

This instrument prepared by:

**Bruce A. Rawls, Esq.
Burr & Forman LLP
3100 SouthTrust Tower
420 North 20th Street
Birmingham, AL 35203**

Send tax notices to:

✓ **Otha Nell Holcombe
17374 Highway 25
Columbiana, AL 35051**

STATE OF ALABAMA)

SHELBY COUNTY)

EXECUTRIX' DEED IN DISTRIBUTION

THIS INDENTURE made and entered into by and between Otha Nell Holcombe, as Executrix of the Last Will and Testament of Burl Harold Holcombe, Deceased, as Grantor, and Otha Nell Holcombe, as Grantee,

W I T N E S S E T H:

THAT, WHEREAS, Burl Harold Holcombe died testate in Shelby County, Alabama, on, to wit, the 9th day of January, 1998; and his Last Will and Testament was admitted to probate by the Probate Court of Shelby County, Alabama; and that, in said Last Will and Testament, Otha Nell Holcombe was nominated Executrix thereof, and Letters Testamentary were duly issued to her, and she is still acting in such capacity.

THAT, WHEREAS, in Item Three of the Last Will and Testament of said Burl Harold Holcombe, it is provided that the Executrix shall divide the residue of the Estate of Burl Harold Holcombe into two separate shares, with one such share to be identified as the Family Share and the remainder of the residuary estate being identified as the Marital Share.

THAT, WHEREAS, said Marital Share is to be transferred and delivered to Otha Nell Holcombe absolutely if she is living at the time of the death of Burl Harold Holcombe.

THAT, WHEREAS, the said Otha Nell Holcombe did survive Burl Harold Holcombe, and is presently entitled to the Marital Share, as so defined in the Last Will and Testament, of Burl Harold Holcombe.

THAT, WHEREAS, Otha Nell Holcombe, as such Executrix, presently desires to make a distribution from the residue of the Estate of Burl Harold Holcombe consisting of the property herein described, in order to partially satisfy such Marital Share bequest to Otha Nell Holcombe, and to make an allocation of such property to the Marital Share.

NOW, THEREFORE, in consideration of the premises and the sum of One Dollar (\$1.00) and other good and valuable consideration in hand paid by Otha Nell Holcombe to Otha Nell Holcombe, as Executrix under the Will of Burl Harold Holcombe, Deceased, receipt whereof is acknowledged, the said Grantor does hereby grant, bargain, sell and convey unto the said Otha Nell Holcombe, the following described real estate located in Shelby County, Alabama, to wit:

Commence at the northwest corner of the NW1/4 of the NE1/4 of Section 26, Township 21 South, Range 1 West, Shelby County, Alabama, run thence southerly along the west boundary of said 1/4-1/4 section a distance of 785.50 feet to a point on the southeast boundary of right-of-way of Ala. Highway No. 25 (Columbiana Bypass), said point being the point of beginning of the property herein described; thence turn an angle of 25 deg. 55 min. to the right and along said boundary of said R.O.W. for a distance of 38.4 feet; thence turn an angle of 114 deg. 50 min. to the left for a distance of 100.0 feet; thence turn an angle of 80 deg. 30 min. to the left a distance of 77.0 feet; thence turn an angle of 83 deg. 50 min. to the left a distance of 70.0 feet to a point on the southeast R.O.W. of Ala. Highway No. 25; thence turn an angle of 80 deg. 50 min. to the left and along said R.O.W. a distance of 66.6 feet to the point of beginning.

Subject to easements and restrictions of record, and current state, county and city taxes.

NO TITLE OPINION REQUESTED NOR RENDERED.

TO HAVE AND TO HOLD unto the said Otha Nell Holcombe, her heirs and assigns forever.


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

1. Taxes due and payable October 1, 1998, which are a lien not yet due and payable.
2. Rights of parties in possession, encroachments, overlaps, overhangs, unrecorded easements, deficiency in quantity of ground, or any matters not of record, which would be discovered by an accurate survey and inspection of the premises.

This instrument is executed without warranty or representation of any kind on the part of the undersigned Grantor, 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.

The Grantor executes this instrument solely in her representative capacity named and expressly limits her liability hereunder to the property now or thereafter held by her in such capacity.


IN WITNESS WHEREOF, the Grantor has hereunto set her hand and seal, in her capacity as Executrix, as aforesaid, this the 29th day of September, 1998.


OTHA NELL HOLCOMBE, Executrix of
the Estate of **BURL HAROLD HOLCOMBE**,
Deceased.

STATE OF ALABAMA)
SHELBY COUNTY)

I, JANICE L. ROSS, a Notary Public in and for said County, in said State, hereby certify that Otha Nell Holcombe, whose name as Executrix of the Estate of Burl Harold Holcombe, is signed to the foregoing Deed and who is known to me, acknowledged before me on this day that, being informed of the contents of this Deed, she, in her capacity as such Executrix, executed the same voluntarily on the day the same bears date.

Given under my hand and seal of office, this the 29th day of September, 1998.


Notary Public
My Commission Expires: MY COMMISSION EXPIRES JULY 31, 2001
(SEAL)