

THIS INSTRUMENT WAS PREPARED BY:

Ahrian D. Tyler
 Attorney at Law
 Christian & Small LLP
 505 N. 20th Street, Suite 1800
 Birmingham, AL 35203
 (205) 250-6646

SEND TAX NOTICE TO:

John and Charles L. Watkins, III
 256 Clairmont Road
 Sterrett, Alabama 335147

Tax Parcel # 105150002010004

STATE OF ALABAMA)
 SHELBY COUNTY)

EXECUTOR'S DEED

THIS IS AN **EXECUTOR'S DEED** executed and delivered this 16th day of Feb., 2002, by John Michael Watkins who was granted Letters of Testamentary on August 3, 2001 in the Estate of Cheryl J. Hawkins by the Probate Court of Jefferson County case number 175548 (attached hereto as Exhibit A) hereinafter referred to as the "Grantor"), to John Michael Watkins and Charles L. Watkins, III as co-tenants (hereinafter referred to as the "Grantees").

The decedent received title in a deed recorded at Book 149 Page 895 in the Judge of Probate of Jefferson County, Alabama.

It is the intention of the Grantor, to transfer interest to the Grantees in accordance with the terms of the Last Will and Testament of Cheryl J. Hawkins (attached hereto as Exhibit B)

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of the sum of Ten Dollars (\$10.00) and **in accordance with the Terms of the Last Will and Testament of Cheryl J. Hawkins**, the receipt and sufficiency of which is hereby acknowledged by Grantor, the Grantor does by these presents, sell and convey unto the Grantee the following described real estate (the "Subject Property") situated in Shelby County, Alabama, to-wit:

See Exhibit C attached hereto and incorporated by reference as if set out fully herein

Grantor makes no warranty or covenant respecting the nature and quality of the title to the property hereby conveyed other than that the Grantor has neither permitted or suffered any lien, encumbrance or adverse claim to the property described herein since the date of the acquisition by Grantor.

Subject to ad valorem taxes for the current year due and payable October 1st.

Said property is conveyed and accepted by Grantees subject to any and all easements and right-of-ways of record.

Said property is also conveyed without survey or title inspection by the Grantor or the attorney preparing this deed and no representation is made to the accuracy of the property description.

TO HAVE AND TO HOLD, to the said Grantees, their heirs and assigns forever.

IN WITNESS WHEREOF, the Grantor has caused this Executor's Deed to be executed by the undersigned on this 16 day of Feb, 2002.

GRANTOR:

John Michael Watkins
John Michael Watkins, Personal Representative
of the Estate of Cheryl J. Hawkins

STATE OF ALABAMA)

COUNTY OF Jefferson)

I, the undersigned Notary Public, in and for said County, in said State, hereby certify that John Michael Watkins, as Personal Representative of the Estate of Cheryl J. Hawkins, 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, with full authority and in such capacity, on this date.

Given under my hand and official seal, this the 16th day of Feb, 2002.

Shirley D. [Signature]
NOTARY PUBLIC
My Commission Expires: 10-17-02

Exhibit A

LETTERS TESTAMENTARY

PROBATE - 60

IN THE MATTER OF THE ESTATE OF

IN THE PROBATE COURT OF
JEFFERSON COUNTY, ALABAMA

CHERYL J. HAWKINS

Deceased

CASE NO. 175548

LETTERS TESTAMENTARY

TO ALL WHOM IT MAY CONCERN:

The Will of the above-named deceased having been duly admitted to record in said county. **Letters Testamentary** are

hereby granted to JOHN MICHAEL WATKINS
the Personal Representative named in said will, who has complied with the requisitions of the law and is authorized to administer the estate. Subject to the priorities stated in § 43-8-76, Code of Alabama (1975, as amended), the said Personal Representative, acting prudently for the benefit of interested persons, has all the powers authorized in transactions under § 43-2-843, Code of Alabama (1975, as amended).

WITNESS my hand this date, AUGUST 3, 2001

(SEAL)

MICHAEL F. BOLIN

Judge of Probate

I, Carol K. Johnson, Chief Clerk of the Court of Probate of Jefferson County, Alabama, hereby certify that the foregoing is a true, correct and full copy of the **Letters Testamentary** issued in the above-styled cause as appears of record in said court. I further certify that said Letters are still in full force and effect.

WITNESS my hand and seal of said Court this date, AUGUST 3, 2001

Carol K. Johnson
Chief Clerk

Exhibit B

JR 1864 PG 387

THE STATE OF ALABAMA)
JEFFERSON COUNTY)

175548

Last Will and Testament

I, CHERYL J. HAWKINS, 1569 Valley View Circle, Birmingham, Alabama, 35209, being of sound mind and disposing memory, do hereby make, publish and declare this to be my Last Will and Testament, hereby revoking all other wills or documents testamentary by me heretofore made.

ITEM I

FIRST, I direct that all of my just and legal debts, including expenses of my last illness and burial, be paid by my executor hereinafter named as soon after my death as he may deem practical.

ITEM II

SECOND, I hereby will, devise and bequeath unto my sons, CHARLES LUTHER WATKINS, III, and JOHN MICHAEL WATKINS, in equal parts, share and share alike, or to their lineal descendants, per stirpes, my homeplace located at 1569 Valley View Circle, Birmingham, Alabama, 35209, to be theirs absolutely.

ITEM III

THIRD, I hereby bequeath my personal property as follows, to-wit:

A. To my sons, CHARLES L. WATKINS, III, and JOHN MICHAEL WATKINS, in equal parts, share and share alike, all of my sports

FILED IN OFFICE THIS THE 3rd DAY
OF August, 20 01
FOR PROBATE AND RECORD

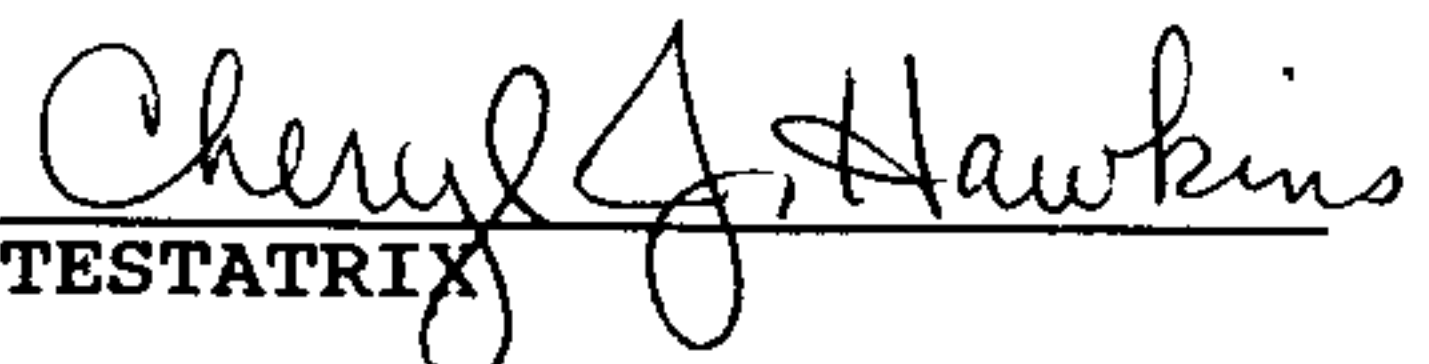
Michael F. Bolin
JUDGE OF PROBATE

Cheryl J. Hawkins
TESTATRIX

equipment, including but not limited to one 12-speed bicycle, daypacks, backpacks, and all household goods, with the exception of the goods subsequently set out herein.

B. To my son, CHARLES L. WATKINS, III, all Lenox China, all Olympia pattern crystal, one sapphire cross, antique sapphire drop earrings and sapphire studs, sapphire and diamond bracelets, honey topaz pendant and ring, antique coral cameo ring, sapphire and pearl ring, sapphire and opal ring, gold initial ring with "CRW" inscribed, one charcoal picture of my great-grandparents, all of my ice skating materials, including but not limited to ice skates, patches, medals and books, and my coin collection located in the Hoover Branch of Southtrust Bank, Safe Deposit Box Number 2623.

C. To my son, JOHN MICHAEL WATKINS, all of my Concept-Therapy materials, including but not limited to books and tapes, antique oak buffet, antique china cabinet, antique gateleg dining table and chairs, horseshoe-shaped diamond ring, ruby and diamond ring, all gold wedding bands, amethyst ring, two smoky topaz rings, matinee length pearls, two sets stud pearl earrings, diamond necklace, diamond heart-shaped stud earrings, diamond bracelet and watch, one opal and ruby ring, one emerald harem ring, all turquoise rings, turquoise earrings, turquoise bracelets, and one turquoise cross.


TESTATRIX

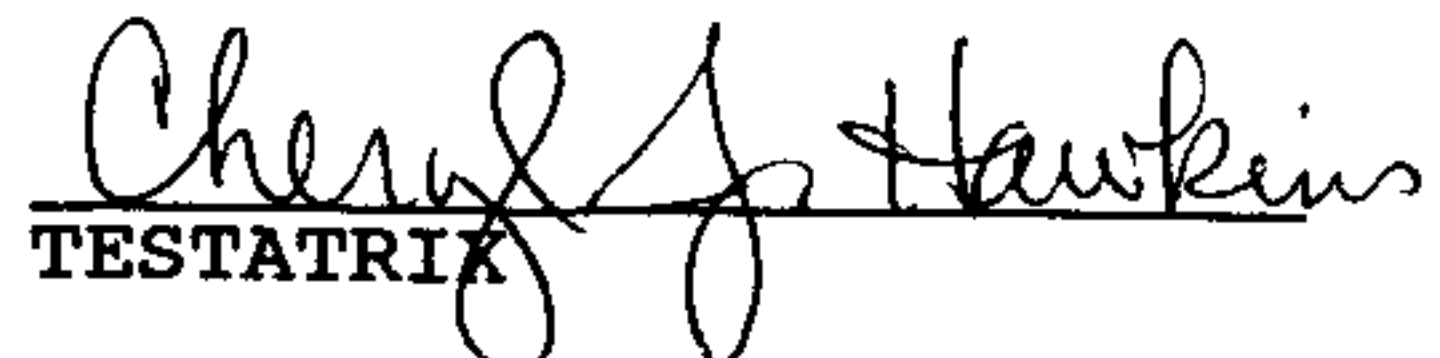
175548

ITEM IV

FOURTH, I hereby will, devise and bequeath all the rest, residue and remainder of my estate, both real and personal, including real and personal property located on Indian Crest Drive in North Shelby County, Alabama, to my sons, CHARLES LUTHER WATKINS, III, and JOHN MICHAEL WATKINS, in equal parts, share and share alike, or to their lineal descendants, per stirpes.

ITEM V

FIFTH, I hereby nominate and appoint my son, JOHN MICHAEL WATKINS, to serve as executor of this my Last Will and Testament. In the event he should predecease me or decline to serve as executor, I hereby nominate and appoint my son, CHARLES LUTHER WATKINS, III, to serve as alternate executor. In either event, I direct that my said executor or my said alternate executor shall not be required to give any bond, or make any report or any accounting, to any court or person, for and of the performance of their duties as executor or alternate executor. I direct that my executor or my alternate executor shall have full power and authority, without order of any court, to sell, at public or private sale and upon such terms and conditions as my said executor or alternate executor shall deem to be to the best interest of my estate, any property, real, personal or mixed, of which I may die seized and possessed, or to the possession of which I may be entitled at the time of my death, and to execute good title to the purchaser thereof.


TESTATRIX

175548

IN WITNESS WHEREOF, I have set my hand and seal this the 7th day of July, 1988.

Cheryl J. Hawkins
CHERYL J. HAWKINS

Cathy D. Sasser
WITNESS
Betty Henderson
WITNESS

I, CHERYL J. HAWKINS, the testatrix, sign my name to this instrument this the 7th day of July, 1988, and being first duly sworn do hereby declare to the undersigned authority that I sign and execute this instrument as my Last Will and Testament and that I sign it willingly, that I execute it as my free and voluntary act for the purposes therein expressed, and that I am nineteen years of age or older, of sound mind, and under no constraint or undue influence.

Cheryl J. Hawkins
TESTATRIX

We, Cathy D. Sasser, and Betty Henderson, the witnesses, sign our names to this instrument, being first duly sworn, and do hereby declare to the undersigned authority that the testatrix, CHERYL J. HAWKINS, signs and executes this instrument as her last will and testament and that she signs it willingly, and that each of us, in the presence and hearing of the testatrix hereby signs this will as witness to the testatrix' signing, and that to the best of our knowledge the testatrix is nineteen years of age or older, of sound mind, and under no constraint or undue influence.

Cathy D. Sasser
WITNESS
Betty Henderson
WITNESS

175548

THE STATE OF ALABAMA)
)
JEFFERSON COUNTY)

Subscribed, sworn to and acknowledged before me by CHERYL J.
HAWKINS, the testatrix, and subscribed and sworn to before me by
Cathy O. Sasser and Betty Henderson, the
witnesses, this the 7 day of July, 1988.

Linda Quaman
NOTARY PUBLIC Exp. 4-3-90

175548

#175548

CERTIFICATE TO THE PROBATE OF WILL

The State of Alabama
JEFFERSON COUNTY

I, Michael F. Bolin, Judge of the Court of Probate, in and for said State and County, do hereby certify that the foregoing instrument _____ of writing ha S this day, in said Court, and before me as the Judge thereof, been duly proven by the proper testimony to be the genuine last Will and Testament _____ of CHERYL J. HAWKINS Deceased and that said Will _____ together with the proof thereof have been recorded in my office in Judicial Record, Volume JR1864, Page 387-391.

In witness of all which I have hereto set my hand, and the seal of the said Court, this date AUGUST 3, 2001.

Michael F. Bolin, Judge of Probate.

The State of Alabama
JEFFERSON COUNTY

PROBATE COURT
175548

I, Carol K. Johnson, Chief Clerk of the Court of Probate, in and for said County in said State hereby certify that the foregoing contains a full, true and correct copy of the THE LAST WILL AND TESTAMENT OF
CHERYL J. HAWKINS AND CERTIFICATE TO THE PROBATE OF WILL THEREOF:

in the matter of THE ESTATE OF CHERYL J. HAWKINS - DECEASED

as the same appears on file and of record, in this office.

Given under my hand and seal of said Court, this
the 11th day of FEBRUARY, 20 02
Carol K. Johnson
Chief Clerk

549

500.00

Exhibit
C

STATE OF ALABAMA

WARRANTY DEED

EXCELSIOR COUNTY OF SHELBY
THIS INDENTURE, made this

day of

, 19 87 , between

CAROLYN J. TITONE, married and, CHERYL J. HAWKINS, married

hereinafter referred to as "Grantor," and

CHERYL J. HAWKINS

hereinafter referred to as "Grantee,"

WITNESSETH:

Grantor, for and in consideration of the sum of

TEN & NO/100

DOLLARS (\$10.00

and other considerations

in hand paid by Grantee, the receipt whereof is hereby acknowledged,

The property described herein does not constitute the residence or homestead of the grantors.

hereby grants, bargains, sells and conveys unto Grantee, the following described real estate, to-wit:

Commence at the southwest corner of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 15, Township 19 South, Range 2 West, in Shelby County, Alabama; thence run east along the south line of said $\frac{1}{4}$ - $\frac{1}{4}$ section for 379.39 feet to a point on the northwesterly right-of-way line of Indian Crest Drive; thence 57 degrees 31 minutes 42 seconds left and run northeasterly along said right-of-way line for 55.09 feet to the beginning of a curve to the right, said curve having a radius of 1,066.0 feet and a central angle of 13 degrees 45 minutes 35 seconds; thence continue northeasterly along the arc of said curve and along said right-of-way line of 256.00 feet to the end of said curve; thence at tangent to said curve continue northeasterly along said right-of-way line for 231.89 feet to the beginning of another curve to the right, said curve having a radius of 1,704.55 feet and a central angle of 3 degrees 25 minutes 14 seconds; thence continue northeasterly along the arc of said curve and along said right-of-way for 101.76 feet to the end of said curve; thence at tangent to said curve continue northeasterly along said right-of-way line for 239.33 feet to a point; thence continue Northeasterly along the last stated course and along said right-of-way line for 87.62 feet to the beginning of a curve to the right, said curve having a radius of 1,607.21 feet and a central angle of 5 degrees 26' 42"; thence continue Northeasterly along the arc of said curve and along said right-of-way line for 112.38 feet to the point of beginning; thence deflect 90 degrees left to a point on the Northwesterly line of the tract of land in that certain deed from Law Lamar to Carolyn J. Titone and Cheryl J. Watkins, recorded in Book 318, page 004, Probate Office, Shelby County, Alabama; thence deflect right and run in a Northeasterly direction 928 feet to a point along the said 318-004 tract; thence deflect 90 degrees right and run in a Southeasterly direction to a point in the Northwestern Right-of-way line of Indian Crest Drive; thence deflect right and run West along the Northwesterly right-of-way line of Indian Crest Drive to the point of beginning, and embracing a portion of the Southwest Quarter in Section 15, Township 19 South, Range 2 West, Shelby County, Alabama.

TO HAVE AND TO HOLD unto Grantee, and unto his heirs and assigns, forever.

Grantor, subject to any aforesaid exceptions and reservations, for himself and for his heirs, executors and administrators, covenants with Grantee, his heirs and assigns, that he is lawfully seized in fee simple of said premises; that they are free from all encumbrances; that he has a good right to sell and convey the same as aforesaid; that he will, and his heirs, executors and administrators shall, warrant and defend the same to Grantee, his heirs and assigns forever, against the lawful claims of all persons.

Whenever used, the singular number shall include the plural and the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF, Grantor has executed these presents on the day and date first above written.

GRANTEE ADDRESS

1564 Valley View Cir.
Birmingham, AL 35204

Carolyn J. Titone (L.S.)

Cheryl J. Hawkins (L.S.)

(L.S.)

(L.S.)

Copeland

STATE OF ALABAMA

JEFFERSON COUNTY OF SHELBY

the undersigned

, a Notary Public, in and for said County and

State, hereby certify that **CAROLYN J. TITONE, married and,**

CHERYL J. HAWKINS, married whose name 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 the conveyance they executed the same voluntarily, on the day the same bears date.

Given under my hand and official seal of office this the 2 day of September, 19 87

Brian Keith Copeland
Notary Public.

This instrument was prepared by:
COPELAND & COPELAND, Attorneys
820 Chestnut Street
Gadsden, Alabama 35901

Inst # 2002-14277

03/27/2002-14277
09:18 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
45.50
012 MSB

NOT 149 PAGE 896

1. Deed Tax 2.50
2. Mtg. Tax _____
3. Recording Fee 5.00
4. Indexing Fee 1.00
TOTAL 6.50

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED

1987 SEP -8 AM 11:29

Thomas A. Shanks, Jr.
JUDGE OF PROBATE

2002-14277

WARRANTY DEED

**CAROLYN J. TITONE, and
CHERYL J. HAWKINS
CHERYL J. HAWKINS**

**THE STATE OF ALABAMA
JEFFERSON COUNTY
Office of JUDGE OF PROBATE**

Judge of Probate fee \$ _____
Index fee _____
Cert. fee _____
Deed tax _____
Rec. fee _____
TOTAL \$ _____

COPELAND & COPELAND

ATTORNEYS AT LAW
820 CHESTNUT STREET
GADSDEN, ALABAMA 35901

State of Alabama - Jefferson County
I certify this instrument filed on:
2002 FEB 27 P.M. 16:12
Recorded and \$ _____
and \$ **33.00** Total \$ **33.00**
MICHAEL F. BOLIN, Judge of Probate

200203/6860

STATE OF ALABAMA-JEFFERSON COUNTY
I hereby certify that no mortgage tax or deed tax has been collected on this instrument.

Michael F. Bolin
Judge of Probate
"No Tax Collected"