

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

Inst # 1995-36079

STATE OF ALABAMA )

SHELBY COUNTY )

KNOW ALL MEN BY THESE PRESENTS, That for and in consideration of the sum of Fifty Five Thousand and NO/100 (\$55,000.00) Dollars cash in hand paid by Charter Cremation Society, Inc. to AMSOUTH BANK OF ALABAMA (formerly The First National Bank of Birmingham), an Alabama banking corporation, as Trustee under the Inter-vivos Trust dated April 17, 1975 and AMSOUTH BANK OF ALABAMA, an Alabama banking corporation and Lehman Murray Alley as Co-Trustees u/w/o Nannie Dee Durden, deceased; Nancy Delaney Lewis, Individually; Janet Gail Lewis Jackson, Individually; Delinda Lee Alley Davis, Individually; Deborah Lynn Alley Smith, Individually; and Lehman Murray Alley, III, Individually (hereinafter called GRANTORS), receipt whereof is acknowledged, the said Grantors do hereby grant, bargain, sell and convey unto the said Charter Cremation Society, Inc. (hereinafter called GRANTEE), the following described real estate lying and being situated in Shelby County, Alabama, to-wit:

Part of the N $\frac{1}{2}$  of the NW $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 28, Township 21 South, Range 2 West from the SE corner of the N $\frac{1}{2}$  of the NE $\frac{1}{4}$  of the NW $\frac{1}{4}$  of said Section 28, run in a westerly direction along the south line of said N $\frac{1}{2}$  of NE $\frac{1}{4}$  of NW $\frac{1}{4}$  and its westerly extension thereof, for a distance of 1814.43 feet to an existing iron rebar set by Lawrence D. Weygand, being the point of beginning; thence continue in a westerly direction along last mentioned course for a distance of 751.33 feet to an existing iron rebar being on the northeast right of way line of U. S. Highway #31; thence turn an angle to the right (64 degrees, 26 minutes, 55 seconds to the chord) and run in a northwesterly direction along the northeasterly right of way line of said U. S. Highway #31, being on a curve and being concave in a southwesterly direction and having a central angle of 2 degrees, 26 minutes, 10 seconds, and a radius of 3528.12 feet and run for a distance of 150.0 feet to an existing iron rebar set by Lawrence D. Weygand, and being on the northeast right of way line of said U. S. Highway #31; thence turn an angle to the right (84 degrees, 45 minutes, 47 seconds from the chord of the last mentioned curve) and run in a northeasterly direction for a distance of 631.75 feet to an existing iron rebar that was set by Lawrence D. Weygand; thence turn an angle to the right of 90 degrees and run in a southeasterly direction for a distance of 533.95 feet more or less to the point of beginning.

TO HAVE AND TO HOLD unto the said Grantee, it successors and assigns forever.

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

1. Ad Valorem taxes due and payable October 1, 1999, which the Grantee herein expressly assumes and agrees to pay.

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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.
3. Any loss, claim, damage, or expense including additional tax due, if any, arising from or due to the fact that Ad Valorem Taxes for subject property have been paid under a current use assessment.
4. Permits to Alabama Power Company as recorded in Deed Book 233, Page 587 in the Probate Office of Shelby County, Alabama.
5. Right of way to Shelby County as recorded in Deed Book 102, Page 444, in Probate Office.

This instrument is executed without warranty or representation of any kind on the part of the undersigned, express or implied, except that there are no liens or encumbrances outstanding against the premises conveyed which were created or suffered by the undersigned and not specifically excepted herein.

This instrument is executed by the undersigned solely in the representative capacities 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 capacities, and the undersigned expressly limit their liability hereunder to the property now or hereafter held by them in the representative capacities named.

IN WITNESS WHEREOF, AMSOUTH BANK OF ALABAMA, an Alabama banking corporation, as Trustee under the Inter-vivos Trust dated April 17, 1975 and AMSOUTH BANK OF ALABAMA, an Alabama banking corporation and Lehman Murray Alley as Co-Trustees u/w/o Nannie Dee Durden, deceased; Nancy Delaney Lewis, Individually; Janet Gail Lewis Jackson, Individually; Delinda Lee Alley Davis, Individually; Deborah Lynn Alley Smith, Individually; and Lehman Murray Alley, III, Individually, have executed this conveyance in their capacities as Trustee, Co-Trustee and Individually, as aforesaid on this 15<sup>th</sup> day of December, 1995.

AMSOUTH BANK OF ALABAMA, an Alabama banking corporation, as Trustee under the Inter-vivos Trust dated April 17, 1975

ATTEST:

BY: Frank Harris BY: DAV  
PROPERTY MANAGEMENT OFFICER VICE PRESIDENT

ATTEST:

BY:

Frank Harris  
PROPERTY MANAGEMENT OFFICER

BY:

Lehman Murray Alley  
VICE PRESIDENT

AMSOUTH BANK OF ALABAMA, an Alabama  
banking corporation, as Co-Trustee  
u/w/o Nannie Dee Durden, deceased

Lehman Murray Alley  
Lehman Murray Alley as Co-Trustee  
u/w/o Nannie Dee Durden, deceased

Nancy Delaney Lewis  
Nancy Delaney Lewis, Individually

Janet Gail Lewis Jackson  
Janet Gail Lewis Jackson,  
Individually

Delinda Lee Alley Davis  
Delinda Lee Alley Davis,  
Individually

Deborah Lynn Alley Smith  
Deborah Lynn Alley Smith,  
Individually

Lehman Murray Alley, III  
Lehman Murray Alley, III  
Individually

STATE OF ALABAMA )

JEFFERSON COUNTY )

I, the undersigned authority, a Notary Public in and  
for said County, in said State, hereby certify that D. A. Ferguson  
and Frank Harris, whose names as Vice President and  
Property Management Officer, respectively, of AMSOUTH BANK OF  
ALABAMA, an Alabama banking corporation, as Trustee under the  
Inter-vivos Trust dated April 17, 1975, 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, acting in its capacity as corporation, as aforesaid.

Given under my hand and official seal this 15th day of  
December, 1995.

D. Robert Barrell  
NOTARY PUBLIC

My Commission Expires 11/15/98

STATE OF ALABAMA )

JEFFERSON COUNTY )

I, the undersigned authority, a Notary Public in and  
for said County, in said State, hereby certify that D. A. Ferguson  
and Frank Harris, whose names as Vice President and  
Property Management Officer, respectively, of AMSOUTH BANK OF  
ALABAMA, an Alabama banking corporation, as Co-Trustee u/w/o  
Nannie Dee Durden, 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, acting in its capacity as corporation, as aforesaid.

December, 1995. Given under my hand and official seal this 15<sup>th</sup> day of

A Roberta Hansell  
NOTARY PUBLIC  
My Commission Expires 11/5/98

STATE OF ALABAMA )  
JEFFERSON COUNTY )

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that Lehman Murray Alley as Co-Trustee u/w/o Nannie Dee Durden, deceased, 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 said conveyance, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 15<sup>th</sup> day of Dec, 1995.

W. L. L. L.  
NOTARY PUBLIC  
MY COMMISSION EXPIRES 10/6/96

STATE OF ALABAMA )  
JEFFERSON COUNTY )

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that Nancy Delaney Lewis, Individually, 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 said conveyance, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 15<sup>th</sup> day of December, 1995.

Stephanie Godfrey  
NOTARY PUBLIC  
MY COMMISSION EXPIRES 5-14-98

STATE OF ALABAMA )  
JEFFERSON COUNTY )

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that Janet Gail Lewis Jackson, Individually, 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 said conveyance, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 12<sup>th</sup> day of December, 1995.

Stephanie Godfrey  
NOTARY PUBLIC  
MY COMMISSION EXPIRES 5-14-98

STATE OF ALABAMA )  
JEFFERSON COUNTY )

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that Delinda Lee Alley Davis, Individually, 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 said conveyance, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 12<sup>th</sup> day of December, 1995.

Stephanie Godfrey  
NOTARY PUBLIC  
MY COMMISSION EXPIRES 5-14-98

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STATE OF ALABAMA )  
JEFFERSON COUNTY )

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that Deborah Lynn Alley Smith, Individually, 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 said conveyance, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 12<sup>th</sup> day of December, 1995.

Stephanie Godfrey  
NOTARY PUBLIC  
MY COMMISSION EXPIRES 5-14-98

STATE OF ALABAMA )  
JEFFERSON COUNTY )

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that Lehman Murray Alley, III, Individually, 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 said conveyance,            executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 12<sup>th</sup> day of December, 1995.

Carol A. Keck  
NOTARY PUBLIC  
MY COMMISSION EXPIRES 7-15-98

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