

Send Tax Notice to:
Mrs. Roselle J. Preston
140 Smyer Lake Way
Leeds, Alabama 35094

TITLE HAS NOT BEEN EXAMINED

EXECUTOR'S DEED

STATE OF ALABAMA)

COUNTY OF SHELBY)

KNOW ALL MEN BY THESE PRESENTS, THAT:

WHEREAS, Sam B. Preston (hereinafter "the Decedent") died on October 19, 1994, and the last will of the Decedent, executed October 7, 1993 (hereinafter referred to as "the Will"), was admitted to probate by the Probate Court of Shelby County, Alabama (Case No. 33-244) on April 20, 1995; and

WHEREAS, the undersigned Roselle J. Preston the surviving spouse of the Decedent, is the duly appointed executor (hereinafter referred to as "the Executor") of the Will and is now acting as such Executor; and

WHEREAS, at the time of his death, the Decedent owned an undivided one-half interest in the hereinbelow described real property situated in Shelby County, Alabama; and

WHEREAS, paragraph (2) of the Will of the Decedent provided that, if the Decedent's spouse survived the Decedent, all of the Decedent's interest in the hereinbelow described real property should pass at his death to Roselle J. Preston, the Decedent's spouse, to be hers absolutely; and

WHEREAS, it is the desire of the Executor to execute this deed for the purpose of perfecting and confirming title to such real property in the name of Roselle J. Preston pursuant to paragraph (2) of the Will of the Decedent;

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SHELBY COUNTY JUDGE OF PROBATE
003 MCD 14.50

102202-5661 # 4307

NOW THEREFORE, in consideration of the premises, the Executor of the Will of the Decedent does by these presents hereby grant, bargain, sell and convey unto the said Roselle J. Preston, the an undivided one-half interest in the following described real property situated in Shelby County, Alabama:

Lot 21, according to the Survey of Mountain View Lake Company, Second Sector, as recorded in Map Book 3, Page 150, in the Probate Office of Shelby County, Alabama.

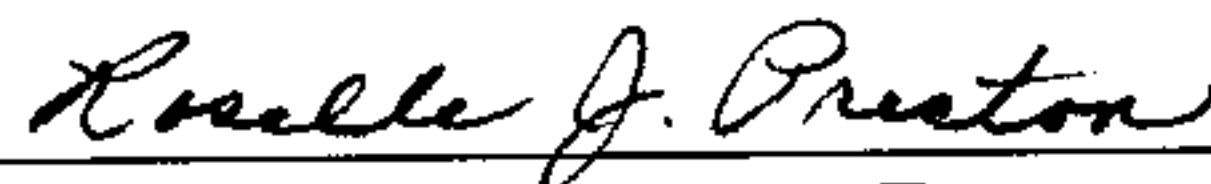
Subject to ad valorem taxes due October 1st, next, minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto as shown by instrument recorded in Deed Book 192, Page 35; restrictions appearing of record in Deed Book 172, Page 236; and right of way granted to the Alabama Power Company by instrument recorded in Deed Book 148, Page 18 and Deed Book 182, Page 327, all in the Probate Office of Shelby County, Alabama.

It is the intention of the Executor to hereby convey to herself as sole beneficiary under the Decedent's Will, all of the Decedent's interest in the above described real property owned by the Decedent at the time of his death, whether accurately described above or not.

The undersigned has executed this Executor's Deed solely in its capacity as Executor, and nothing herein contained shall be construed to impose liability on her in her individual capacity.

TO HAVE AND TO HOLD the same unto the said Roselle J. Preston, her heirs and assigns, in fee simple forever.

IN WITNESS WHEREOF, the undersigned Roselle J. Preston has executed this instrument as Executor of the Will of the Decedent, on this 21 day of August, 1995.

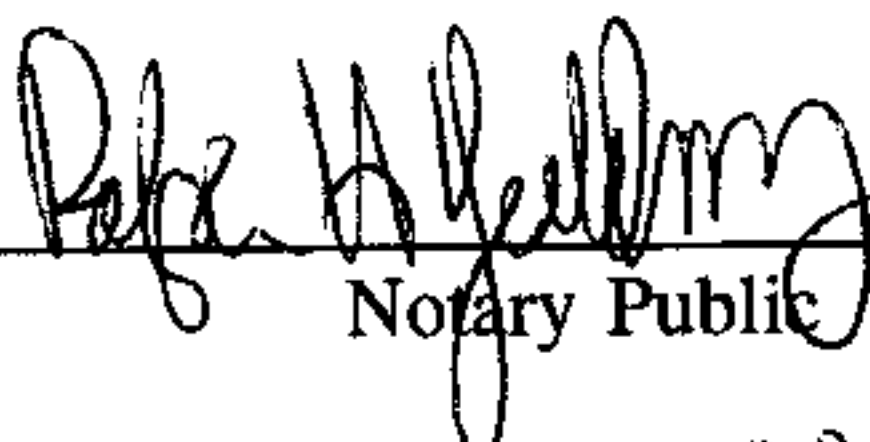


Roselle J. Preston, as Executor
of the will of
Sam B. Preston, deceased
Case No. 33-244

STATE OF ALABAMA)
 :
COUNTY OF JEFFERSON)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Roselle J. Preston, whose name as Executor of the Will of Sam B. Preston, deceased, is signed to the foregoing Executor's Deed and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, she, in her capacity as Executor of the Will of Sam B. Preston, deceased, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal on this the 21st day of August, 1995.



Notary Public

[NOTARIAL SEAL]

My Commission expires 1-20-98

This instrument prepared by
Ralph H. Yeilding
Bradley, Arant, Rose & White
2001 Park Place, Suite 1400
Birmingham, Alabama 35203
(205) 521-8000

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