

SEND TAX NOTICE TO:

(Name) Carolyn Westerfield Rutherford
(Address) 5804 Cahaba Valley Rd, Birmingham, AL 35223

This instrument was prepared by

(Name) A. Eric Johnston, Attorney at Law
(Address) 2100-A Southbridge Parkway Suite 376 Birmingham, AL 35209

WARRANTY DEED

STATE OF ALABAMA) KNOW ALL MEN BY THESE PRESENTS:
SHELBY COUNTY)

That in consideration of \$1.00 and other good and valuable consideration to the undersigned grantor (whether one or more), in hand paid by the grantee herein, the receipt whereof is acknowledged, I or we, **Carolyn Westerfield Rutherford**, as Executrix of the Estate of James Michael Rutherford (herein referred to as grantor, whether one or more), grant, bargain, sell and convey unto **Carolyn Westerfield Rutherford** (herein referred to as grantee, whether one or more), the following described real estate, situated in Shelby County, Alabama, to wit:

SEE EXHIBIT "A"

Subject to unpaid taxes, all mortgages, encumbrances, rights of way, and other matters of record.

This deed is given by Carolyn Westerfield Rutherford, as Executrix of the Estate of James Michael Rutherford, pursuant to Letters Testamentary (attached is Exhibit "B") granted on February 10, 1998 to the said Carolyn Westerfield Rutherford, as Executrix, by the Probate Court of Shelby County, Alabama, Case No. 36-328.

No title opinion given.

TO HAVE AND TO HOLD to the said grantee, his, her or their heirs and assigns forever.

And I (we) do for myself (ourselves) and for my (our) heirs, executors, and administrators covenant with the said GRANTEES, their heirs and assigns, that I am (we are) lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that I (we) have a good right to sell and convey the same as aforesaid; that I (we) will and my (our) heirs, executors and administrators shall warrant and defend the same to the said GRANTEES, their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, I have hereunto set my hand(s) and seal(s), this 11 day of August, 1998.

Carolyn Westerfield Rutherford
Carolyn Westerfield Rutherford, Executrix

STATE OF ALABAMA)
SHELBY COUNTY)

General Acknowledgment

I, A. Eric Johnston, a Notary Public in and for said County, in said State, hereby certify that **Carolyn Westerfield Rutherford** 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 the conveyance she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 11th day of August, 1998.

A. Eric Johnston
Notary Public
08/21/1998-32533
09:46 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 MEL 12.00

EXHIBIT "A"

PARCEL ONE

Commence at the southwest corner of NE 1/4 of SW 1/4 of Section 13, Township 19, Range 2 West and run north along said forty acre line 165 feet to the point of beginning of the land herein conveyed; thence continue north along said forty acre line, 165 feet; thence east, and parallel with the south line of said forty acres, 1320 feet, more or less, to the east line of said forty acres; thence along same south, 165 feet to the northeast corner of Virginia Howard Bailey and R.H. Bailey lot; thence along the north line of said last mentioned lot, west and parallel with the south line of said forty acres, 1320 feet, more or less to the point of beginning.

PARCEL TWO

That part of the NE 1/4 of SW 1/4 of Section 13, township 19 south, Range 2 West, situated in Shelby county, Alabama, more particularly described as follows: Commence at the Southwest corner of said 1/4 - 1/4 section and run thence Northwardly along the West line of said 1/4 - 1/4 section for a distance of 330 feet to the point of beginning of the parcel here described; from the point of beginning thus obtained continue Northwardly and along the west line of said 1/4 - 1/4 section for a distance of 165 feet; thence turn an angle to the right of 92 degrees 23' and 45" and run Eastwardly for a distance of 256.41 feet to the point on the Westerly right of way line of Cahaba Valley Road (being an 80 foot right of way); run thence in a general Southwestwardly direction and along the Westerly right of way line of said Cahaba Valley Road for a distance of 181 feet, more or less, to a point which is 330 feet North of the South line of said 1/4 - 1/4 section; run thence Westwardly and along a line which is 330 feet North of the South line of said 1/4 - 1/4 section for a distance of 174.71 feet to the point of beginning.

PARCEL THREE

The North 1/2 of the South 1/2 of the SE 1/4 of the NW 1/4 of Section 13 township 19, Range 2 West, less and except, all of that part of the North 1/2 of the South 1/2 of the SE 1/4 of the NW 1/4 of Section 13, Township 19, Range 2 West, lying West of Cahaba Valley Road.

Inst # 1998-32533

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