

1931

**AFFIDAVIT OF MONCUS PROPERTIES,
AN ALABAMA GENERAL PARTNERSHIP**

KNOW ALL MEN BY THESE PRESENTS: That

WHEREAS, on October 3, 1977, Moncus Properties, an Alabama General Partnership was formed, and the Partnership Agreement was duly executed, which Partnership Agreement has been amended; and

WHEREAS, on October 3, 1977, the property described in Exhibit "A", attached hereto and made a part hereof, was conveyed to Moncus Properties; and

WHEREAS, the undersigned hereby certify as follows:

Any conveyance of real estate belonging to the partnership shall require the signature of both the following partners:

James Roy Moncus, Jr.
and
Claude McCain Moncus

IN WITNESS WHEREOF, the undersigned have set their hands and seals this 20th day of July, 1988.

WITNESSES:

Barrett D. Hubbard James R. Moncus, Jr.
James Roy Moncus, Jr.

Barrett D. Hubbard Claude McCain Moncus
Claude McCain Moncus

BOOK 195 PAGE 196

C. M. Moncus

This instrument was prepared by

EXHIBIT A

(Name) Claude McCain Moncus

(Address) 413 North 21st Street, Birmingham, Alabama 35203

Form 1-1-27 Rev. 1-66
WARRANTY DEED—Lawyers Title Insurance Corporation, Birmingham, Alabama

4900

STATE OF ALABAMA
Jefferson COUNTY

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of One and no/100 and other good and valuable consideration (\$1.00)

to the undersigned grantor (whether one or more), in hand paid by the grantee herein, the receipt whereof is acknowledged, I or we, Gladys McCain Moncus, an unmarried woman

(herein referred to as grantor, whether one or more), grant, bargain, sell and convey unto Moncus Properties, a partnership

(herein referred to as grantee, whether one or more), the following described real estate, situated in Shelby County, Alabama, to-wit:

Begin at a point 590 feet West of the Southeast corner of the West 1/2 of Section 28, Township 19 South, Range 2 West, thence North 2417 feet; thence 58 degrees, 44 minutes right 282.85 feet; thence 90 degrees. 00 minutes left 229.13 feet; thence 90 degrees, 00 minutes right 183.30 feet; thence 75 degrees, 47 minutes left 2524 feet; thence West 752.25 feet; thence South 87.64 feet; thence 24 degrees, 46 minutes left 2845 feet; thence 83 degrees, 30 minutes right, including only to the center line of public road 1020 feet to a fence line marking the boundary line between the McGuire and J.M.C. Johnson farms; thence 90 degrees, 46 minutes left along said fence line 509.30 feet; thence 6 degrees, 12 minutes left 151.75 feet; thence 2 degrees, 35 minutes, right 270.45 feet to an old water-gap site and Creek; thence down along and including the meanders of said Creek to the center line thereof, 1554 feet, more or less, to its intersection with the South boundary line of Section 28, Township 19 South, Range 2 West; thence East along said boundary line 860 feet, more or less, to point of beginning.

Except highway right of way; except lot sold to Bruce Bailey as shown by deed recorded in Deed Book 169, Page 391, and also except lot sold to Hubert K. Joiner and Dorothy Christine Joiner as shown by deed recorded in Deed Book 176, Page 192, situated in Shelby County, Alabama, and also except that portion of said property heretofore sold to Steve Russo and wife, Julia Early Russo and which tract is particularly described in a mortgage recorded in Volume 267 Page 123, in the Probate Office of Shelby County, Alabama, and also except a lot sold to Madison C. Richards on or about December 31, 1963, and recorded in the Probate Office of Shelby County, Alabama.

TO HAVE AND TO HOLD to the said grantee, his, her or their heirs and assigns forever.

And I (we) do for myself (ourselves) and for my (ours) heirs, executors, and administrators covenant with the said GRANTEES, their heirs and assigns, that I am (we are) lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that I (we) have a good right to sell and convey the same as aforesaid; that I (we) will and my (our) heirs, executors and administrators shall warrant and defend the same to the said GRANTEES, their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, I have hereunto set my hands(s) and seal(s), this 3rd day of October, 1977

STATE OF ALA. SHELBY
I CERTIFY THIS
INSTRUMENT WAS FILED
88 JUL 20 PM 2:57
JUDGE OF PROBATE

Rec. 5.00
1.00
6.00
Accepted - 10.00
Rec. 1.50
1.00
12.50

Gladys McCain Moncus (Seal)
GLADYS MCCAIN MONCUS

RECORDING FEES	
Recording Fee	2.50
Index Fee	1.00
TOTAL	3.50

STATE OF ALABAMA
Jefferson COUNTY

General Acknowledgment

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Gladys McCain Moncus, 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 3rd day of October, 1977
Hardin Stuart & Moncus Linda Smith Public.