

This instrument prepared by:
Kenneth T. Wyatt
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Send Tax Notice to:
Kathleen Anderson Wyatt
5205 English Way
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TITLE HAS NOT BEEN EXAMINED

EXECUTOR'S DEED

Inst # 1997-38821

STATE OF ALABAMA)

COUNTY OF SHELBY)

12/01/1997-38821
10:36 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 SNA 14.50

KNOW ALL MEN BY THESE PRESENTS, THAT:

WHEREAS, Tim B. Wyatt (the "Decedent") died on October 19, 1996 a resident of the State of Alabama, and the will of the Decedent (the "Will") was admitted to probate by the Probate Court of Shelby County, Alabama (Case No. 35-176) on October 29, 1996; and

WHEREAS, the undersigned Kathleen Anderson Wyatt (the "Executor"), was appointed as the executor of the Will of the Decedent by the Probate Court of Shelby County, Alabama on October 29, 1996, and is now acting as such Executor; and

WHEREAS, Kathleen Anderson Wyatt is also the surviving spouse of the Decedent;

WHEREAS, Article Three of the Will of the Decedent provides that if Kathleen Anderson Wyatt survives the Decedent, all interests that the Decedent had at his death in (i) any house or other property that was the Decedent's principal residence at the time of the Decedent's death, and (ii) any improvements on such property, passed at his death to his surviving spouse, Kathleen Anderson Wyatt, and

WHEREAS, at the time of the Decedent's death, the real property described hereafter was used by the Decedent, along with his surviving spouse, Kathleen Anderson Wyatt, as their principal residence; and

WHEREAS, it is the desire of the Executor to execute this deed for the purpose of perfecting and confirming that the Decedent's interest in the real property described hereafter passed to Kathleen Anderson Wyatt under Article Three of the Will of the Decedent;

NOW, THEREFORE, in consideration of the premises, and the sum of Ten Dollars (\$10.00), in hand paid to the undersigned, as Executor, by Kathleen Anderson Wyatt in her

individual capacity, the receipt and sufficiency of which is hereby acknowledged and for the purposes of perfecting and confirming title in Kathleen Anderson Wyatt individually, Kathleen Anderson Wyatt, as Executor of the Will of Tim B. Wyatt, deceased, does by these presents grant, bargain, sell and convey unto Kathleen Anderson Wyatt, individually, the following described real property situated in Shelby County, Alabama:

Lot 45, according to the 1st Amended Plat of Final Record Plat of Greystone Farms, English Turn Sector, Phase I, as recorded in Map Book 19 page 142 in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

Subject to: (1) General and special taxes or assessments for 1997 and subsequent years not yet due and payable; (2) Minimum building setback lines and public easements as shown by recorded plat, including, specifically, the following minimum setback lines: (i) front, 5 feet; (ii) side, 0 feet and (iii) rear, 0 feet; (3) Public easements as shown by recorded plat; (4) Declarations, Covenants and Restrictions as to Greystone Farms, as set out in Instrument #1995-16401 and 1st Amendment recorded as Instrument #1995-1432; (5) Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto, including rights set out in Deed Book 121 page 294 and Deed Book 60 page 260 in Probate Office; (6) Restrictions, limitations and conditions as set out in Map Book 19 page 142 in Probate Office; (7) Easement to BellSouth Communications as shown by instrument recorded as Instrument #1995-7422 in Probate Office; (8) Amended and Restated restrictive covenants including building setback lines and specific provisions for dense buffer along Hugh Daniel Drive, all as set out in instrument recorded in Real 265 page 96 in Probate Office, and which said building setback lines and dense buffer are shown on survey of Paragon Engineering, Inc. dated 7/14/94; (9) Shelby Cable Agreement recorded in Real 350 page 545 in Probate Office; (10) Covenants and Agreement for water service as set out in an Agreement recorded in Real Book 235 page 574 as modified by Agreement recorded as Instrument #1992-20786, as further modified by Agreement recorded as Instrument #1993-20840 in Probate Office; (11) Right of way from Daniel Oak Mountain Limited to Shelby County recorded on July 13, 1994, as Instrument No. 1994-21963 in Probate Office; (12) Development Agreement between Daniel Oak Mountain Limited Partnership, Greystone Residential Association, Inc., Greystone Ridge, Inc. and United States Fidelity and Guaranty Company recorded as Instrument #1994-22318 in Probate Office; (13) Greystone Farms Reciprocal Easement Agreement as set out as Instrument #1995-16400; (14) Greystone Farms Community Center Property Declaration of Protective Covenants and Restrictions recorded as Instrument #1995-16403 in Probate Office; (15) Release of damages, restrictions, modifications, covenants, conditions, rights, privileges, immunities, and limitations, as applicable, as set out in , and as referenced in deed(s) recorded in Instrument #1996-35474 in Probate Office.


Being the same property conveyed to Tim B. Wyatt by deed recorded with the Shelby County Judge of Probate on July 17, 1996, as instrument # 1996-23012.

TO HAVE AND TO HOLD the same unto Kathleen Anderson Wyatt, her heirs and assigns, in fee simple forever.

It is the intention of the Executor to reflect the conveyance under the Will to Kathleen Anderson Wyatt, individually herself as sole beneficiary under the Decedent's Will, of all of the Decedent's interest in the above described real property, whether accurately described above or not.

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

IN WITNESS WHEREOF, the undersigned Kathleen Anderson Wyatt has executed this instrument as Executor of the Will of Tim B. Wyatt, deceased, on this 22nd day of November, 1997.


Kathleen Anderson Wyatt, as Executor
of the Will of
Tim B. Wyatt, Deceased

Inst # 1997-38821

STATE OF ALABAMA)
 :
COUNTY OF SHELBY)

I, the undersigned, a Notary Public and for said County, in said State, hereby certify that Kathleen Anderson Wyatt, whose name as Executor of the Will of Tim B. Wyatt, 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 Tim B. Wyatt, deceased, executed the same voluntarily on the day the same bears date.

12/01/1997-38821
10:36 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
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Given under my hand and official seal on this the 22nd day of November, 1997.


Notary Public

My Commission expires: MY COMMISSION EXPIRES NOVEMBER 23, 1998

[NOTARIAL SEAL]