## CO-EXECUTORS' DEED

STATE OF ALABAMA COUNTY OF SHELBY

WHEREAS, pursuant to a Warranty Deed dated August 22, 1950, recorded in Deed Book 140, beginning at Page 424, among the records in the office of the Judge of Probate of Shelby County, Alabama, Mary Alice Vernon Logan and husband, C. T. Logan, conveyed the following-described land to Mack A. Nix, to-wit:

The Southwest Quarter of the Northeast Quarter (SW1/4 of NE1/4); the North Half of the Northwest Quarter of the Southeast Quarter (N½ of NW¼ of SE1/4); the Northeast Quarter of the Southwest Quarter (NE1/4 of SW1/4); and a part of the Northwest Quarter of the Southwest Quarter (NW1/4 of SW1/4), more particularly described as follows: Begin at the Southeast corner of said Northwest Quarter of the Southwest Quarter (NW1/4 of SW1/4) and run thence West 270 yards, run thence North 270 yards, run thence East 270 yards, run thence South 270 yards to the Point of Beginning; All of said land being situated in Section 8 of Township 24 North, Range 13 East, Shelby County, Alabama, and containing 115 acres, more or less;

and

WHEREAS, pursuant to a Quitclaim Deed dated April 14, 1962, recorded in Deed Book 220, beginning at Page 305, Mack A. Nix and wife, Lurlene M. Nix, conveyed the following-described land to Aubin Knowles, to-wit:

Commence at the Southwest corner of the Northwest Quarter of the Southwest Quarter (NW¼ of SW¼) of Section 8 of Township 24 North, Range 13 East, Shelby County, Alabama; thence run East along the South line of said Northwest Quarter of the Southwest Quarter (NW1/4 of SW1/4) a distance of 598.10 feet to a point that is 809.65 feet West of the Southeast corner of the Northwest Quarter of the Southwest Quarter (NW1/4 of SW1/4) and which point is the point of beginning; thence continue East along the South line of said Northwest Quarter of the Southwest Quarter (NW1/4 of SW1/4) a distance of 359.12 feet, more or less, to a point on the West rightof-way line of Shelby County Highway No. 21 (now known as Shelby County Highway No. 89); thence turn an angle of 110 degrees 51 minutes to the left and run along the West right-of-way line of said highway a distance of 112.34 feet; thence turn an angle of 69 degrees 09 minutes to the left and run a distance of 321.15 feet; thence turn an angle of 91 degrees 06 minutes to the left and run a distance of 105.00 feet, more or less, to the point of beginning; which parcel of land is hereinafter referred to at times as "Excepted Parcel 1";

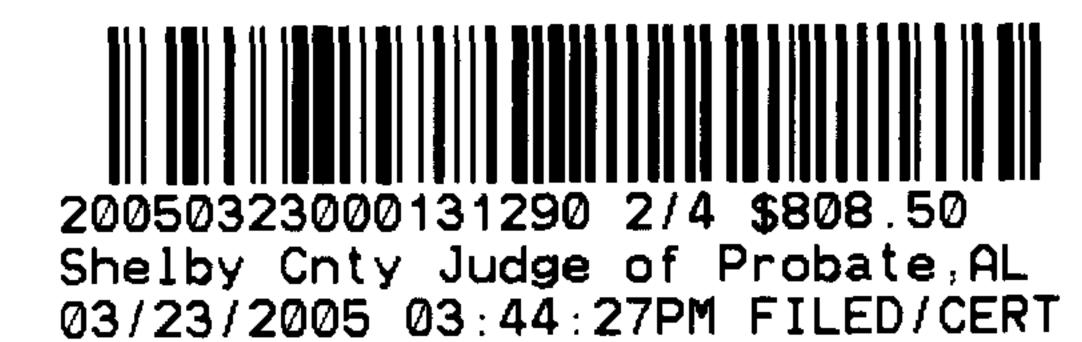
and

WHEREAS, pursuant to a Warranty Deed dated July 19, 1971, recorded in Deed Book 268, at Page 902, Mack A. Nix and wife, Lurlene M. Nix, conveyed the followingdescribed land to Mattie E. Runnels, to-wit:

Commencing at the Southwest corner of the Northwest Quarter of the Southwest Quarter (NW¼ of SW¼) of Section 8 of Township 24 North, Range 13 East, Shelby County, Alabama; thence run North 66 degrees 14 minutes East a distance of 654.84 feet to a point being the point of beginning; thence run North 01 degrees 14 minutes East a distance of 338.0 feet, more or less, to a point on the Southwest right-of-way line of Shelby County Highway No. 89; thence run South 63 degrees 46 minutes East along said highway right-of-way line a distance of 140.5 feet to a point; thence run South 10 degrees 34 minutes West a distance of 280.2 feet to a point; thence run North 88 degrees 46 minutes West a distance of 80.0 feet, more or less, to the point of beginning; which parcel of land is hereinafter referred to at times as "Excepted Parcel 2";

Shelby County, AL 03/23/2005

State of Alabama



WHEREAS, pursuant to a Warranty Deed dated September 8, 1986, recorded in Book 90, at Page 898, Mack A. Nix and wife, Lurlene M. Nix, conveyed the following-described land to Pauline S. Brantley, subject to the reservation of all oil, gas and other minerals in, on and under said land, to-wit:

Commencing at the Southwest corner of the Northwest Quarter of the Southwest Quarter (NW¼ of SW¼) of Section 8 of Township 24 North, Range 13 East, Shelby County, Alabama; thence run North 66 degrees 14 minutes East a distance of 654.84 feet to a point being the point of beginning; thence run South 88 degrees 46 minutes East a distance of 80.0 feet to a point; thence run North 10 degrees 34 minutes East a distance of 280.2 feet, more or less, to a point on the Southwest right-of-way line of Shelby County Highway No. 89; thence run in a Southeasterly direction along the Southwest right-of-way line of said road to a point on the North line of that certain tract of land owned by Bobby Joe Killingsworth; thence run in a Westerly direction along the North line of the Bobby Joe Killingsworth tract approximately 317.17 feet, more or less, to the Northwest corner of said Bobby Joe Killingsworth tract; thence run in a Northerly direction along a fenceline to the point of beginning; which parcel of land is hereinafter referred to at times as "Excepted Parcel 3";

and

WHEREAS, Lurlene M. Nix died on March 17, 1999, leaving her husband Mack A. Nix as her sole and only heir-at-law and devisee; and

WHEREAS, Mack A. Nix, an un-remarried widower, died on April 27, 2003, leaving a Last Will and Testament which has been admitted to probate in Case No. PR-2003-000625 by the Probate Court of Shelby County, Alabama, pursuant to a Decree dated December 16, 2003; and

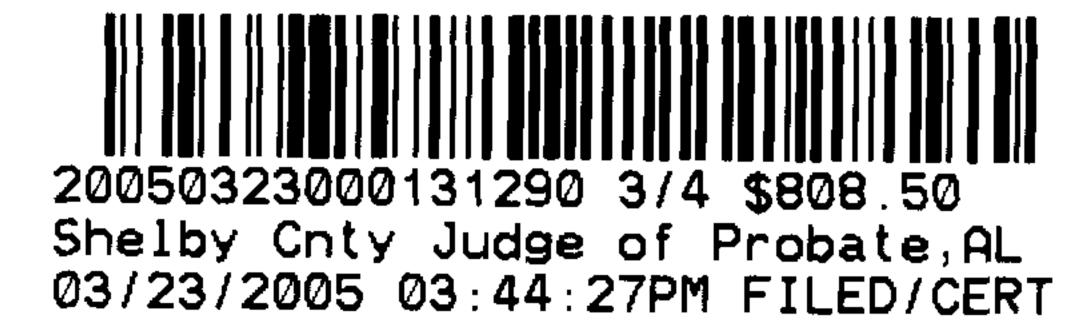
WHEREAS, Bobby Eugene Sherrer, Jr. and James Murray Nix were appointed by the Probate Court of Shelby County as co-executors of the Last Will and Testament of Mack A. Nix; and

WHEREAS, pursuant to Paragraph (B) of Article III of his Last Will and Testament, Mack A. Nix devised the above-described land to Bobby Eugene Sherrer, Jr.; and

WHEREAS, Bobby Eugene Sherrer, Jr. and James Murray Nix, as co-executors of the Last Will and Testament of Mack A. Nix, in order to distribute the assets of the estate of Mack A. Nix, desire to convey to Bobby Eugene Sherrer, Jr. all of the right, title and interest in and to the land acquired by Mack A. Nix pursuant to the above-mentioned Warranty Deed dated August 22, 1950, recorded in Deed Book 140, beginning at Page 424, less and except the above-described Excepted Parcels 1, 2 and 3, which Mack A. Nix owned at the time of his death.

NOW, THEREFORE, for and in consideration of the aforesaid premises and other good and valuable considerations, the receipt and sufficiency of which is hereby acknowledged, the undersigned BOBBY EUGENE SHERRER, JR. [whose address is 180 Brookhill Road, Montevallo, Alabama 35115 and whose telephone number is 205-665-2573] and JAMES MURRAY NIX [whose address is 814 North President Street, Jackson, Mississippi 39202 and whose telephone number is 601-948-6800], in their capacities as **CO-EXECUTORS OF THE LAST WILL AND TESTAMENT OF MACK A. NIX**, (hereinafter jointly referred to at times as "Grantors"), do hereby grant, bargain, sell and convey unto **BOBBY EUGENE SHERRER, JR.** of 180 Brookhill Road, Montevallo, Alabama 35115 [-whose telephone number is 205-665-2573] (hereinafter referred to at times as "Grantee") in fee simple, together with every contingent remainder and right of reversion, the following-described property situated in Shelby County, Alabama, to-wit:

The Southwest Quarter of the Northeast Quarter (SW¼ of NE¼); the North Half of the Northwest Quarter of the Southeast Quarter (N½ of NW¼ of SE¼); the Northeast Quarter of the Southwest Quarter (NE¼ of SW¼); and a part of the Northwest Quarter of the Southwest Quarter (NW¼ of SW¼),

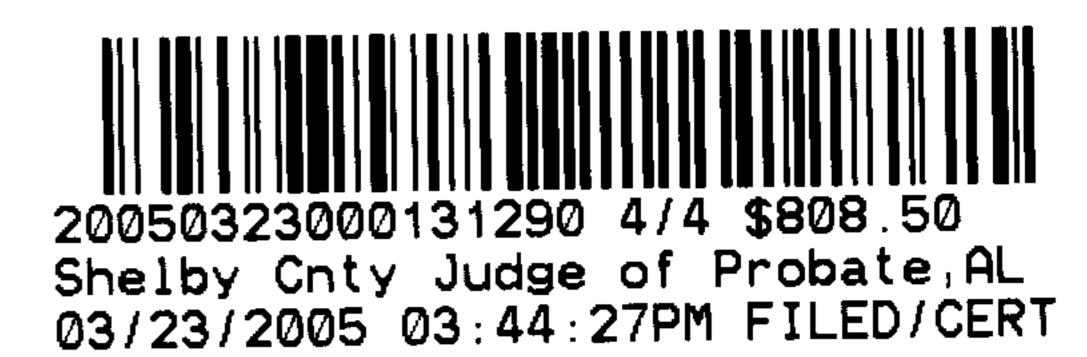


more particularly described as follows: Begin at the Southeast corner of said Northwest Quarter of the Southwest Quarter (NW¼ of SW¼) and run thence West 270 yards, run thence North 270 yards, run thence East 270 yards, run thence South 270 yards to the Point of Beginning; All of said land being situated in Section 8 of Township 24 North, Range 13 East, Shelby County, Alabama; together with any other land owned by Mack A. Nix at the time of his death contiguous or adjacent thereto; LESS AND EXCEPT the following described parcels of land:

Excepted Parcel 1: Commence at the Southwest corner of the Northwest Quarter of the Southwest Quarter (NW1/4 of SW1/4) of Section 8 of Township 24 North, Range 13 East, Shelby County, Alabama; thence run East along the South line of said Northwest Quarter of the Southwest Quarter (NW1/4 of SW1/4) a distance of 598.10 feet to a point that is 809.65 feet West of the Southeast corner of the Northwest Quarter of the Southwest Quarter (NW1/4 of SW1/4) and which point is the point of beginning; thence continue East along the South line of said Northwest Quarter of the Southwest Quarter (NW¼ of SW¼) a distance of 359.12 feet, more or less, to a point on the West right-of-way line of Shelby County Highway No. 21 (now known as Shelby County Highway No. 89); thence turn an angle of 110 degrees 51 minutes to the left and run along the West right-of-way line of said highway a distance of 112.34 feet; thence turn an angle of 69 degrees 09 minutes to the left and run a distance of 321.15 feet; thence turn an angle of 91 degrees 06 minutes to the left and run a distance of 105.00 feet, more or less, to the point of beginning; being that land conveyed by Mack A. Nix and wife, Lurlene M. Nix, to Aubin Knowles in that certain Quitclaim Deed dated April 14, 1962, recorded in Deed Book 220, beginning at Page 305.

Excepted Parcel 2: Commencing at the Southwest corner of the Northwest Quarter of the Southwest Quarter (NW¼ of SW¼) of Section 8 of Township 24 North, Range 13 East, Shelby County, Alabama; thence run North 66 degrees 14 minutes East a distance of 654.84 feet to a point being the point of beginning; thence run North 01 degrees 14 minutes East a distance of 338.0 feet, more or less, to a point on the Southwest right-of-way line of Shelby County Highway No. 89; thence run South 63 degrees 46 minutes East along said highway right-of-way line a distance of 140.5 feet to a point; thence run South 10 degrees 34 minutes West a distance of 280.2 feet to a point; thence run North 88 degrees 46 minutes West a distance of 80.0 feet, more or less, to the point of beginning; being that land conveyed by Mack A. Nix and wife, Lurlene M. Nix, to Mattie E. Runnels in that certain Warranty Deed dated July 19, 1971, recorded in Deed Book 268, at Page 902.

Excepted Parcel 3: Commencing at the Southwest corner of the Northwest Quarter of the Southwest Quarter (NW1/4 of SW1/4) of Section 8 of Township 24 North, Range 13 East, Shelby County, Alabama; thence run North 66 degrees 14 minutes East a distance of 654.84 feet to a point being the point of beginning for the property herein conveyed; thence run South 88 degrees 46 minutes East a distance of 80.0 feet to a point; thence run North 10 degrees 34 minutes East a distance of 280.2 feet, more or less, to a point on the Southwest right-of-way line of Shelby County Highway No. 89; thence run in a Southeasterly direction along the Southwest right-ofway line of said road to a point on the North line of that certain tract of land now or formerly owned by Bobby Joe Killingsworth; thence run in a Westerly direction along the North line of the Bobby Joe Killingsworth tract approximately 317.17 feet, more or less, to the Northwest corner of said Bobby Joe Killingsworth tract; thence run in a Northerly direction along a fenceline to the point of beginning;



being that land conveyed by Mack A. Nix and wife, Lurlene M. Nix, to Pauline S. Brantley in that certain Warranty Deed dated September 8, 1986, recorded in Book 90, at Page 898.

TO HAVE AND TO HOLD to the said Grantee, his heirs and assigns forever, together with every contingent remainder and right of reversion.

It is the intention of the Grantors to convey unto said Grantee all of the right, title and interest owned by Mack A. Nix at the time of his death in and to the land described in that certain Warranty Deed dated August 22, 1950, recorded in Deed Book 140, beginning at Page 424, among the records in the office of the Judge of Probate of Shelby County, Alabama, less and except those parcels of land previously conveyed by Mack A. Nix and wife, Lurlene M. Nix, in the above-mentioned Quitclaim Deed dated April 14, 1962, recorded in Deed Book 220, beginning at Page 305, the above-mentioned Warranty Deed dated July 19, 1971, recorded in Deed Book 268, at Page 902, and the above-mentioned Warranty Deed dated September 8, 1986, recorded in Book 90, at Page 898, whether properly described above or not.

This conveyance is specifically made subject to any and all prior conveyances, reservations, easements, rights-of-way, restrictions of record and all zoning ordinances relating to said land. This instrument was prepared without the benefit of a full title examination.

This conveyance shall be effective for all purposes from and after April 27, 2003, the date of death of Mack A. Nix.

IN WITNESS WHEREOF, we have hereunto set our hands and seals on this the day of January, 2005, in the capacities shown below.

ESTATE OF MACK A. NIX, DECEASED

By:

BOBBY EUGENE SHERRER, JR. (in his capacity as co-executor of the estate of Mack A. Nix)

By:

JAMES MURRAY NIX (in his capacity as coexecutor of the estate of Mack A. Nix)

STATE OF ALABAMA STATE OF ALABAMA STATE OF SHELBY

I, the undersigned notary public in and for said County and State, do hereby certify that BOBBY EUGENE SHERRER, JR. and JAMES MURRAY NIX (in their capacities as co-executors of the estate of Mack A. Nix, deceased), whose names are signed to the foregoing instrument, and who are known to me, personally appeared and acknowledged before me on this day, that being informed of the contents of the instrument they signed, executed and delivered said instrument voluntarily on the day the same bears date in their capacities as co-executors of the estate of Mack A. Nix, deceased.

Given under my hand and official seal on this the 3<sup>th</sup> day of January, 2005.

(SEAL)

Notary Public

NOTARY PUBLIC, ALABAMA STATE AT LARGE

My commission expires: MY COMMISSION EXPIRES, DECEMBER 11, 2005