

1333

THIS INSTRUMENT WAS PREPARED BY:
✓ Robert L. Shields, III
Balch & Bingham
P. O. Box 306
Birmingham, Alabama 35201

SEND TAX NOTICE TO:
Mrs. Eleanor Russell
P.O. Box 73
Montevallo, AL 35115

STATE OF ALABAMA)
)
JEFFERSON COUNTY) STATUTORY WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, E. Lonnie Russell, a resident of Shelby County, Alabama, died on the 10th day of January, 1983, leaving a Last Will and Testament which was duly admitted to probate and recorded in the Probate Court of Shelby County, Alabama on the 19th day of January, 1983, (Probate Case #23-161), and

WHEREAS, Central Bank of the South (formerly known as Central Bank of Birmingham) and Eleanor A. Russell (hereinafter called Grantors) were named in said Will as Co-Executors thereof and were duly appointed and qualified as such by said Probate Court on the 19th day of January, 1983, and

WHEREAS, in and by the terms of the Last Will and Testament of said decedent, Grantors were authorized and empowered to sell and convey the hereinafter described real estate, upon the terms and conditions hereinafter set forth;

And in consideration of \$10.00 and other good and valuable consideration to the undersigned Grantors in hand paid by Eleanor A. Russell, an unmarried woman, (hereinafter referred to as Grantee), the receipt whereof is acknowledged, the Grantors do hereby grant, bargain, sell and convey unto Grantee, an undivided one-half interest, together with every contingent remainder and right of reversion in and to the following described real estate situated in Shelby County, Alabama, to-wit:

(SEE EXHIBIT A HERETO FOR LEGAL DESCRIPTION)

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

1. Ad valorem taxes due and payable October 1, 1986.
2. Existing rights of way, encroachments, party walls, building restrictions, zoning, recorded and/or unrecorded easements, deficiency in quantity of ground, overlaps, overhangs, any discrepancies or conflicts in boundary lines, or any matters not of record, if any, which would be disclosed by an inspection and survey of the property.

The consideration for this conveyance was paid from the proceeds of a mortgage loan of even date from Central Bank of the South to the Grantee herein.

TO HAVE AND TO HOLD, to said Grantee, her heirs and assigns forever, together with every contingent remainder and right of reversion.

AND THE GRANTORS DO HEREBY COVENANT with the Grantee, except as above noted, that, at the time of the delivery of this deed, the premises were free from all encumbrances made by the Grantors and that the Grantors will warrant and defend the same against the lawful claims and demands of all persons claiming by, through or under Grantors but against none other.

BOOK 049 PAGE 900

This instrument is executed by the undersigned solely in their representative capacity named herein, and neither this instrument nor anything herein contained shall be construed as creating any indebtedness or obligation on the part of the undersigned in their individual or corporate capacity.

IN WITNESS WHEREOF, Central Bank of the South and Eleanor A. Russell, have caused this conveyance to be executed in their name and on their behalf in her capacity as Co-Executors of the aforementioned estate on this the 19th day of November, 1985.

CENTRAL BANK OF THE SOUTH
Co-Executor under the Last
Will and Testament of E. Lonnie
Russell, deceased

By: [Signature]
Ats: Vice President -
Senior Trust Officer

ATTEST:

[Signature]
Not. Public.

[Signature]
Eleanor A. Russell, Co-Executor
under the Last Will and
Testament of E. Lonnie Russell,
deceased

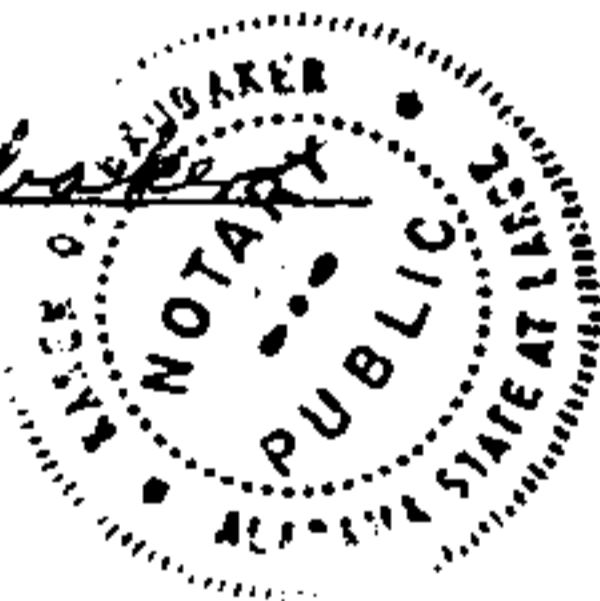
BOOK 049 PAGE 901

STATE OF Alabama
COUNTY OF Jefferson

I, KAREN O. BRUBAKER, a Notary Public in and for said County in said State, hereby certify that John R. Martin, whose name as Vice Pres. & Senior Trust Officer of Central Bank of the South, as Co-Executor of the Last Will and Testament of E. Lonnie Russell, deceased, signed the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the above and foregoing instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said Central Bank of the South acting in its capacity as Co-Executor aforesaid.

Given under my hand and official seal of office this 19th day of November, 1985.

Karen O. Brubaker
Notary Public



NOTARIAL SEAL

My commission expires: 4-23-87

STATE OF)
COUNTY OF)

I, KAREN O. BRUBAKER, a Notary Public in and for said County in said State, hereby certify that Eleanor A. Russell, whose name as Co-Executor of the Last Will and Testament of E. Lonnie Russell, deceased, 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 the above and

foregoing instrument, she, in her capacity as such Co-Executor, executed the same voluntarily.

Given under my hand and official seal of office this 19th day of November, 1985.

Karen O. Brubaker
Notary Public



NOTARIAL SEAL

My commission expires: 4-23-87

049 MAR 302

LEGAL DESCRIPTION

Parcel 1:

A tract of land in Section 29, Township 22 South, Range 3 West, and in Sections 4 and 5, Township 24 North, Range 12 East, more particularly described as follows:

Beginning at the Northwest corner of Section 29, Township 22 South, Range 3 West, thence East along the North line of said Section 29 a distance of 5002.74 feet to a point on an old fence line, said point being 240.13 feet West of the Northeast corner of said Section 29; thence 102 degrees 30 minutes to the right in a southwesterly direction along an old fence line a distance of 123.59 feet to a point; thence 38 degrees 54 min. to the right in a southwesterly direction and continuing along said old fence line a distance of 86.96 feet to a point; thence 41 deg. 48 min. 30 sec. to the left in a southwesterly direction and continuing along said old fence line a distance of 164.15 feet to a point; thence 22 deg. 22 min. to the right in a southwesterly direction and continuing along said old fence line a distance of 37.30 feet to a point; thence 12 deg. 37 min. to the left in a southwesterly direction and continuing along said old fence line a distance of 220.20 feet to a point on the South line of Section 29, Township 22 South, Range 3 West, said point being 468.71 feet West of the Southeast corner and 4765.85 feet East of the Southwest corner of said Section 29; thence 69 deg. 38 min. to the right in a westerly direction along the south line of said Section 29 (Freeman Line) a distance of 315.27 feet to the Northeast corner of the West half of the Northeast quarter of Section 4, Township 24 North, Range 12 East; thence 90 deg. 49 min. to the left in a southerly direction along the East line of said West half of the NE $\frac{1}{4}$ a distance of 2065.40 feet to the Southeast corner of said West half of the NE $\frac{1}{4}$; thence 89 deg. 58 min. to the right in a westerly direction along the South line of said West half of the NE $\frac{1}{4}$ a distance of 1234.92 feet to a point on a traverse, said point being 25 feet West of the center line of Shoal Creek (center line of Shoal Creek is property line); thence 73 deg. no minutes to the left in a southwesterly direction along said traverse a distance of 96.40 feet to a point, said point being 40 feet northwesterly of the center line of Shoal Creek; thence 55 deg. 09 min. to the right in a southwesterly direction along said traverse a distance of 197.06 feet to a point, said point being 30 feet northwesterly of the center line of Shoal Creek; thence 11 deg. 12 min. to the left in a southwesterly direction along said traverse a distance of 161.84 feet to a point, said point being 26 feet northwesterly of the center line of Shoal Creek; thence 21 deg. 38 min. to the left in a southwesterly direction along said traverse a distance of 105.15 feet to a point, said point being 30 feet westerly of the center line of Shoal Creek; thence 49 deg. 03 min. to the left in a Southeasterly direction along said traverse a distance of 89.56 feet to a point, said point being 30 feet southwesterly of the center line of Shoal Creek; thence 56 deg. 19 min. 30 sec. to the left in a southeasterly direction along said traverse a distance of 178.75 feet to a point, said

BOOK 049 PAGE 903

CONTINUED

LEGAL DESCRIPTION CONTINUED

point being 30 feet westerly of the center line of Shoal Creek; thence 101 deg. 06 min. 30 sec. to the right in a Southwesterly direction along said traverse a distance of 260.15 feet to a point, said point being 28 feet northwesterly of the center line of Shoal Creek; thence 10 deg. 26 min. to the right in a southwesterly direction along said traverse a distance of 97.66 ft. to a point, said point being 26 ft. northwesterly of the center line of Shoal Creek; thence 34 deg. 21 min. to the right in a southwesterly direction along said traverse a distance of 70.65 feet to a point, said point being 30 feet northeasterly of the center line of Shoal Creek; thence 59 deg. 32 min. to the right in a northwesterly direction along said traverse a distance of 256.15 feet to a point, said point being 27 feet northeasterly of the center line of Shoal Creek; thence 3 deg. 12 min. to the left in a northwesterly direction along said traverse a distance of 145.16 feet to a point, said point being 26 feet northeasterly of the center line of Shoal Creek; thence 43 deg. 59 min. to the left in a westerly direction along said traverse a distance of 105.08 feet to a point, said point being 35 feet northwesterly of the center line of Shoal Creek; thence 38 deg. 48 min. to the left in a Southwesterly direction along said traverse a distance of 122.73 feet to a point, said point being 32 feet northwesterly of the center line of Shoal Creek; thence 41 deg. 25 min. 30 sec. to the left in a southwesterly direction along said traverse a distance of 277.35 feet to a point, said point being 30 feet westerly of the center line of Shoal Creek; thence 20 deg. 16 min. to the left in a southeasterly direction along said traverse a distance of 130.35 feet to a point, said point being 35 feet southwesterly of the center line of Shoal Creek; thence 28 deg. 03 min. 30 sec. to the left in a southeasterly direction along said traverse a distance of 160.69 feet to a point, said point being 30 feet southwesterly of the center line of Shoal Creek; thence 20 deg. 42 min. 30 sec. to the right in a southeasterly direction along said traverse a distance of 86.97 feet to a point, said point being 30 feet northwesterly of the center line of Shoal Creek; thence 66 deg. 20 min. to the right in a southwesterly direction along said traverse a distance of 142.10 feet to a point, said point being 25 feet northerly of the center line of Shoal Creek; thence 80 deg. 33 min. to the right in a northwesterly direction along said traverse a distance of 290.66 feet to a point, said point being 32 feet northeasterly of the center line of Shoal Creek; thence 22 deg. 49 min. to the left in a northwesterly direction along said traverse a distance of 131.74 feet to a point on an old fence line, said point being 23 feet northerly of the center line of Shoal Creek; thence 76 deg. 26 min. to the right in a northeasterly direction along an old fence line a

BOOK 049 PAGE 904

CONTINUED

LEGAL DESCRIPTION CONTINUED

distance of 286.00 feet to a point; thence 19 deg. 40 min. to the left in a northwesterly direction and continuing along said old fence line a distance of 185.38 feet to a point; thence 17 deg. 29 min. 30 sec. to the right in a northerly direction and continuing along said old fence line a distance of 183.34 feet to a point; thence 5 deg. 10 min. to the left in a northerly direction and continuing along said old fence line a distance of 355.79 feet to a point on the South line of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 4, Township 24 North, Range 12 East, said point being 5.71 feet West of the SE corner of said SW $\frac{1}{4}$ of the NW $\frac{1}{4}$; thence 87 deg. 30 min. to the left in a westerly direction along the South line of said SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ a distance of 1312.61 feet to the SW corner of said SW $\frac{1}{4}$ of the NW $\frac{1}{4}$; thence 1 deg. 10 min. to the left in a westerly direction along the South line of the NE $\frac{1}{4}$ of Section 5, Township 24 North, Range 12 East, a distance of 2252.76 feet to a point on a traverse, said point being 19.5 feet East of the center line of Aldrich Branch (center line of Aldrich Branch is property line); thence 107 deg. 20 min. to the right in a northeasterly direction along said traverse a distance of 153.21 feet to a point, said point being 17.5 feet easterly of the center line of Aldrich Branch; thence 14 deg. 29 min. to the left in a northerly direction along said traverse a distance of 75.28 feet to a point, said point being 10.5 feet southerly of the center line of Aldrich Branch; thence 114 deg. 46 min. 30 sec. to the right in a southeasterly direction along said traverse a distance of 58.84 feet to a point, said point being 15.5 feet southerly of the center line of Aldrich Branch; thence 100 deg. 17 min. 30 sec. to the left in a northeasterly direction along said traverse a distance of 111.20 feet to a point, said point being 15.5 feet easterly of the center line of Aldrich Branch; thence 30 deg. 59 min. to the left in a northwesterly direction along said traverse a distance of 145.74 feet to a point, said point being 17.5 feet easterly of the center line of Aldrich Branch; thence 15 deg. 14 min. to the right in a northerly direction along said traverse a distance of 135.11 feet to a point, said point being 14.5 feet easterly of the center line of Aldrich Branch; thence 21 deg. 34 min. to the right in a northeasterly direction along said traverse a distance of 49.00 feet to a point, said point being 12.5 feet easterly of the center line of Aldrich Branch; thence 15 deg. 33 min. to the left in a northeasterly direction along said traverse a distance of 223.83 feet to a point, said point being 17.5 feet easterly of the center line of Aldrich Branch; thence 24 deg. 58 min. to the right in a northeasterly direction along said traverse a distance of 81.62 feet to a point, said point being 17.5 feet easterly of the center line of Aldrich Branch; thence 17 deg. 40 min. to the left in a northeasterly direction along said traverse a distance of 105.65 feet to a point, said point being 17.5 feet easterly of the center line of Aldrich Branch; thence 56 deg. 42 min. to the left in a northwesterly direction along said traverse a distance of 165.64 feet to a point, said point being 12.5 feet easterly of the center line of Aldrich Branch; thence 63 deg. 56 min. to the right in a northeasterly direction along said traverse a distance of 88.17 feet to a point, said point being 12.5 feet easterly of the center line of Aldrich Branch; thence 42 deg. 51 min. 30 sec. to the left in a northwesterly direction along said traverse

BOOK 049 PAGE 905

CONTINUED

LEGAL DESCRIPTION CONTINUED

a distance of 94.77 feet to a point, said point being 12.5 feet easterly of the center line of Aldrich Branch; thence 32 deg. 01 min. 30 sec. to the right in a northeasterly direction along said traverse a distance of 91.30 feet to a point, said point being 15.5 feet easterly of the center line of Aldrich Branch; thence 42 deg. 13 min. 30 sec. to the left in a northwesterly direction along said traverse a distance of 151.45 feet to a point, said point being 12.5 feet easterly of the center line of Aldrich Branch; thence 33 deg. 57 min. to the right in a northerly direction along said traverse a distance of 134.88 feet to a point, said point being 19.5 feet easterly of the center line of Aldrich Branch; thence 46 deg. 33 min. to the left in a northwesterly direction along said traverse a distance of 97.97 feet to a point, said point being 12.5 feet easterly of the center line of Aldrich Branch; thence 55 deg. 13 min. to the right in a northeasterly direction along said traverse a distance of 54.87 feet to a point, said point being 12.5 feet easterly of the center line of Aldrich Branch; thence 65 deg. 13 min. to the left in a northwesterly direction along said traverse a distance of 55.33 feet to a point, said point being 12.5 feet easterly of the center line of Aldrich Branch; thence 35 deg. 56 min. 30 sec. to the right in a northwesterly direction along said traverse a distance of 74.43 feet to a point, said point being 12.5 feet easterly of the center line of Aldrich Branch; thence 83 deg. 49 min. to the right in a northeasterly direction along said traverse a distance of 63.42 feet to a point, said point being 17.5 feet easterly of the center line of Aldrich Branch; thence 78 deg. 07 min. to the left in a northwesterly direction along said traverse a distance of 294.40 feet to a point on the North line of the NE $\frac{1}{4}$ of Section 5 Township 24 North, Range 12 East, said point being 17.5 feet easterly of the center line of Aldrich Branch, also being 293.19 feet East of the NW corner of said NE $\frac{1}{4}$, thence 103 deg. 33 min. 30 sec. to the right in an easterly direction along the North line of said NE $\frac{1}{4}$ (Freetman Line) a distance of 1858.23 feet to the SW corner of Section 29, Township 22 South, Range 3 West, said point being 490.58 feet West of the NE corner of Section 5, Township 24 North, Range 12 East; thence 90 deg. 51 min. to the left in a northerly direction along the West line of Section 29, Township 22 South, Range 3 West, a distance of 665.51 feet to the point of beginning. Situated in Shelby County, Alabama, and containing 391.5347 acres.

Parcel 11:

Also, a part of the E $\frac{1}{2}$ of NW $\frac{1}{4}$ and part of W $\frac{1}{2}$ of NE $\frac{1}{4}$ of Section 5, Township 24 North, Range 12 East, described as follows: Commence at the SW corner of the N $\frac{1}{2}$ of Fractional Section 5 and run Easterly along South line of said N $\frac{1}{2}$ of said Section a distance of 2600 feet to the East right of way line of the Southern Railroad; for point of beginning; thence continue East along South line of the N $\frac{1}{2}$ of said Fractional Section 5, for a distance of 265 feet more or less to Bank of Simmons Creek; thence in a Northerly direction along said Simmons Creek a distance of 1612 feet; thence run West a distance of 263 feet more or less to the East right of way line of said Railroad; thence in a Southerly direction along the East right-of-way line of said Railroad to point of beginning. MINERALS AND MINING RIGHTS EXCEPTED.

BOOK 049 PAGE 306

CONTINUED

LEGAL DESCRIPTION CONTINUED

PARCEL III

Begin at the Northwest corner of the Northeast quarter of the Southeast quarter of Section 5, Township 24, Range 12 East, thence run North 86 degrees East 676.5 feet; thence South 3 1/2 degrees West 726 feet; thence south 86 degrees West 676.5 feet; thence north 3 1/2 degrees West 726 feet to the point of beginning. Situated in Shelby County, Alabama.

LESS AND EXCEPT THE FOLLOWING:

Commence at the Northeast corner of Section 29, T-22-S, R-3-W, thence run West along the North line of said Section 29 a distance of 240.13 feet to the point of beginning; thence continue West along said North line of Section 29 a distance of 602.42 feet to a point on the North bank of Shoal Creek; thence turn an angle of 162 deg. 22 min. 30 sec. to the left and run along said Creek bank a distance of 280.72 feet; thence turn an angle of 12 deg. 07 min. 29 sec. to the left and continue along said Creek bank a distance of 135.62 feet; thence turn an angle of 03 deg. 35 min. 43 sec. to the right and run a distance of 174.24 feet; thence turn an angle of 86 deg. 35 min. 44 sec. to the left and run a distance of 128.59 feet to the point of beginning. Situated in Section 29, T-22-S, R-3-W, Huntsville Meridian, Shelby County, Alabama, and containing 1.02 acres.

BOOK 049 PAGE 907

STATE OF ALABAMA
I CERTIFY THIS
INSTRUMENT WAS FILED

1985 NOV 20 PM 1:44

Thomas G. Lawrence, Jr.
JUDGE OF PROBATE

RECORDING FEES

Mortgage Tax	\$	_____
Deed Tax		<u>.50</u>
Mineral Tax		_____
Recording Fee		<u>20.00</u>
Index Fee		<u>10.00</u>
TOTAL	\$	<u><u>21.50</u></u>