

This instrument was prepared by
Frank Harris on behalf of
the Trust Account administered by
AMSOUTH BANK OF ALABAMA, P.O. Box
11426, Birmingham, Alabama 35202

EXECUTOR'S DEED

STATE OF ALABAMA)

SHELBY COUNTY)

WHEREAS, Frederick G. Koenig, Jr. died testate in 1978; and, said will was duly admitted to probate under Case #92927 in the probate court of Jefferson County, Alabama; and,

WHEREAS, the will named The First National Bank of Birmingham and Mary Anne Koenig as Co-Executors and Co-Trustees; and,

WHEREAS, Mary Anne Koenig died on or about June 25, 1989; and,

WHEREAS, Mary Anne Koenig did not exercise her power of appointment; and,

WHEREAS, AmSouth Bank became the sole Trustee; and,

WHEREAS, AmSouth Bank of Alabama as Successor to The First National Bank as Executor and Trustee desires to distribute the assets of the Trust.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS, that, for and in consideration of the sum of Ten and No/100 (\$10.00) Dollars cash and other good and valuable consideration in hand paid by Donald Clayton Koenig and Lynda Mixon Koenig to AMSOUTH BANK OF ALABAMA, an Alabama banking corporation, as Executor and Trustee under the will of Frederick G. Koenig, Jr., deceased (hereinafter called GRANTOR), receipt whereof is acknowledged, the said Grantor does hereby remise, release, quitclaim and convey to the said Donald Clayton Koenig and Lynda Mixon Koenig (hereinafter called GRANTEES), all right, title, interest and claim in or to the following described real estate lying and being situated in Shelby County, Alabama, to-wit:

SEE LEGAL DESCRIPTION ATTACHED

It is specifically understood and agreed that the Grantor has executed this conveyance subject to:

1. Rights of way to Shelby County as recorded in Deed Book 135, Page 73 and in Deed Book 205, Page 79, and by Lis Pendens 4, Page 201, recorded in Probate Office, Shelby County, Alabama.
2. Easements to Alabama Power Company as recorded in Deed Book 268, Page 705, and Deed Book 268, Page 711 recorded in the Probate Office of Shelby County, Alabama.
3. Transmission line permit to Alabama Power Company as recorded in Deed Book 268, Page 708, recorded in the Probate Office of Shelby County, Alabama.

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Inst. # 1995-20483

4. Water line easement to City of Columbiana, lying north of the railroad being 10' in width, SW $\frac{1}{4}$, Section 23, T21, R1W.
5. Right of Way Deed for public road recorded instrument #1994-34679.

TO HAVE AND TO HOLD the above described aforegranted premises unto the said Grantees, their heirs and assigns forever.

IN WITNESS WHEREOF, AMSOUTH BANK OF ALABAMA, an Alabama banking corporation, as Executor and Trustee under the will of Frederick G. Koenig, Jr., deceased, has executed this conveyance in its capacity as Trustee, as aforesaid, on this 24th day of July, 1995.

AMSOUTH BANK OF ALABAMA, an Alabama banking corporation, as Executor and Trustee under the will of Frederick G. Koenig, Jr., deceased

ATTEST:

BY:

Frank Harris
Property Management Officer

BY:

Thomas W. Paul
Vice President and Senior Forester

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that Thomas W. Paul and Frank Harris, whose names as Vice President and Property Mgmt. Officer, respectively, of AMSOUTH BANK OF ALABAMA, an Alabama banking corporation, as Executor and Trustee under the will of Frederick G. Koenig, Jr., deceased, 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.

Given under my hand and official seal this 24th day of July, 1995.

Tracy L. Sherman
NOTARY PUBLIC
My Commission Expires 11-15-95

LEGAL DESCRIPTION

An undivided 60% interest in and to the following described property:

NE $\frac{1}{4}$ of NE $\frac{1}{4}$, Section 23, Township 21 South, Range 1 West, except that part that lies SW of Columbiana-Chelsea Highway right of way, also excepting Highway right of way. Also S $\frac{1}{2}$ of NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 23, Township 21 South, Range 1 West.

All that part of the SE $\frac{1}{4}$ of SW $\frac{1}{4}$, Section 23, Township 21 South, Range 1 West that lies North of Southern Railroad right of way and Southwest of Depot Street (Joiner Town Road), except 6 lots that lie in the Southeast intersection of Depot Street and Southern Railroad right of way. Also a small portion of the SE $\frac{1}{4}$ of SW $\frac{1}{4}$, Section 23, Township 21 South, Range 1 West that lies Southeast and West of Southern Railroad right of way and West of lot as described in Deed Book 12 on Page 496 in Probate Office of Shelby County, Alabama.

The NE $\frac{1}{4}$ of NW $\frac{1}{4}$, Section 26, Township 21 South, Range 1 West, lying North of the Saginaw Short Cut Highway right of way, except the West 210 feet of South 472 feet, also excepting South 210 feet of; also excepting right of way of Columbiana-By-Pass Highway, also excepting Southern Railroad right of way, also excepting lot as described in Deed Book 12 on Page 496.

All that part of the NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 26, Township 21 South, Range 1 West that lies Southwest of Depot Street and West of a ditch running in a Northerly direction across said forty acres and North of Saginaw Short Cut Highway right of way, except South 210 feet and excepting lot as described in Deed Book 83 on Page 223 (belonging to Columbiana Housing Authority) and also excepting right of way of Columbiana-By-Pass Highway.

Also less the following lot sold to Howard Holcombe in 1969. Part of the NW $\frac{1}{4}$ of NE $\frac{1}{4}$ and NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 26, Township 21 South, Range 1 West, Shelby County, Alabama, more particularly described as follows:

Commence at the Northwest corner of the NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 26, Township 21 South, Range 1 West, Shelby County, Alabama, run thence Southerly along the West boundary of said quarter-quarter section for a distance of 785.06 feet to a point on the Southeast boundary of right of way of Highway No. 25 (Columbiana-By-Pass), said point being the point of beginning of the property here described; thence turn an angle of 25 degrees 55 minutes to the right and along said boundary of said right of way for a distance of 38.35 feet; thence turn an angle of 114 degrees 49 minutes to the left for a distance of 358.03 feet; thence turn an angle of 53 degrees 02 minutes to the left for a distance of 72.32 feet; thence turn an angle of 50 degrees 20 minutes to the left for a distance of 227.81 feet to the Southeast corner of the Columbiana Housing Authority lot; thence turn an angle of 39 degrees 40 minutes to the left and along the Southwest boundary of said lot for a distance of 204.0 feet to a point on the Southeast boundary of right of way of said Highway No. 25 (Columbiana-By-Pass); thence turn an angle of 102 degrees 09 minutes to the left and along said boundary of said right of way for a distance of 404.65 feet to the point of beginning.

Situated in Shelby County, Alabama.

Mineral Rights Only.

Part of the NE $\frac{1}{4}$ of NE $\frac{1}{4}$, Section 23, T18S, Range 2E, Shelby County, containing 40 acres.

Mineral Rights Only

West $\frac{1}{2}$ of SW $\frac{1}{4}$, Section 24, T18S, Range 2E, Shelby County, containing 80 acres.

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