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19780313000030910 1/3 \$.00  
Shelby Cnty Judge of Probate, AL  
03/13/1978 12:00:00AM FILED/CERT

STATE OF ALABAMA )

SHELBY COUNTY )

KNOW ALL MEN BY THESE PRESENTS, That for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable consideration in hand paid by Gilbert Construction Co., Inc., a corporation, to THE FIRST NATIONAL BANK OF BIRMINGHAM as Executor of the Will of Gaines M. Humphrey, deceased, per the Tenth Judicial Circuit Court of Alabama - in Equity, Case Number 194-145; and Bonnie Shell Humphrey, an unmarried woman (hereinafter called Grantors), receipt whereof is acknowledged, the said Grantors do hereby grant, bargain, sell and convey unto Gilbert Construction Co., Inc. (hereinafter called Grantee), the following-described real estate located in Shelby County, Alabama, to-wit:

Beginning at the NE corner of the NE $\frac{1}{4}$  of SW $\frac{1}{4}$ , Section 13, Township 19 South, Range 2 West, Shelby County, Alabama; thence W along the N line of said  $\frac{1}{4}$ - $\frac{1}{4}$  section a measured distance of 555.69 ft to a point on the easterly right-of-way line of Cahaba Valley Road; thence left 56°24' and run southwesterly 109.68 ft to a point of curve to the left having a radius of 1858.62 ft and a central angle of 13°06'; thence continue southwesterly along arc of said curve to point of tangent, a distance of 424.95 ft; thence continue southwesterly along said easterly right-of-way 398.46 ft; thence left 110°29' E 985.36 ft to a point on the E line of said  $\frac{1}{4}$ - $\frac{1}{4}$  section; thence left 92°15'30" and run N along E line of said  $\frac{1}{4}$ - $\frac{1}{4}$  section 843.31 ft to the Point of Beginning. LESS AND EXCEPT Right-of-way of Oak Mountain Park Road as constructed with an 80 foot right-of-way.

TO HAVE AND TO HOLD unto the said Gilbert Construction Co., Inc., its successors and assigns forever.

It is specifically understood and agreed that the Grantors have executed this conveyance subject to:

1. Ad valorem taxes due and payable October 1, 1978, which the Grantee herein assumes and agrees to pay.
2. Existing rights-of-way, building restrictions, encroachments, recorded and/or unrecorded easements, if any, overlaps, deficiency in quantity of ground, boundary line disputes, or any matters not of record which would be disclosed by an accurate survey and inspection of the premises.
3. Right-of-way granted to Alabama Power Company by instrument(s) recorded in Deed Book 106, Page 310; Deed Book 119, Page 48; and Deed Book 134, Page 547.
4. Right-of-way to Shelby County, Alabama, and rights in connection therewith in Deed Book 135, Page 34.
5. Right-of-way for public road granted to Department of Conservation of the State of Alabama, in Deed Book 174, Page 448; Deed Book 174, Page 454; and Deed Book 174, Page 457.

This instrument is executed without warranty or representation of any kind on the part of The First National Bank of Birmingham as Executor, expressed or implied, except that there are no liens or encumbrances outstanding against the premises conveyed which were created or suffered by the undersigned and not specifically excepted herein.

Bonnie Shell Humphrey does for herself and for her heirs, executors and administrators, covenant with the said Grantee, its successors and assigns, that she is lawfully seized in fee simple of said premises; that they are free from all

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encumbrances unless otherwise noted; that she has a good right to sell and convey the same as aforesaid; that she will, and her heirs, executors and administrators shall warrant and defend the same to the said Grantee, its successors and assigns forever, against the lawful claims of all persons.

This instrument is executed by the Executor hereinbefore named solely in the representative capacity named herein and neither this instrument nor anything herein contained shall be construed as creating any indebtedness or obligation on its part in its individual or corporate capacity, and the Executor expressly limits its liability hereunder to the property now or hereafter held by it in the representative capacity named.

IN WITNESS WHEREOF, THE FIRST NATIONAL BANK OF BIRMINGHAM, Birmingham, Alabama, as Executor of the Will of Gaines M. Humphrey, deceased, and Bonnie Shell Humphrey, have caused this conveyance to be executed in their names and on their behalf on this the 9TH day of March, 1978.

THE FIRST NATIONAL BANK OF BIRMINGHAM, as  
Executor of the Will of Gaines M. Humphrey,  
deceased, per the Tenth Judicial Circuit  
Court of Alabama - in Equity, Case Number  
194-145.

BY: Henry A. Long Jr.  
Vice President and Trust Officer

Bonnie Shell Humphrey  
Bonnie Shell Humphrey, Individually

STATE OF ALABAMA )  
JEFFERSON COUNTY )

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Henry A. Long, Jr., and Thomas W. Paul, whose names as Vice President and Trust Officer, and Trust Officer, respectively, of THE FIRST NATIONAL BANK OF BIRMINGHAM, Birmingham, Alabama, as Executor of the Will of Gaines M. Humphrey, deceased, per the Tenth Judicial Circuit Court of Alabama - in Equity, Case number 194-145, 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 said conveyance, they, as such officers, and with full authority, executed the same voluntarily for and as the act of said corporation, acting in its capacity as Executor, as aforesaid.

Given under my hand and official seal this 9TH day of March, 1978.

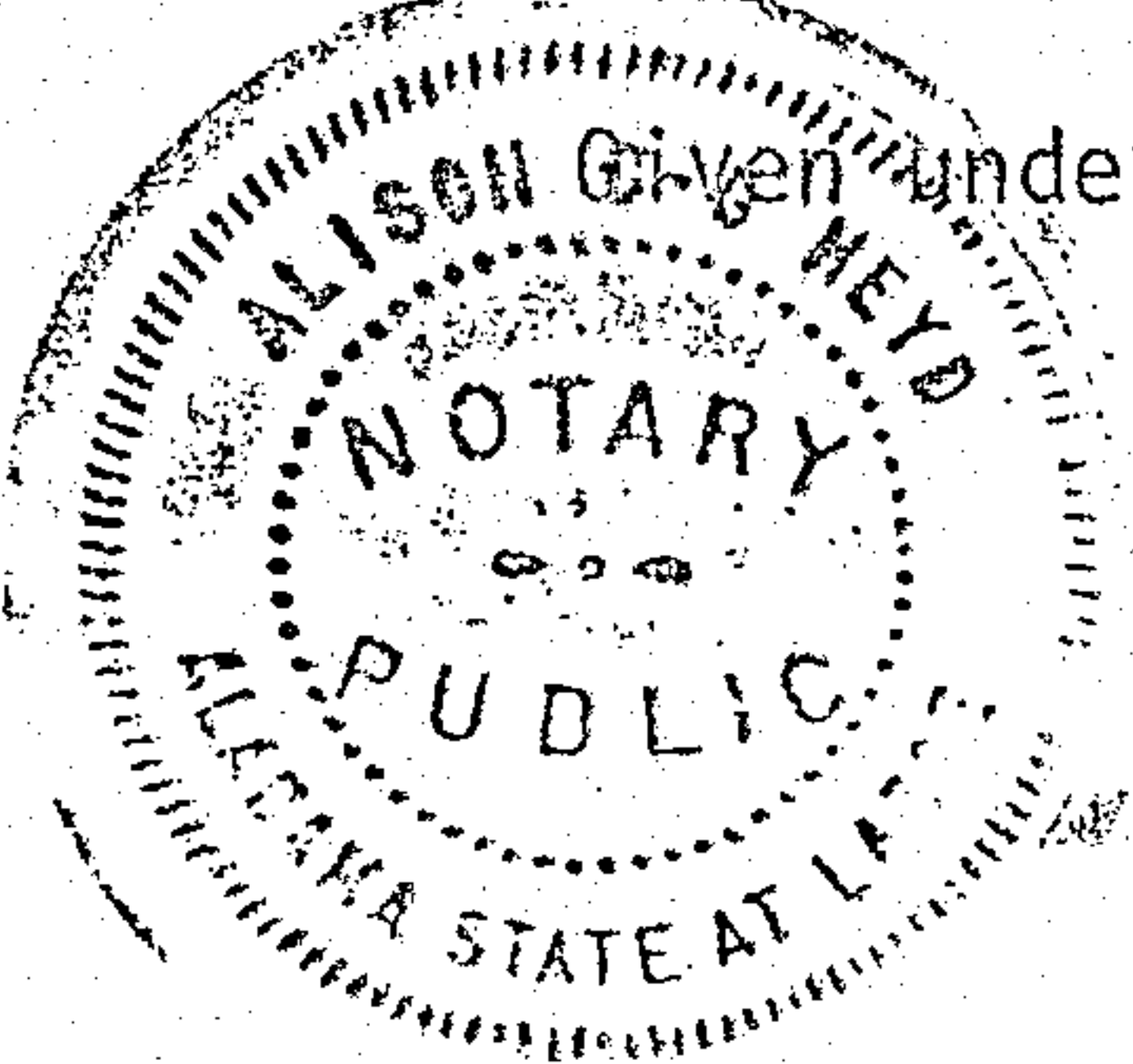
Alison C. G. King  
NOTARY PUBLIC, Alabama State-at-Large  
My Commission expires April 25, 1979

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STATE OF ALABAMA )

JEFFERSON COUNTY )

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Bonnie Shell Humphrey, an unmarried woman, 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 9TH day of March, 1978.

Alison C-G Heyd  
NOTARY PUBLIC  
My Commission expires: April 25, 1979



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\$84,500.00 of the proceeds of this loan have been applied on the purchase price of the property described herein, conveyed to mortgagors simultaneously herewith.

STATE OF ALA. SHELBY CO.  
I CERTIFY THIS  
INSTRUMENT WAS FILED  
1978 MAR 13 AM 9:32

Thomas B. Howland, Jr.  
JUDGE OF PROBATE

Deed . 5.00  
Rec. . 4.50  
Ind. . 1.00  
6.00

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