

Send Tax Notice to:  
Margaret B. Cook, Trustee  
Arthur P. Cook Testamentary Marital Trust  
3922 Montevallo Road  
Birmingham, Alabama 35213

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**EXECUTOR'S DEED**

STATE OF ALABAMA )

SHELBY COUNTY )

KNOW ALL MEN BY THESE PRESENTS THAT:

WHEREAS, Arthur P. Cook died on September 12, 1986; and

WHEREAS, the undersigned Margaret B. Cook and A. Philip Cook, Jr. (the "Executors") were duly appointed as Executors of the Will (the "Will") of Arthur P. Cook, deceased (the "Decedent"), by the Probate Court of Jefferson County, Alabama (Case No. 121140) and are now acting as such Executors; and

WHEREAS, Margaret B. Cook, the spouse of the Decedent, survived the Decedent and is now living; and

WHEREAS, Article Seven of the Will of the Decedent provides that if the spouse of the Decedent survives the Decedent, the residuary estate of the Decedent passes at his death to the Trustees of the Trust created under Article Eight of the Will of the Decedent, for the benefit of the Decedent's surviving spouse, Margaret B. Cook; and

WHEREAS, the Decedent, at his death, owned an undivided one-half interest in the real property described hereafter, and it is the desire of the Executors to execute this deed for the purpose of confirming title to such real property in the Trustees of the Trust created under Article

*William L. Hinds Jr*  
BRADLEY, ARANT, ROSE & WHITE  
1400 PARK PLACE TOWER  
BIRMINGHAM, ALABAMA 35203

Eight of the Will of the Decedent pursuant to the Will of the Decedent;

NOW, THEREFORE, in consideration of the premises and in furtherance of the provisions of the Will, the undersigned Margaret B. Cook and A. Philip Cook, Jr., as Executors of the Will of Arthur P. Cook, deceased, do, by these presents, grant, bargain, sell and convey unto Margaret B. Cook and A. Philip Cook, Jr., as Trustees of the Trust created under Article Eight of the Will of Arthur P. Cook, deceased, all right, title, and interest of the Decedent in the following described real property situated in Shelby County, Alabama, including any options or rights to purchase such property:

#### PARCEL I

A part of the SW 1/4 of SW 1/4 and the SE 1/4 of SW 1/4 of Section 30, Township 18 South, of Range 1 West, and being more particularly described as follows: Begin at the NW corner of the SE 1/4 of SW 1/4 of said Section 30, thence east along the north line of same a distance of 481.59 feet to the centerline of a public road; thence 122 degrees 59 minutes to the right in a southwesterly direction a distance of 59.87 feet to the point of a curve to the left, having a central angle of 11 degrees 51 minutes a radius of 560.01 feet; thence along the arc of said curve a distance of 115.84 feet to the point of tangent; thence along said tangent a distance of 322.42 feet to the point of a curve to the right, having a central angle of 20 degrees 12 minutes a radius of 571.76 feet; thence along the arc of said curve a distance of 201.58 feet to the point of tangent; thence along said tangent a distance of 54.25 feet to the point of a curve to the right having a central angle of 95 degrees 25 minutes a radius of 63.80 feet; thence along the arc of said curve a distance of 106.25 feet to the point of tangent; thence along said tangent a distance of 79.52 feet to the point of another curve to the left, having a central angle of 26 degrees 14 minutes a radius of 373.29 feet; thence along the arc of said curve a distance of 170.91 feet to the point of tangent; thence along said tangent a distance of 218.72 feet; thence 85 degrees 31 minutes to the right in a northeasterly direction a distance 281.09 feet; thence 5 degrees 11 minutes to the left in a northeasterly direction a distance of 172.13 feet to the north line of the SW 1/4 of SW 1/4 of said Section 30, thence 79 degrees 12 minutes to the right along said north line a distance of 244.73 feet to the point of beginning. According to survey of B. G. Meade, Reg. Land Surveyor, dated November 9, 1971.

#### PARCEL II

The Southwest 1/4 of the Southwest 1/4 of Section 30, Township 18, Range 1 West, situated in Shelby County, Alabama, less and except the following parcels: (1) that part of said property conveyed to Mrs. Elsie Jones by deed recorded in

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Deed Book 116, Page 329 in the Probate Office of Shelby County, Alabama, and later conveyed to Norman Mizerany as shown by deed recorded in Deed Book 271, Page 788 in said Probate Office; (2) that part of said property conveyed to Leon E. Glenn, Jr. and wife Hettie Louise Glenn as shown by deed recorded in Deed Book 252, Page 141 in said Probate Office; and (3) that part of said property intended to be conveyed to Walter C. Turner and Ruth Gray Turner as shown by deed recorded in Deed Book 284, Page 578 in said Probate Office.

TO HAVE AND TO HOLD the same unto such Trustees, their successors and assigns, in fee simple forever; subject however to the following:

1. Ad valorem taxes for the current year 1989.
2. Right of way to Alabama Power Company as recorded in Real 8, page 905 in the Probate Office of Shelby County, Alabama. (Parcel II)
3. Right of way for public road conveyed to Shelby County and to the public as shown in Deed Book 41, page 391 in said Probate Office. (Parcel I)
4. Transmission line permit to Alabama Power Company recorded in Deed Book 126, page 182 in said Probate Office. (Parcel I)
5. Mineral and mining rights are excepted for that part of the subject property which lies within the SW1/4 of SW1/4 of Section 30, Township 18, Range 1 West and as shown by deed recorded in Deed Book 116, page 329 in said Probate Office. (Parcel II)
6. A roadway 20 feet wide referred to in Deed Book 116, page 329 in said Probate Office. (Parcel II)
7. Right of way to Alabama Power Company recorded in Deed Volume 163, page 147 and Deed Volume 297, page 44 in said Probate Office. (Parcel II)
8. Right of way for road as recorded in Deed Volume 116, page 91 in said Probate Office. (Parcel II)
9. Mortgage from Arthur P. Cook and Margaret Cook, A. Philip Cook, Jr. and Deane Cook to Jefferson Federal Savings & Loan Association of Birmingham, filed for record on November 24, 1975 and recorded in Book 350, page 492 in the Probate Office of Shelby County, Alabama. (Part of Parcel II)
10. Mineral and mining rights are excepted for that subject property described by deed filed for record on May 22, 1978 and recorded in Book 312, page 348 in said Probate Office.
11. Mortgage from Arthur P. Cook, Margaret Cook, A. Philip Cook, Jr. and Deane Cook to Jefferson Federal Savings & Loan Association of Birmingham filed for record July 25, 1978 and recorded in Book 380, page 831 in said Probate Office. (Parcel I and Part of Parcel II)

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12. Mortgage from Arthur P. Cook, Margaret B. Cook, A. Philip Cook, Jr. and Deane P. Cook to The First National Bank of Birmingham, filed for record on July 18, 1979 and recorded in Book 393, page 963 in said Probate Office and amended by Amendment filed for record on December 31, 1982 and recorded in Book 428, page 192 in said Probate Office.
13. Mortgage and Security Agreement, dated as of May 1, 1984 between Cook Publications, Inc., Arthur P. Cook, Margaret B. Cook, A. Philip Cook, Jr. and Deane P. Cook and The Industrial Development Board of Shelby County filed for record May 25, 1984 and recorded in Volume 449, page 373 in said Probate Office. (Part of Parcel II)
14. Easement and License Agreement dated as of May 1, 1984 between Arthur P. Cook, Margaret B. Cook, A. Philip Cook, Jr. and Deane P. Cook and The Industrial Development Board of Shelby County, filed for record May 25, 1984 and recorded in Book 355, page 817 in said Probate Office. (Part of Parcel II)
15. Mortgage and Trust Indenture dated as of May 1, 1984, between The Industrial Development Board of Shelby County and AmSouth Bank, N.A., filed for record May 25, 1984 and recorded in Volume 449, page 279 in said Probate Office. (Part of Parcel II)
16. Lease Agreement dated as of May 1, 1984, between The Industrial Development Board of Shelby County and Cook Publications, Inc. filed for record May 25, 1984 and recorded in Volume 355, page 734 in said Probate Office. (Part of Parcel II)
17. Partial Release and Subordination of Mortgage by AmSouth Bank N.A. filed for record May 25, 1984 and recorded in Book 56, page 785 in said Probate Office.
18. Mortgage and Security Agreement from Arthur P. Cook and A. Philip Cook, Jr. to Jefferson Federal Savings & Loan Association of Birmingham, filed for record June 25, 1986 and recorded in Real Book 78, page 138 in said Probate Office. (Parcel I and Part of Parcel II)
19. Other easements, conditions and restrictions of record.

THE UNDERSIGNED EXECUTE THIS CONVEYANCE SOLLY  
IN THEIR REPRESENTATIVE CAPACITY AS SET FORTH HEREIN AND  
HERBY EXPRESSLY LIMIT THEIR LIABILITY HEREUNDER TO THE  
ASSETS WHICH THEY MAY NOW OR HEREAFTER HOLD IN THEIR  
CAPACITY AS EXECUTORS OF THE WILL OF ARTHUR P. COOK,  
DECEASED.

IN WITNESS WHEREOF, the undersigned Margaret B. Cook and A. Philip Cook, Jr. have executed this instrument as Executors of the Will of Arthur P. Cook, deceased, on this 30th day of August, 1989.

Margaret B. Cook  
Margaret B. Cook, as an Executor  
of the Will of Arthur P. Cook, deceased

A. Philip Cook Jr.  
A. Philip Cook, Jr., as an Executor  
of the Will of Arthur P. Cook, deceased

STATE OF ALABAMA )

COUNTY OF JEFFERSON )

I, the undersigned, a notary public in and for said county in said state, hereby certify that Margaret B. Cook and A. Philip Cook, Jr., whose names as Executors of the Will of Arthur P. Cook, deceased, are signed to the foregoing instrument, and who are known to me, acknowledged before me on this day that, being informed of the contents of such instrument, they, in their capacities as such Executors, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal on this the 30th day of August, 1989.

(NOTARIAL SEAL)

Judy Powell  
NOTARY PUBLIC  
My commission expires: 2/6/90

STATE OF ALA. SHELBY CO.  
I CERTIFY THIS  
INSTRUMENT WAS FILED

89 SEP -6 PM 2:20

Thomas A. Snowden, Jr.  
JUDGE OF PROBATE

NO TAX COLLECTED

1. Deed Tax -----	\$	_____
2. Mtg. Tax -----	\$	_____
3. Recording Fee -----	\$	<u>12.50</u>
4. Indexing Fee -----	\$	<u>3.00</u>
5. No Tax Fee -----	\$	<u>1.00</u>
6. Certified Stamp Fee --	\$	<u>1.00</u>
Total -----	\$	<u>17.50</u>

THIS INSTRUMENT WAS PREPARED BY  
WILLIAM L. HINDS, JR.  
1400 PARK PLACE TOWER  
BIRMINGHAM, ALABAMA 35203