

TITLE NOT EXAMINED

✓ This Instrument Prepared By:
J. Keith Windle
Bradley Arant Rose & White LLP
2001 Park Place, Suite 1400
Birmingham, Alabama 35203-2736

EXECUTOR'S DEED

STATE OF ALABAMA)
 :
COUNTY OF SHELBY)

KNOW ALL MEN BY THESE PRESENTS, THAT:

WHEREAS, Henry V. Graham ("Decedent") died on March 20, 1999, and the last will of the Decedent, executed May 14, 1998 ("Will"), was admitted to probate by the Probate Court of Jefferson County, Alabama (Case No. 166968) on May 6, 1999; and

WHEREAS, the undersigned Jane M. Graham, Steven V. Graham and H. Michael Graham, the surviving wife and sons of the Decedent, are the duly appointed executors ("Executors") of the Will and are now acting as such Executors; and

WHEREAS, at the time of his death, Decedent owned the real property situated in Jefferson County, Alabama which is more particularly described below; and

WHEREAS, Article 4 of the Will of the Decedent provided that, if the Decedent's spouse survived the Decedent, all of the Decedent's interest in certain assets, including without limitation, the hereinbelow described real property, should pass at the Decedent's death to Steven V. Graham and H. Michael Graham in their capacity as Trustees of the family trust created under Article 4 of the Will (hereinafter referred to as "the Trustees"); and

WHEREAS, it is the desire of the Executors to execute this deed for the purpose of perfecting and confirming title to such real property in the name of the Trustees;

NOW, THEREFORE, in consideration of the premises, and the sum of Ten Dollars (\$10.00), in hand paid to the undersigned as Executors of the Will of Decedent, the receipt and sufficiency of which are hereby acknowledged, the Executors of the Will of Decedent do hereby grant, bargain, sell and convey unto Steven V. Graham and H. Michael Graham, as Trustees of the family trust created under Article 4 of the Will, subject to the matters hereinafter set forth, the real property situated in Jefferson County, Alabama, more particularly described on Exhibit A attached hereto and made a part hereof.

It is the intention of the Executors to hereby convey to Grantee, all interest in and to the above described real property which was owned by Decedent at the time of his death, whether accurately described above or not.

TO HAVE AND TO HOLD unto Grantee, her heirs and assigns, forever; subject, however, to the following:

1. Ad valorem taxes for the year 2002 and subsequent years, not yet due and payable.
2. All easements, restrictions, rights of way, covenants and other matters of record which are applicable to the property.

THE EXECUTORS EXECUTE THIS CONVEYANCE SOLELY IN THEIR CAPACITY AS EXECUTORS OF THE WILL OF DECEDENT AND HEREBY EXPRESSLY LIMITS THEIR LIABILITY HEREUNDER TO THE ASSETS WHICH THEY MAY NOW OR HEREAFTER HOLD IN THEIR CAPACITY AS EXECUTORS OF THE WILL OF DECEDENT. BY ACCEPTANCE OF THIS DEED, GRANTEE ACKNOWLEDGES AND AGREES THAT EXECUTORS SHALL NOT BE PERSONALLY RESPONSIBLE FOR THE WARRANTIES AND AGREEMENTS HEREIN MADE AND THAT GRANTEE SHALL LOOK SOLELY TO THE ASSETS OF THE ESTATE WITH RESPECT TO THE ENFORCEMENT OF SAME OR THE PURSUIT OF ANY REMEDIES AVAILABLE TO GRANTEE ARISING THEREFROM.

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IN WITNESS WHEREOF, the undersigned has executed this instrument as Executors of the Will of Decedent, on or as of the first day of January, 2002.

Jane M. Graham
by Steven V. Graham under DPA

Jane M. Graham, as Executor
of the Will of
Henry V. Graham, deceased
Jefferson County Probate
Case No. 166968

Steven V. Graham
Steven V. Graham, as Executor

of the Will of
Henry V. Graham, deceased
Jefferson County Probate
Case No. 166968

H. Michael Graham
H. Michael Graham, as Executor

of the Will of
Henry V. Graham, deceased
Jefferson County Probate
Case No. 166968

STATE OF ALABAMA)

COUNTY OF JEFFERSON)

by Steven V. Graham
I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Jane M. Graham, whose name as Executor of the Will of Henry V. Graham, 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 the instrument, she, in her capacity as such Executor, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal on this the 30 day of April, 2002.

Charles H. Spencer
Notary Public

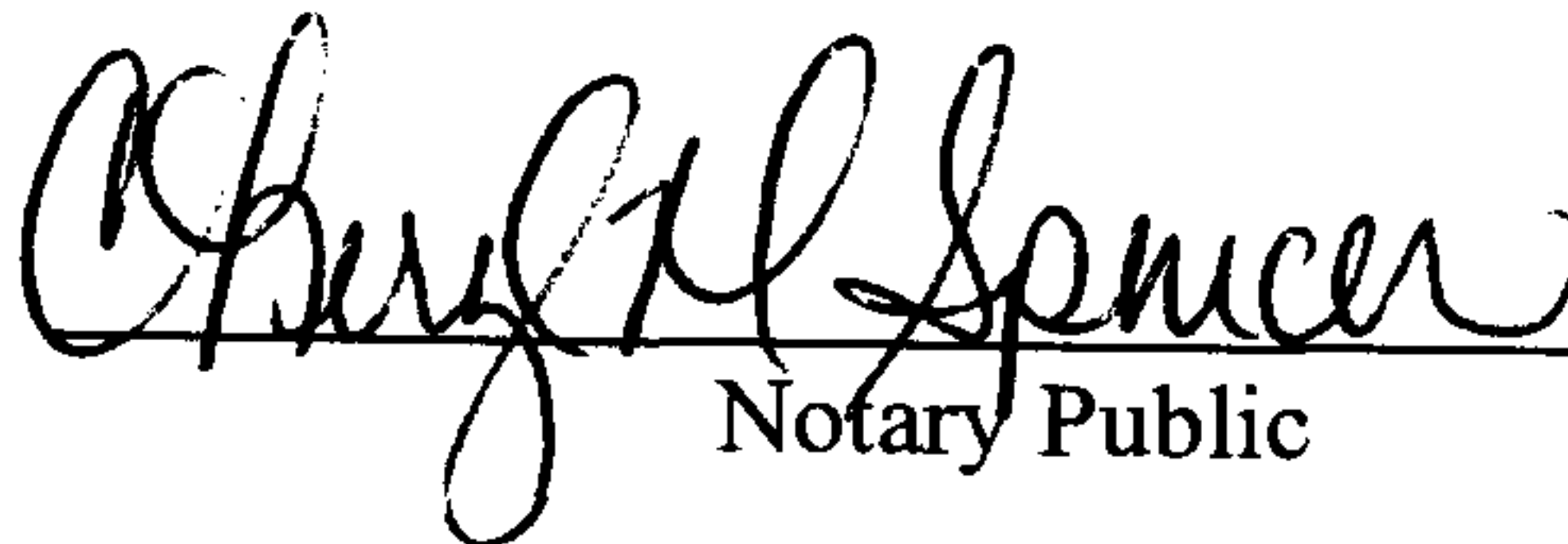
[NOTARIAL SEAL]

My Commission expires: 1-3-05

STATE OF ALABAMA)
 :
COUNTY OF JEFFERSON)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Steven V. Graham, whose name as Executor of the Will of Henry V. Graham, 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 the instrument, he in his capacity as such Executor, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal on this the 30 day of April, 2002.



Notary Public

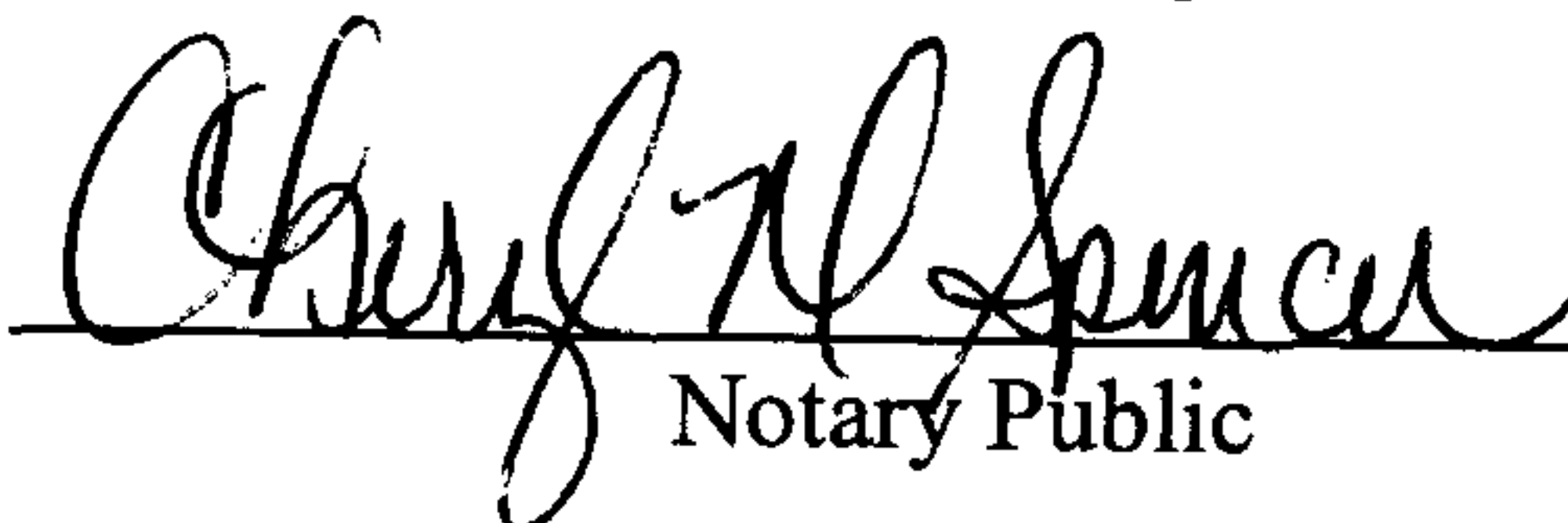
[NOTARIAL SEAL]

My Commission expires: 1-3-05

STATE OF ALABAMA)
 :
COUNTY OF JEFFERSON)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that H. Michael Graham, whose name as Executor of the Will of Henry V. Graham, 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 the instrument, he in his capacity as such Executor, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal on this the 30 day of April, 2002.



Notary Public

[NOTARIAL SEAL]

My Commission expires: 1-3-05

EXHIBIT A

20021126000590620 Pg 5/5 24.00
Shelby Cnty Judge of Probate, AL
11/26/2002 10:04:00 FILED/CERTIFIED

Legal Description

Part of the E $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 30, Township 19 South, Range 2 West, Shelby County, Alabama, more particularly described as follows:

From the Northwest corner of Lot 2, 2nd Amendment Commercial Subdivision, Riverchase East 1st Sector, as recorded in Map Book 6, Page 139, in the Office of the Judge of Probate, Shelby County, Alabama, run in a Southerly direction along the West line of said Lot 2 for a distance of 126.79 feet, more or less, to an existing iron pin, being the point of beginning; thence continue along last mentioned course for a distance of 171.97 feet; thence turn an angle to the right of 90 degrees 00 minutes and run in a Westerly direction for a distance of 323.89 feet, more or less, to a point on the Easterly right of way line of Business Center Drive; thence turn an angle to the right of 90 degrees 03 minutes and run in a Northerly direction along said right of way for a distance of 171.97 feet; thence turn an angle to the right of 89 degrees 57 minutes and run in an Easterly direction for a distance of 323.74 feet, more or less, to the point of beginning. Situated in Shelby County, Alabama.