



20091106000415800 1/5 \$74.00  
Shelby Cnty Judge of Probate, AL  
11/06/2009 11:58:29 AM FILED/CERT

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This instrument was prepared by

Mitchell A. Spears, Attorney at Law

P.O. Box 119

Montevallo, AL 35115-0091

205/665-5102

205/665-5076

Send Tax Notice to:

(Address) A.M. Garrett, Trustee

4504 Autumn Leaves Trail

Decatur, AL 35603

\*\*\*MINIMUM VALUE \$50,000.00\*\*\*

James W. ...  
Judge of Probate

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Warranty Deed

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STATE OF ALABAMA

SHELBY COUNTY

KNOW ALL MEN BY THESE PRESENTS,

That in consideration of **ONE (\$1.00) DOLLAR AND OTHER GOOD AND VALUABLE CONSIDERATION** to the undersigned Grantor, in hand paid by the Grantee herein, the receipt whereof is acknowledged, I or we, **A.M. GARRETT**, as **Personal Representative of the Estate of A.H. Garrett, deceased and ELOISE GARRETT**, the surviving spouse of said decedent (herein referred to as Grantor, whether one or more), grant, bargain, sell and convey unto **A.M. GARRETT, Trustee under the Trust Declaration establishing the Eloise Garrett Resource Trust dated July 19, 2007** (herein referred to as Grantee, whether one or more), the following described real estate, situated in **SHELBY** County, Alabama, to-wit:

**Parcel I:**

**Commencing at the Southeast corner of the Carrie Daly lot and run in an easterly direction along the Northerly right of way line of the Montevallo-Calera Highway (Alabama Highway 25) a distance of 168.87 feet to a steel corner and the point of beginning of the property being described; thence run South 84 degrees 21 minutes 57 seconds East a distance of 20.13 feet to a found steel corner; thence run North 01 degrees 56 minutes 47 seconds West a distance of 606.19 feet to a found steel corner; thence run South 81 degrees 34 minutes 36 seconds West a distance of 78.01 feet to a found steel corner; thence run North 05 degrees 46 minutes 16 seconds East a distance of 179.26 feet to a found steel corner on the Southerly margin of Shelby County Highway 215; thence run North 64 degrees 54 minutes 42 seconds West along said margin of said highway a distance of 122.34 feet to a found steel corner; thence run South 00 degrees 10 minutes 47 seconds East a distance of 472.08 feet to a found steel corner; thence run South 74 degrees 48 minutes 32 seconds East a distance of 164.21 feet to a found steel corner; thence run South 01 degrees 57 minutes 49 seconds East a distance of 307.74 feet to a found steel corner on the Northerly margin of Highway No. 25 and the point of beginning. According to the survey of S. M. Allen, ALS dated December 7, 2001.**

**SOURCE OF TITLE: Instrument No. 2002-04383.**



**Parcel II:**

**Commencing at the Southeast corner of the Carrie Daly lot, run along the Montevallo and Calera Highway in an Easterly direction 169 feet to the Southwest corner of the Wyman W. Brown Driveway; thence turn in a northerly direction and run along said driveway 321 feet to the Southern boundary of said Wyman W. Brown lot; thence run West along the Southern boundary of said Brown lot 169 feet to the East line of the Carrie Daly lot; thence run in a Southerly direction along the East line of the said Carrie Daly lot 346 feet to the point of beginning, being a part of the East-half of the NE ¼ of Section 3, Township 24, Range 12 East.**

**SOURCE OF TITLE: Deed Book 295, Page 884.**

**Parcel III:**

**Begin at a point on the North line of Alabama Highway #25 where the same crosses the East line of SE ¼ of NE ¼ of Section 3, Township 24, Range 12 East and run North along said 40 acre line 65 feet more or less to southwesterly line of Old Montevallo-Montgomery Public Road, sometimes known as Montevallo-Calera Road; thence in a northwesterly direction along said road 1378 feet more or less to an iron stob; thence in a southeasterly direction 764 feet, more or less, to a point on the North line of Alabama Highway #25 which point is located 772 feet more or less West of the starting point; thence run along the North line of said Highway 772 feet to the beginning point; containing 8 acres, more or less, and being situated in the E ½ of NE ¼ of Section 3, Township 24, Range 12 East in Shelby County, Alabama.**

**SOURCE OF TITLE: Deed Book 123, Page 570.**

**Less and Except from Parcel III certain property described in Warranty Deed conveyed to Gurtha Burnett, recorded at Instrument Number 19800826000094580, more particularly described as follows:**

**A part of the E ½ of Fractional NE ¼ of Section 3, Township 24, Range 12 East more particularly described as follows: Commencing at the SW corner of the SE ¼ of NE ¼ of said Section 3; and run North along West line of said forty a distance of 711.5 feet to the North right of way line of Highway #25; thence turn angle of 97 degrees 15 minutes to right and run along North RW line of said highway a distance of 478.0 feet to the East line of a 20 foot roadway; thence turn an angle of 96 degrees 45 minutes to left and run in a Northerly direction a distance of 331.0 feet (along the West line of Aldon Garrett lot) to the point of beginning of lot herein described; thence turn an angle of 104 degrees 45 minutes to right and run along North line of a lot belonging to Garrett; a distance of 161.3 feet; thence turn an angle to the left of 101 degrees 20 minutes and run along West side of lot belonging to Garrett a distance of 465.5 feet to South line of Old Montevallo-Calera dirt road; thence turn an angle of 84 degrees 55 minutes to left and run along the South line of said dirt road a distance of 89.0 feet to W.W. Brown lot; thence turn angle to left of 90 degrees 15 minutes and run along Brown lot a distance of 148.5 feet; thence turn an angle of 76 degrees 30 minutes to right and run a distance of 78.0 feet; thence turn an angle of 84 degrees to left and run along East line of a 20 foot roadway, a distance of 279.0 feet to point of beginning.**



**ALSO, Less and Except from Parcel III certain property conveyed to Jeffery L. Williams and others pursuant to Warranty Deed recorded at Instrument Number 20060105000009590, more particularly described as follows:**

**Commence at the Southeast corner of the Carrie Daly lot; thence South 84 degrees 00 minutes East along the North boundary of Highway No. 25 for 189.00 feet; thence north 01 degree 56 minutes 47 seconds West for 619.50 feet to the point of beginning; thence North 81 degrees 32 minutes 06 seconds East for 77.65 feet; thence North 05 degrees 56 minutes 42 seconds East for 120.78 feet to the South boundary of Highway No. 269; thence North 76 degrees 37 minutes 57 seconds West for 152.73 feet; thence south 05 degrees 43 minutes 04 seconds West for 179.25 feet; thence North 81 degrees 32 minutes 06 seconds East for 77.99 feet to the point of beginning. Situated in the East ½ of the NE ¼ of Section 3, Township 24 North, Range 12 East, Shelby County, Alabama**

**Parcel III is also subject to an easement, as referenced at Instrument No. 20060629000313160, more particularly described as follows:**

**A NON-EXCLUSIVE EASEMENT APPURTENANT, FOR INGRESS AND EGRESS USAGE ONLY, MORE PARTICULARLY DESCRIBED, AS FOLLOWS:**

**Begin at the NW corner of that certain property owned by Jeffery L. Williams, Carolyn Williams and Duane Williams, situated in the East ½ of the NE ¼, Section 3, Township 24 N, Range 12 E, Shelby County, Alabama, (as shown by Warranty Deed recorded in the Office of the Probate Judge, Shelby County, Alabama, at Instrument Number 2006-0105000009590), said point being upon the S right of way line of Shelby County Road Number 216; thence proceed in a Southwesterly direction along the West boundary line of said Williams property, for 179.25 feet, more or less, to the SW corner of said Williams property; thence turn right and proceed along a line which runs on the same plane as the Southern boundary of said Williams property for 20 feet; thence turn right and proceed Northeasterly along a line which is parallel to the West boundary line of said Williams property for 179.25 feet, more or less, to a point upon the Southerly right of way of said County Road 216; thence turn right and proceed Southeasterly along the Southern boundary of said right of way, for 20 feet, more or less, to the point of beginning of the hereinabove described easement, all being situated in Shelby County, Alabama.**

**A.M. GARRETT, AS PERSONAL REPRESENTATIVE OF THE ESTATE OF A.H. GARRETT, DECEASED, IS AUTHORIZED TO EXECUTE THIS TRANSACTION BY VIRTUE OF THE AUTHORITY GRANTED TO HIM IN THE LAST WILL AND TESTAMENT OF SAID DECEDENT, SAME OF WHICH WAS DULY PROBATED WITH THE PROBATE COURT, SHELBY COUNTY, ALABAMA, WITH LETTERS TESTAMENTARY HAVING BEEN ISSUED TO SAID A.M. GARRETT ON JUNE 6, 2008, PURSUANT TO CASE NO. PR-2008-000376.**



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**DURING HIS LIFETIME, SAID DECEDENT WAS MOST COMMONLY KNOWN AS A.H. GARRETT, BUT HE WAS ALSO KNOWN AS ALDON H. GARRETT, ELDON H. GARRETT AND ALTON H. GARRETT, AND HE WAS ONE AND THE SAME PERSON AS REFERENCED WITHIN EACH OF THE ABOVE DESIGNATED SOURCES OF TITLE.**

**SUBJECT TO:**

- **Taxes for 2010 and subsequent years.**

TO HAVE AND TO HOLD, to the said GRANTEE, his, her or their 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, her or their heirs and assigns, that I am (we are) lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise stated 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, her or their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, I (we) have hereunto set my (our) hand(s) and seal(s), this 5<sup>th</sup> day of November, 2009.

A.M. Garrett  
A.M. GARRETT,  
Personal Representative of the Estate of  
A.H. Garrett, deceased

Eloise Garrett  
ELOISE GARRETT

Deed Tax : \$50.00

STATE OF ALABAMA )  
COUNTY OF SHELBY )

I, the undersigned authority a Notary Public in and for said County, in said State, hereby certify that **A. M. Garrett** whose name as **Personal Representative of the Estate of A. H. Garrett, deceased**, 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, as such Personal Representative and with full authority, executed the same voluntarily for and as the act of said estate.

Given under my hand and official seal, this the 5<sup>th</sup> day of November, 2009.

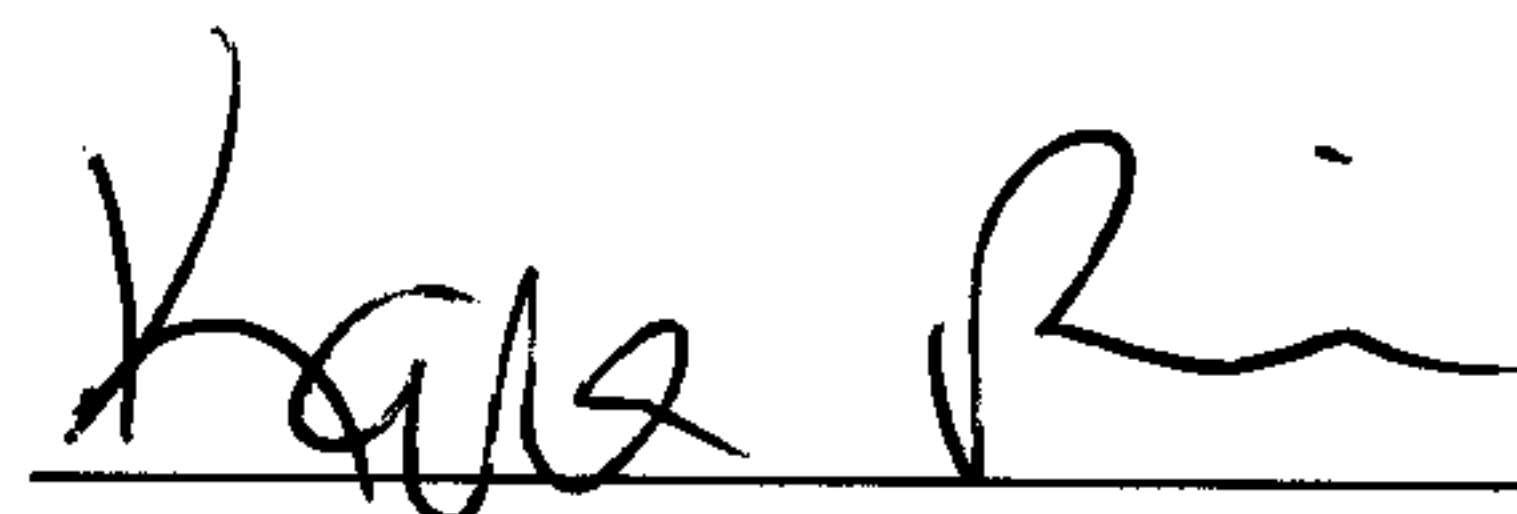
Kara Kin  
Notary Public  
My Commission Expires: 2/17/10



STATE OF ALABAMA                    )  
COUNTY OF SHELBY                 )

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that **ELOISE GARRETT**, whose name 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 same voluntarily on the day the same bears date.

Given under my hand and official seal this 5<sup>th</sup> day of November, 2009.



Notary Public

My commission expires: 2/17/10



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