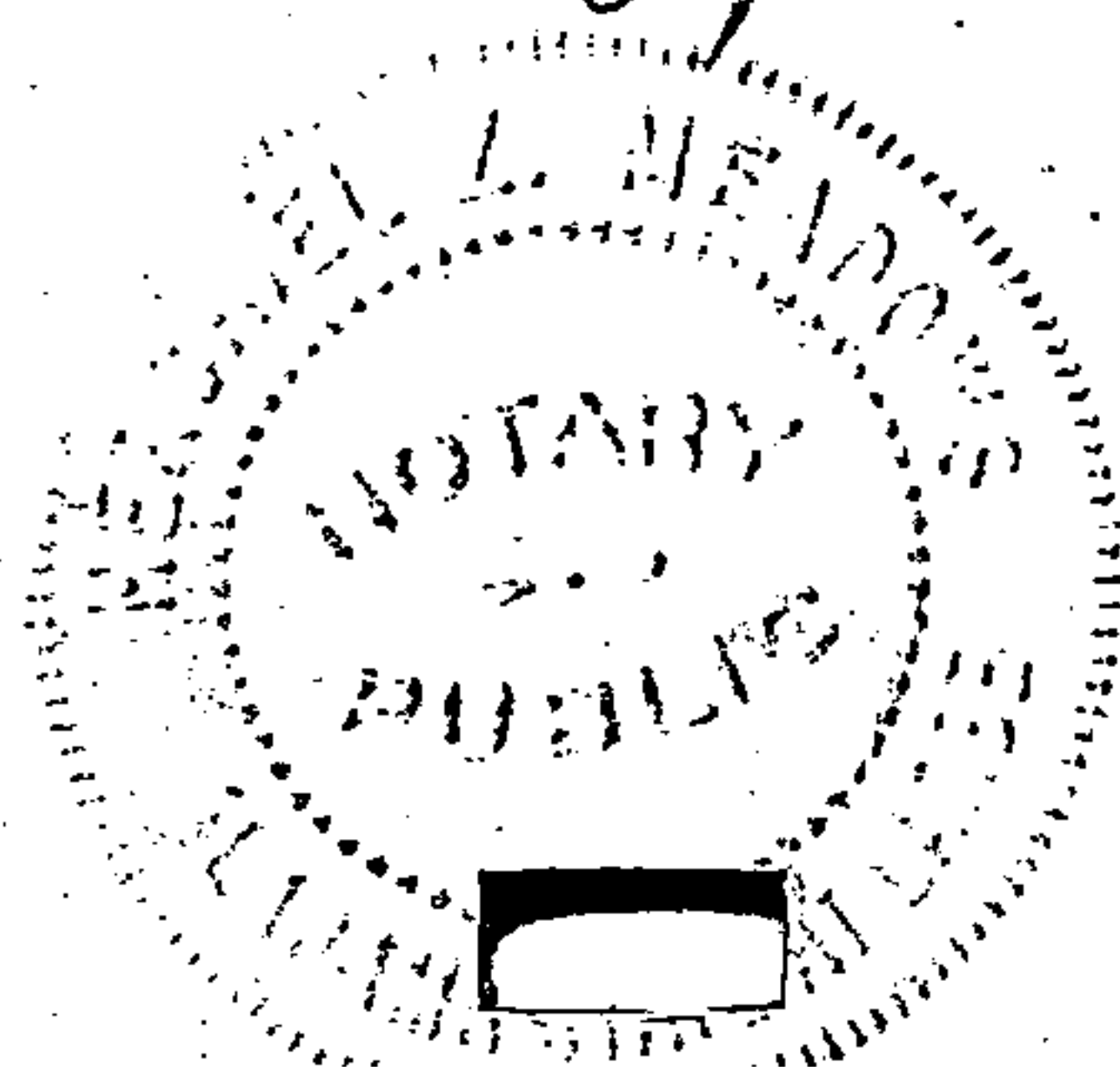
STATE OF ALABAMA)

COUNTY OF SHELBY)

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that C. H. Fulton, a single man, whose name is signed to the foregoing Agreement, and who is known to me, acknowledged beofre me on this day, that, being informed of the contents of this Agreement he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this the 15th day of September, 1976.

Herchel F. Meadows
Notary Public



SEP 5/80

STATE OF ALABAMA)

SHELBY COUNTY)

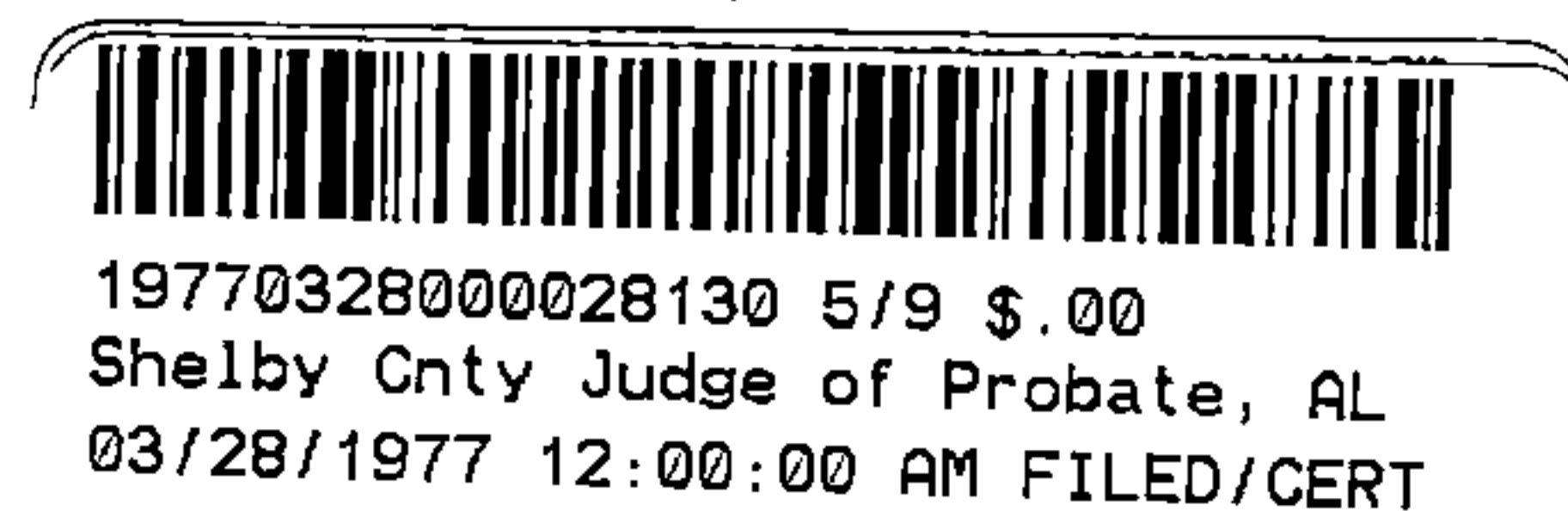
I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Mary Ruth Luck Gordon, whose name as Executrix under the Last Will and Testament of Clarice White Luck, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day, that, being informed of the contents of such instrument, she in her capacity as such Executrix, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this the 7th day of JANUARY, 1977.

Martha A. Jones
Notary Public

STATE OF ALABAMA)

SHELBY COUNTY)



I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Mary Ruth Luck Gordon and husband, Harris M. Gordon, whose names are signed to the foregoing Agreement, and who are known to me, acknowledged before me on this day that, being informed of the contents of the Agreement they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this the 7th day of JANUARY, 1977.

Martha B. Jones
Notary Public

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that W. S. Pritchard, Jr. and wife, Ann A. Pritchard, whose names are signed to the foregoing Agreement, and who are known to me, acknowledged before me on this day that, being informed of the contents of the Agreement they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this the 3rd day of Sept, 1976.

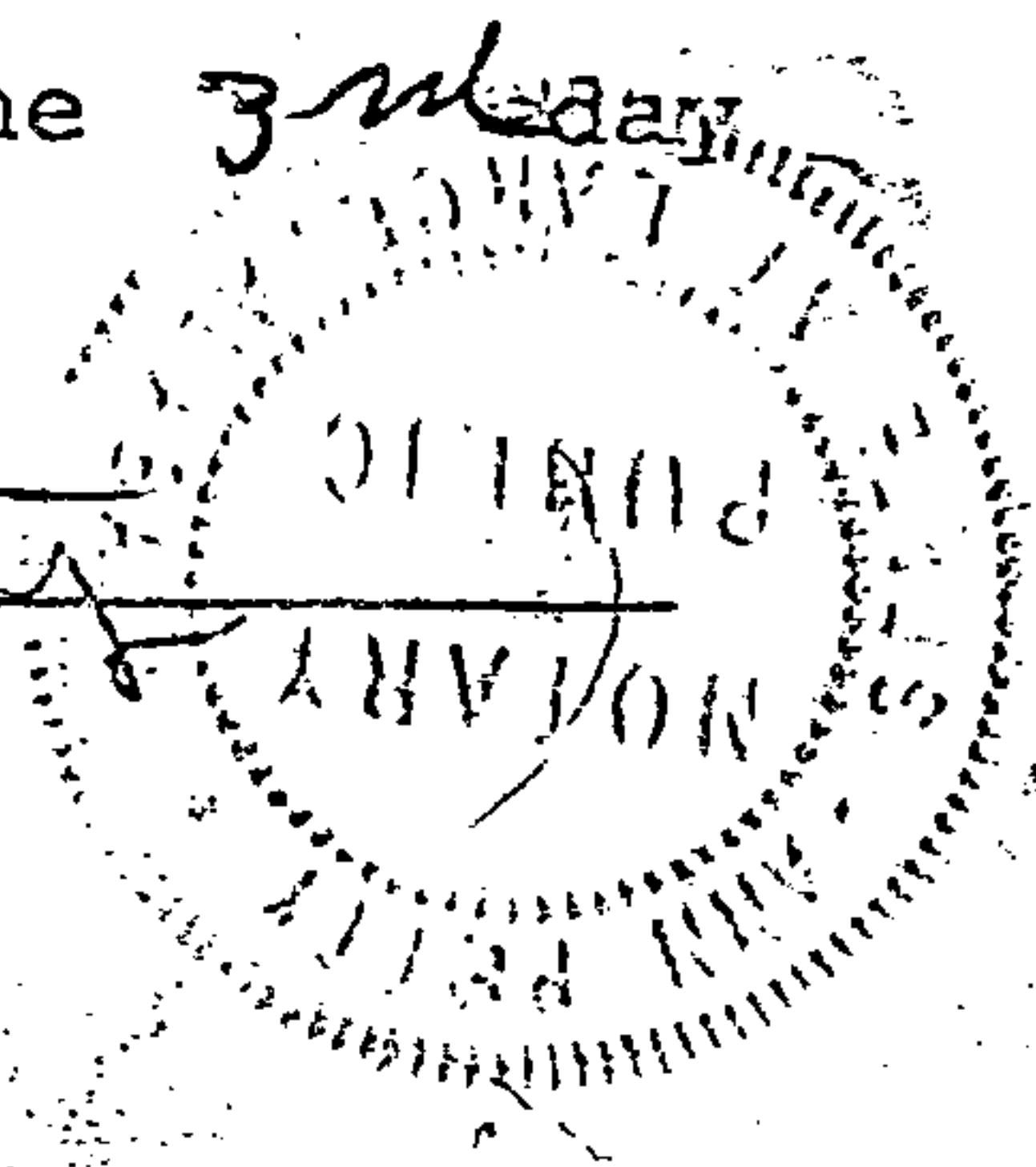
Ann Pritchard
Notary Public

STATE OF ALABAMA)
JEFFERSON COUNTY)
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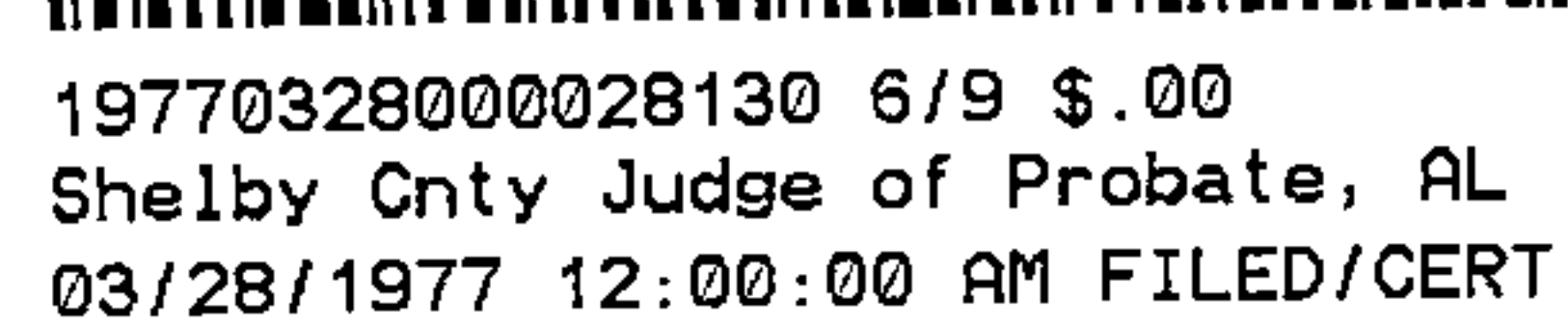
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Thomas A. Snowden, Jr.
JUDGE OF PROBATE

Fee 14.50
Jr. 1.00
\$15.50



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