

20051026000556350 1/4 \$20.00  
Shelby Cnty Judge of Probate, AL  
10/26/2005 10:30:46AM FILED/CERT

*This Instrument Prepared By:*  
James W. Fuhrmeister, Esq.  
ALLISON, MAY, ALVIS, ✓  
FUHRMEISTER & KIMBROUGH, LLC  
P. O. Box 380275  
Birmingham, AL 35238

**AFFIDAVIT REGARDING BOUNDARY LINE**

STATE OF ALABAMA                    )  
  )  
COUNTY OF SHELBY                 )

BEFORE ME, the undersigned Notary Public, in and for said County in said State, personally appeared Myra S. Vickery, Trustee of the Myra Stinson Vickery Revocable Living Trust Dated August 26, 1991, who, after being duly sworn, deposed and says as follows:

"My name is Myra S. Vickery. I am the Trustee of the Myra Stinson Vickery Revocable Living Trust Dated August 26, 1991. I have personal knowledge of the facts contained herein.

The Myra Stinson Vickery Revocable Living Trust Dated August 26, 1991 (the "Trust") is the owner of certain real property in Shelby County, Alabama more particularly described in Exhibit "A" (the "Trust Property"). Part of the Trust Property is adjacent to real property owned by Kimberly Lynn Miles or her successors or assigns (collectively referred to as "Miles") being more particularly described in Exhibit "B" (the "Miles Property").

During 2005, the Trust caused a fence to be erected within the boundary line of the Trust Property including the boundary line with the Miles Property. At the time the fence was erected, a building on the Miles Property encroached onto the Trust Property. As a convenience to the owners and occupiers of the Miles Property, the Trust did not require Miles to remove the encroachment from the Trust Property. Rather, the fence was erected around the encroachment so the fence is not the true boundary line between the Trust Property and the Miles Property.

The encroachment from the Miles Property and any other encroachments from adjacent property are permissive. The Trust does not intend for the erected fence to mark the true boundary line between the Trust Property and the Miles Property or any other adjacent property."

Further affiant saith not.

Myra S. Vickery  
MYRA S. VICKERY

SWORN TO and subscribed before me this 4 day of October,  
2005.

Jenni Vianetti Your Notary  
Notary Public  
My Commission Expires: June 24, 2008

NOTARY PUBLIC STATE OF ALABAMA AT LARGE  
MY COMMISSION EXPIRES: JUNE 24, 2008  
BONDED THREE THOUSAND DOLLARS



B  
ORDER # -A. F. BRAY, JR., ESQ.

APN

WHEN RECORDED MAIL TO

120

Name  
Street  
Address  
City &  
State

A. F. BRAY, JR., ESQ.  
736 Ferry Street  
Martinez, CA 94553

SPACE ABOVE THIS LINE FOR RECORDER'S USE

20051026000556350 3/4 \$20.00  
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8-11  
Grant Deed

The undersigned grantor(s) declare(s):

Documentary transfer tax is \$ 0

- ( ) computed on full value of property conveyed, or  
( ) computed on full value less value of liens and encumbrances remaining at time of sale.  
( ) Unincorporated area: ( ) City of  
(X) Realty not sold.

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

MYRA S. VICKERY

hereby GRANT(S) to

MYRA STINSON VICKERY, Trustee of the MYRA STINSON VICKERY REVOCABLE  
LIVING TRUST DATED AUGUST 26, 1991

that property in  
as:

Shelby County

Alabama  
County, State of ~~Alabama~~, described

From the SW corner of the NW $\frac{1}{4}$ , Section 12, Township 24 North, Range 15 East run Northerly along the West line of said  $\frac{1}{4}$   $\frac{1}{4}$  Section 951.93 feet; thence turn right an angle of 90 deg. 00' and run Easterly 161.84 feet to the point of beginning of land herein described; thence continue Easterly on same course 161.19 feet; thence turn left an angle of 88 deg. 39' and run Northerly 125.00 feet; thence turn left an angle of 91 deg. 21' and run Westerly 164.13 feet; thence turn left an angle of 90 deg. 00' and run Southerly 125.0 feet to point of beginning. Being a part of the NW $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section 12, Township 24 North, Range 15 East.

From the SW corner of the NW $\frac{1}{4}$  of the SE $\frac{1}{4}$ , Section 12, Township 24 North, Range 15 East run Northerly along the West line of said  $\frac{1}{4}$   $\frac{1}{4}$  Section 951.93 feet; thence turn right an angle of 90 deg. 00' and run Easterly 161.84 feet; thence turn left an angle of 90 deg. 00' and run Northerly 140.00 feet to point of beginning of land herein described; thence continue Northerly on same course 198.00 feet more or less to the South shore line of Lay Lake; thence run Northeasterly along said shore line 127.00 feet more or less to the East boundary of said land herein described; thence run Southerly and parallel to the West line of said  $\frac{1}{4}$   $\frac{1}{4}$  Section 247.00 feet more or less; thence turn right an angle of 90 deg. 00' and run westerly 109.49 feet to point of beginning.  
Being a part of the NW $\frac{1}{4}$  of SE $\frac{1}{4}$  and the SW $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Section 12, Township 24 North, Range 15 East.

Mail tax statements to Myra S. Vickery, 2120 Valente Circle, Martinez, CA 94553

Date August 26, 1991

STATE OF CALIFORNIA  
COUNTY OF CONTRA COSTA

} ss.

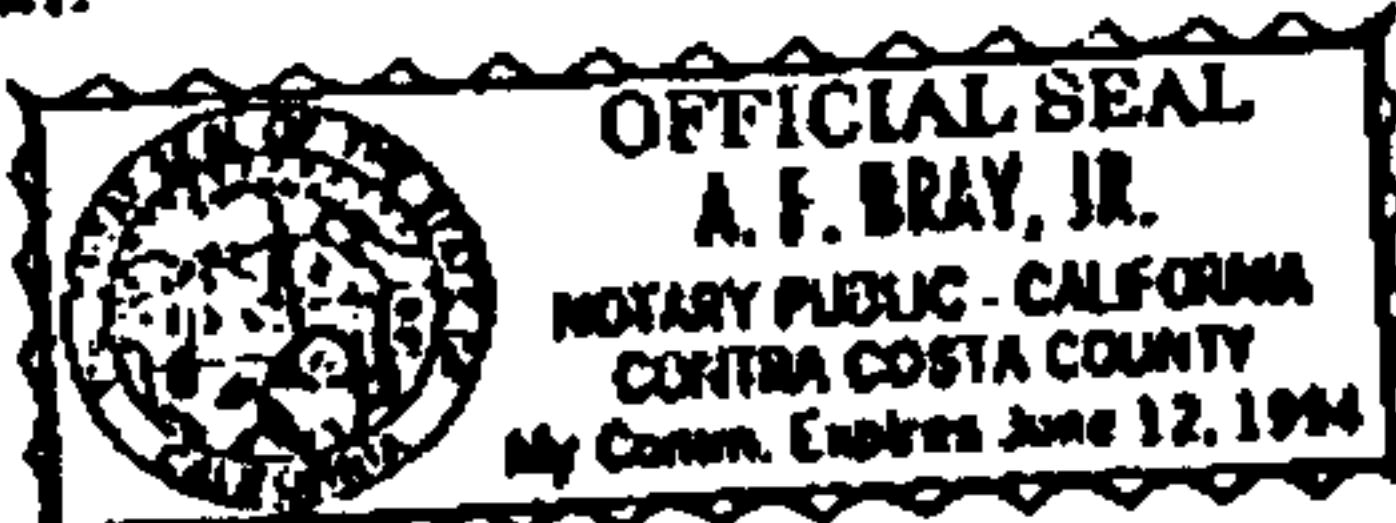
On August 26, 1991 before me, the undersigned,  
a Notary Public in and for said State, personally appeared  
MYRA S. VICKERY

personally known to me (or proved to me on the basis of  
satisfactory evidence) to be the person whose name is  
subscribed to the within instrument and acknowledged that  
she executed the same. Witness my hand and official seal.

Signature

A. F. BRAY, JR.

Name (Typed or Printed)



91 OCT -1 PM 1:27

JUDGE OF PROBATE

800  
250  
300  
100  
14.50



STATE OF ALABAMA )

SHELBY COUNTY )

WARRANTY DEED

Send tax notice : Kim Miles

P.O. Box 190134

Birmingham AL 35219

20051026000556350 4/4 \$20.00  
Shelby Cnty Judge of Probate, AL  
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KNOW ALL MEN BY THESE PRESENTS, that for and in consideration of the sum of ~~Eighteen Thousand Five Hundred and no/100~~ dollars (\$18,500.00) and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, that, James W. Vicars and wife, Sandra K. Vicars, hereinafter called "Grantor," do hereby GRANT, BARGAIN, SELL AND CONVEY unto Kimberly Lynn Miles, a single person, hereinafter called "Grantee" in fee simple, together with every contingent remainder and right of reversion, the following described real estate, situated in Shelby County, Alabama, to-wit:

Commence at the Northeast corner of the NW 1/4 of SE 1/4 of Section 12, Township 24, Range 15 East and run West along the North line of said quarter-quarter section 481.4 feet; thence turn left on a bearing of South 46 degrees West for a distance of 151.8 feet; thence South 49 degrees 30 minutes for 315.3 feet; thence South 28 degrees 30 minutes West for 246.8 feet; thence South 14 degrees West for 103.5 feet; thence South 23 degrees 30 minutes West for 56.6 feet; thence South 46 degrees 30 minutes West for 68.3 feet; thence turn right on a bearing of North 3 degrees 30 minutes West and run 269.7 feet to the point of beginning of the property herein conveyed; thence turn right on a bearing of North 86 degrees 30 minutes East and run 100 feet to a point; thence turn left on a bearing of North 3 degrees 30 minutes West and run for a distance of 74 feet, more or less, to a point; thence turn left on a bearing of South 70 degrees 43 minutes West for a distance of 108.46 feet, more or less, to a point; thence turn left on a bearing of South 3 degrees 30 minutes East and run for a distance of 32 feet to the point of beginning.

This conveyance is subject to all easements, rights-of-ways and restrictions of record affecting said property.

TO HAVE AND TO HOLD to the said in fee simple forever, together with every contingent remainder and right of reversion.

The Grantor, does individually and for the heirs, executors, and administrators of the Grantor covenant with said Grantee and the heirs and assigns of the Grantee, that the Grantor is lawfully seized in fee simple of said premises; that said premises are free from all encumbrances, unless otherwise noted above; that the Grantor has a good right to sell and convey the said premises; that the Grantor and the heirs, executors, and administrators of the Grantor shall warrant and defend the said premises to the Grantee and the heirs and assigns of the Grantee forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the Grantor has executed this Deed and set the seal of the Grantor thereto on this date the 24 of December, at Montevallo, Alabama.

Grantor

Sandra K. Vicars (L.S.)

James W. Vicars (L.S.)

STATE OF ALABAMA )

SHELBY COUNTY )

ACKNOWLEDGMENT

I, Chris Smithman, a Notary Public for the State at Large, hereby certify that the above posted name(s) which is(are) signed to the foregoing Warranty Deed, who is(are) known to me, acknowledged before me on this day that, being informed of the contents of the Deed, that said person(s) executed the same voluntarily on the day the same bears date.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE on this the 24 day of December, 1976.

Chris Smithman

NOTARY PUBLIC

My Commission Expires: 5-13-2000

THIS INSTRUMENT PREPARED BY:  
CHRISTOPHER R. SMITHERMAN  
ATTORNEY AT LAW  
968 NORTH MAIN STREET  
MONTEVALLO, AL 35115

Inst # 1997-00111

01/02/1997-00111  
01:19 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
001 MCD 14.50

EXHIBIT B