

STATE OF ALABAMA)

SHELBY COUNTY)

10/15/1998-40271
09:24 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 CBN 11.00

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, Margaret Chesser died in testate on April 24, 1996 and her Last Will and Testament was filed of record in the Probate Court of Shelby County, Alabama; and

WHEREAS, Lloyd W. Chesser predeceased his wife, Margaret Chesser; he died on March 19, 1996 and his Last Will and Testament was filed of record in the Probate Court of Shelby County, Alabama; and

WHEREAS, the undersigned Grantor is the duly appointed Executor of the Estate of Margaret Chesser, Deceased, and is presently serving in such capacity; and

WHEREAS, the Grantee named herein is the residuary devisee under the decedent's Last Will and Testament and the real estate described herein is part of the decedent's residuary estate; and

WHEREAS, the undersigned Grantor desires to transfer and convey the real estate described herein to the Grantee named herein as a partial distribution to him of the decedent's residuary estate, as provided in the decedent's Last Will and Testament.

NOW, THEREFORE, in accordance with the Last Will and Testament of Margaret Chesser, Deceased, and for and in consideration of Ten and No/100 Dollars (\$10.00) and other good and valuable considerations to Stanley L. Chesser, Sr., an individual, as Executor of the Estate of Margaret Chesser, Deceased (herein called the "Grantor"), in hand paid by Stanley L. Chesser, Sr. (herein called the "Grantee"), the receipt and sufficiency of which is hereby acknowledged, the Grantor does hereby grant, bargain, sell and convey unto the Grantee, an undivided interest in and to the following described real estate, situated in Shelby County, Alabama, to-wit:

Parcel 1:

The W 1/2 of NW 1/4 of Section 27, Township 19, Range 1 West; Also the E 1/2 of NW 1/4 of said Section 27, Township 19, Range 1 West, EXCEPT the East 325 feet of uniform width.

All that part of the NE 1/4 of the SW 1/4 of Section 27, Township 19, Range 1 West; that lies North of the right of way of the Florida Short Route Highway #91 (Old Highway 280), EXCEPT that part already sold to Stanley Chesser.

A tract of land in the NW 1/4 of SE 1/4 of Section 27, Township 19, Range 1 West, described as follows: Beginning at a point where the North right of way line of the Florida Short Route Highway (Highway #91) intersects the West line of said NW 1/4 of SE 1/4 of Section 27, Township 19, Range 1 West; and run in an Easterly direction along the North right of way line of said highway a distance of 350 feet to a point; thence in a Northerly direction parallel with West line of said NW 1/4 of SE 1/4 of said Section to North line of said NW 1/4 of SE 1/4 of said Section; thence West along North line of said forty to the northwest corner of said forty; thence South along West line of said forty to point of beginning. EXCEPT property as described in Deed Book 319, Page 716, in the Probate Office of Shelby County, Alabama.

All the NE 1/4 of the SW 1/4 of Section 27, Township 19, Range 1 West, lying North of the right of way of New Highway 280 and South of the right of way of Old Highway 280, lying West of the Post Office Building as described in Real Record 41, Page 721, in the Probate Office of Shelby County, Alabama.

Reference Deed Book 209 at Page 24, recorded in the office of the Judge of Probate, Shelby County, Alabama.

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Parcel 2:

Begin at the intersection of the North line of the Florida Short Route Highway right of way with the West line of NE $\frac{1}{4}$ of SW $\frac{1}{4}$, Sec. 27, T. 19 S. R. 1 W., run thence North to a point 300 feet South of the North line of such NE $\frac{1}{4}$ of SW $\frac{1}{4}$, Sec. 27; thence East at a right angle parallel with such North line 1350 feet; thence South at a right angle 350 feet more or less to the North line of the right of way of the Florida Short Route Highway; thence Westerly along such right of way to point of beginning, situated in Sec. 27, T. 19 S. R. 1 W., and situated in Shelby County, Alabama.

Grantor, Frank P. Chesser, hereby expressly reserves a right of way for a road 20 feet wide beginning on the North side of the Florida Short Route right of way at the approximate present grade of such highway and extending Northeasterly along or near the base or foot of the ridge which extends Northeasterly and Southwesterly through said land, the particular location of such road to be fixed by said Frank P. Chesser.

Reference Volume 109 Record of Deeds, Page 247, recorded in the office of Judge of Probate, Shelby County, Alabama.

TO HAVE AND TO HOLD, unto the Grantee, his heirs, executors, administrators and assigns forever, SUBJECT TO (i) liens for ad valorem taxes due October 1, 1998 and thereafter, and (ii) any and all easements, mining and mineral rights, restrictions, and rights-of-way of record.

This instrument is executed WITHOUT WARRANTY OR REPRESENTATION of any kind on the part of the 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 expected herein.

IN WITNESS WHEREOF, the undersigned Stanley L. Chesser, Sr., an individual, as the Executor of the Estate of Margaret Chesser, Deceased, have hereunto set his hand and seal on this 23 day of April, 1998.

September


GRANTOR:


STANLEY L. CHESSE, SR., as Executor
of the Estate of Margaret Chesser

STATE OF ALABAMA)
SHELBY COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Stanley L. Chesser, Sr., whose name as the Executor of the Estate of Margaret Chesser, Deceased, is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of this instrument, he, in his capacity as such Executor, executed the same voluntarily on the day the same bears date.

Given under my hand this 23 day of *September* April, 1998.


Notary Public
My commission expires: 8/8/2000
[NOTARIAL SEAL]

This instrument prepared by:
Mrs. Virginia K. Hopper
Leitman, Siegal, & Payne, P.C.
Suite 400 - The Land Title Building
600 North 20th Street
Birmingham, Alabama 35203

Send Tax Notice To:
Mr. Stanley L. Chesser, Sr.
P. O. Box 128
Chelsea, Alabama 35043

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