

WARRANTY DEED

This instrument was prepared by Steven R. Sears, attorney, 11 South Main Street, BX 557, Montevallo, AL 35115-0557, without benefit of title evidence.

State of Alabama)
County of Shelby)

Know all men by these presents, that in consideration of the execution of the last wishes of the grantor, as expressed in her will I, John Mosely Battle, as executor of the estate of Beatrice Battle, of BX 107, Montevallo, AL 35115 (herein referred to as grantor, whether one or more) do grant, bargain, sell, and convey unto John Mosely Battle, of BX 107, Montevallo, AL 35115 (herein referred to as grantee, whether one or more) the following described real estate situated in Shelby County, Alabama, to-wit:

One lot in Block B of the John Ellis addition to East Montevallo, AL, according to the survey and map of said Ellis addition made by George Jacob Davis, Jr., in the year 1914, and duly recorded in the office of the probate judge of Shelby County AL, and more particularly described as follows: Beginning at a point on the S margin of the Calera and Montevallo highway 210 feet W of Block A in said survey, run in a westerly direction parallel to said highway 100 feet, thence S 198 feet to J. T. Doster's property, thence E along said Doster's property, 100 feet, thence N 198 feet to the point of beginning. Being in the SW corner of the SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of S3, Twp 24N, R12E.

It is the intent of this instrument to convey all the property of the grantor as provided in paragraph three of the grantor's will, whether correctly described or described at all.

Source of title: A warranty deed from Hugh Henry to grantor and grantor's late husband, executed 29 April 1929 and recorded July 23, 1929 at Volume 83, page 528 of the probate records of Shelby County, Alabama. A will (attached) devising this property to grantor from grantor's late husband.

To have and to hold to the said grantee, his, her or their heirs and assigns forever.

I John Mosely Battle, executor of the estate of Beatrice Battle, do for said estate and for myself and for my heirs, executors, and administrators covenant with the said grantee, his, her, or their heirs and assigns, that I am lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that I have a good right to sell and convey the same as aforesaid; that I will and my 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.

In witness whereof, I have set my hand and seal, this 18th October 1984.

Witness:

Linda Hunt

John Mosely Battle (Seal)
John Mosely Battle as executor
of the estate of Beatrice Battle

State of Alabama)
County of Shelby)

I, the undersigned notary public for the State of Alabama at Large, hereby certify that John Mosely Battle, whose name as executor of the estate of Beatrice Battle is signed to the foregoing conveyance, and who is (made) known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 18th October 1984.



Linda Hunt
Notary public

Steven R. Sears

BOOK 005 PAGE 869

Last Will and Testament

I, L. A. Battle, a resident of Shelby County, Alabama, and over the age of twenty-one years, being of sound mind and disposing memory, do hereby make and publish this my Last Will and Testament, revoking all former wills and codicils which may have been made at any time heretofore by me.

FIRST: I hereby direct my Executor to pay all my funeral expenses and other debts as soon as practicable after my decease.

SECOND: I will, bequeath, and devise all property which may be mine at the time of my death, or to which I may be entitled at the time of my death, whether the same be real, personal, or mixed, wherever the same may be located, unto my beloved wife, Beatrice Battle, to have and to hold for and during her natural life, if she be living at the time of my death; I hereby grant to and vest in my said wife, during her natural life, full power and authority to sell, at private sale, and to convey, lease, exchange, mortgage, pledge and otherwise alienate any or all items or parcels of my property on such terms as she deems to be proper in her sole discretion, without the order of any Court.

THIRD: (1), If my said wife should predecease me, I will, bequeath, and devise all property which may be mine at the time of my death--or--(2), if my said wife should survive me, I will, bequeath, and devise all property which may have been mine at the time of my death and still remaining at the time of her death, including the proceeds of any of my said property which my said wife may have sold and also including all property purchased with the proceeds of my said property which my said wife may have sold--in either event--to my son, John Mosely Battle, to have and to hold, in fee simple forever, provided, however, that said John Mosely Battle shall pay the cash sum of Three Hundred Dollars to my son, Jack Battle, and also shall pay the cash sum of Two Hundred Dollars to each of my remaining children, Vera Louis Battle Strickland, James Battle, Edward Battle, Ralph Battle, Russell Battle, Reid Battle, and Elizabeth Battle Steel, or their lineal descendants, per stirpes, within six months after the death of the survivor of me or my said wife; if said John Mosely Battle, his heirs or personal representatives, should not make the said payments as required, then I will, bequeath, and devise said property to my children, Vera Louis Battle Strickland, James Battle, Edward Battle, Ralph Battle, Reid Battle, John Mosely Battle, Elizabeth Battle Steel, and Jack Battle, or their lineal descendants, per stirpes, share and share alike, to have and to hold in fee simple forever.

FOURTH: I hereby nominate and appoint my said son, John Mosely Battle, to be Executor of this my Last Will and Testament, and I hereby direct and declare that my Executor shall not be required to make any bond for the performance of his duties hereunder and that he shall not be required to file any inventory or to report his acts and proceedings as such Executor to any Court.

IN WITNESS WHEREOF, I hereunto set my hand this 3rd day of ^{March} ~~February~~, 1963.

L. A. Battle
L. A. Battle

Signed and declared to be his Last Will and Testament by L. A. Battle in our presence and we, in his presence and in the presence of each other, and at his request, have hereunto set our names as witnesses on the day the same bears date.

William F. Hunt
Frank Hunt

LETTERS TESTAMENTARY

State of Alabama)
County of Shelby)

Court of Probate

This will of Beatrice Battle, deceased, having been duly admitted to record in said County, letters testamentary are hereby granted to John Mosely Battle, the Executor named in said will, who has complied with the requisitions of the law, and who is authorized to take upon himself the execution of said will

Witness my hand, and dated this 25th of September 1984.

Thomas C. Shavelson, Jr.
Judge of Probate



STATE OF ALABAMA
INSTRUMENTS
1984 OCT 18 PM 2:17

Thomas C. Shavelson, Jr.
JUDGE OF PROBATE

Deed TAX. 50
Rec 10.00
Ind 1.00
11.50

BOOK 005