



20090924000365690 1/3 \$22.00
Shelby Cnty Judge of Probate, AL
09/24/2009 03:52:31 PM FILED/CERT

**Send Tax Notice to: Virginia Turner Rary
Danny Preston Rary
Thomas Richard Rary, Jr.
35 Rary Trail
Wilsonville, AL 35186**

**THIS INSTRUMENT WAS PREPARED BY
WALLACE, ELLIS, FOWLER & HEAD
P. O. BOX 587
COLUMBIANA, ALABAMA 35051**

DEED OF CORRECTION

**STATE OF ALABAMA
SHELBY COUNTY**

KNOW ALL MEN BY THESE PRESENTS,

That in consideration of **Love and Affection, and One Dollar (\$1.00) and other good and valuable consideration**, to the undersigned grantor, in hand paid by the GRANTEE herein, the receipt whereof is hereby acknowledged, I or we, **VIRGINIA TURNER RARY, a widow, DANNY PRESTON RARY and wife, CARRON W. RARY, THOMAS RICHARD RARY, JR. and wife, CHRYL C. RARY** (herein referred to as grantor, whether one or more) do grant, bargain, sell and convey unto **VIRGINIA TURNER RARY, DANNY PRESTON RARY, and THOMAS RICHARD RARY, JR.**, (herein referred to as GRANTEE), the following described real estate situated in Shelby County, Alabama, to-wit:

Begin at the NE corner of the NW 1/4 of the NE 1/4, Section 33, Township 20 South, Range 2 East; thence run West along the North line of said 1/4 - 1/4 Section a distance of 1285.36 feet, to the center line of Mallery (a/k/a Mallory) Road; thence turn a deflection angle of 119 deg. 22 min. 23 sec. to the left and run along said center line, a distance of 220.27 feet; thence turn a deflection angle of 20 deg. 58 min. 50 sec. to the right and run a distance of 374.60 feet; thence turn a deflection angle of 11 deg. 28 min. 03 sec. to the right and run a distance of 384.90 feet; thence turn a deflection angle of 17 deg. 18 min. 58 sec. to the left and run a distance of 312.40 feet; thence turn a deflection angle of 23 deg. 49 min. 45 sec. to the left and run a distance of 734.91 feet, to the Northwest right of way of Southern Railroad; thence turn a deflection angle of 71 deg. 30 min. 30 sec. to the left and run along said R.R. R/W, a distance of 642.65 feet; thence turn a deflection angle of 70 deg. 08 min. 45 sec. to the left, and run North along the East line of the W 1/2 of NE 1/4 a distance of 1612.74 feet, to the point of beginning. Situated in the W 1/2 of NE 1/4, Section 33, Township 20 South, Range 2 East, Shelby County, Alabama, and containing 42.35 acres. According to survey of Frank W. Wheeler, Registered Land Surveyor, dated June 21, 1986.

LESS AND EXCEPT the following described property:

A parcel of land located in the Northwest Quarter of the Northeast Quarter of Section 33, Township 20 South, Range 2 East, Shelby County, Alabama, being more particularly described as follows: Commence at the Northeast corner of the Northwest Quarter of the Northeast Quarter, Section 33, Township 20 South, Range 2 East; thence run West along the North boundary line of said quarter-quarter Section for 460.78 feet; thence turn an angle of 84 degrees 54 minutes 32 seconds left and run a distance of 883.98 feet to the point of beginning; thence continue along last said course for a distance of 400.00 feet; thence turn an angle of 90 degrees 00 minutes right and run a distance of 497.46 feet to the center line of a dirt road; thence turn an angle of 70 degrees 40 minutes 04 seconds right and run a distance of 297.0 feet along said road; thence turn an angle of 17 degrees 18 minutes 58 seconds right and run a distance of 119.81 feet along said road; thence turn an angle of 92 degrees 00 minutes 58 seconds right and run a distance of 600.00 feet to the point of beginning. Situated in Shelby County, Alabama, and being the same property as recorded at Real Book 251, Page 411, with the Shelby County Judge of Probate.

Subject to easements and rights of way of record.

Subject to rights of others in and to "Mallory Road" which runs along the Western boundary

of the above described property.

Thomas Richard Rary, Sr., the husband of Virginia Turner Rary, and the father of Danny Preston Rary, and Thomas Richard Rary, Jr., died on or about October 16, 2007. Grantors/Grantees Danny Preston Rary and Thomas Richard Rary, Jr., were his only children, and Virginia Turner Rary was his widow.

The purpose of this Deed of Correction is to correct the General Warranty Deed dated September 18, 2008, and recorded as Instrument No. 20080923000376440 with the Shelby County Judge of Probate on September 23, 2008, wherein the conveyance erroneously included approximately 5.16 acres which is the residence property of grantors Danny Preston Rary and wife, Carron W. Rary, a/k/a Danny P. Rary and wife, Carron C. Rary, as identified and recorded in Real Book 251, Page 411, with the Shelby County Judge of Probate. All grantors and grantees recognize and affirm that said approximate 5.16 acres of property as identified and recorded in Real Book 251, Page 411, and which is specifically Excepted in this Deed of Correction, is owned by the said Danny Preston Rary and wife, Carron W. Rary, a/k/a Danny P. Rary and wife, Carron C. Rary.

TO HAVE AND TO HOLD unto the said GRANTEE, his or her heirs and assigns forever.

And I (we) do for myself (ourselves) and for my (our) heirs, executors, and administrators covenant with the said GRANTEE, his or her heirs and assigns, that I (we) are lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that I (we) have a good right to sell and convey the same as aforesaid; that I (we) will and my (our) heirs, executors and administrators shall warrant and defend the same to the said GRANTEE, his or her heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, We have hereunto set our hands and seals this 3rd day of Sept, 2009.

Virginia Turner Rary
Virginia Turner Rary

Danny Preston Rary
Danny Preston Rary

Carron W. Rary
Carron W. Rary

Thomas Richard Rary, Jr.
Thomas Richard Rary, Jr.

Cheryl C. Rary
Cheryl C. Rary

**STATE OF ALABAMA
SHELBY COUNTY**

I, the undersigned authority, a Notary Public in and for said County, in said State, personally appeared **Virginia Turner Rary, a widow**, whose name(s) is signed to the foregoing conveyance, and who is known to me acknowledged before me on this day, that, being informed of the contents of the conveyance, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 1st day of September, 2009.

Judy R. Haines (SEAL)
Notary Public
My Commission Expires: 10/10/2010

STATE OF ALABAMA
SHELBY COUNTY

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I, the undersigned authority, a Notary Public in and for said County, in said State, personally appeared **Danny Preston Rary and wife, Carron W. Rary** whose name(s) are signed to the foregoing conveyance, and who is 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 this 3rd day of September, 2009.

Judy R Davis (SEAL)
Notary Public
My Commission Expires: 10/10/2010

STATE OF ALABAMA
SHELBY COUNTY

I, the undersigned authority, a Notary Public in and for said County, in said State, personally appeared **Thomas Richard Rary, Jr.** whose name(s) is signed to the foregoing conveyance, and who is known to me acknowledged before me on this day, that, being informed of the contents of the conveyance, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 1st day of September, 2009.

Judy R Davis (SEAL)
Notary Public
My Commission Expires: 10/10/2010

STATE OF ALABAMA
SHELBY COUNTY

I, the undersigned authority, a Notary Public in and for said County, in said State, personally appeared **Chryl C. Rary** whose name(s) is signed to the foregoing conveyance, and who is known to me acknowledged before me on this day, that, being informed of the contents of the conveyance, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 2nd day of September, 2009.

Judy R Davis (SEAL)
Notary Public
My Commission Expires: 10/10/2010