



20130226000080960 1/5 \$25.00
Shelby Cnty Judge of Probate, AL
02/26/2013 11:09:43 AM FILED/CERT

Send Tax Notice to:

Ms. Tina Yarbrough
342 Highway 213
Calera, Alabama 35040

This instrument prepared by:

Wallace, Ellis, Fowler, Head & Justice
P.O. Box 587
Columbiana, Alabama 35051

DEED OF PERSONAL REPRESENTATIVE

STATE OF ALABAMA)
SHELBY COUNTY)

KNOW ALL MEN BY THESE PRESENTS, That

WHEREAS, Ernestine Yarbrough died on or about June 9, 2011, and

WHEREAS, Ernestine Yarbrough was the owner of certain hereinafter described real property situated in Shelby County, Alabama, and

WHEREAS, the Probate Court of Shelby County, Alabama entered an Order Granting Letters Testamentary on November 22, 2011, and issued Letters Testamentary on November 22, 2011, in the Matter of the Estate of Ernestine Yarbrough, deceased, Case No. PR-2011-000418, and

WHEREAS, the undersigned Walter E. Yarbrough was duly and properly appointed as Executor and Personal Representative of the Estate of Ernestine Yarbrough, deceased, and is still acting in such capacity, and

NOW, THEREFORE, in consideration of the premises, ONE AND 00/100 DOLLAR (\$1.00) and other good and valuable consideration, in hand paid to the undersigned Grantor, by the Grantee, the receipt whereof is hereby acknowledged, I, the undersigned, **Walter E. Yarbrough, as Executor and Personal Representative of the Estate of Ernestine Yarbrough, deceased** (herein referred to as Grantor), do grant, bargain, sell and convey unto **Tina Yarbrough**, (herein referred to as Grantee), the following described real estate, situated in Shelby County, Alabama, to-wit:

Property being described on Exhibit "A-3" attached hereto and made part and parcel hereof and incorporated by reference as fully as if set out herein, which said Exhibit is signed for the purpose of identification.

Subject to the following:

- 1. Taxes for 2013 and subsequent years. 2013 ad valorem taxes are a lien but not due and payable until October 1, 2013.*
- 2. Permit to Alabama Power Company recorded in Deed Book 138, Page 212.*
- 3. Common law right of access to I-65 Highway.*
- 4. Right of way to State of Alabama recorded in Deed Book 198, Page 3 and Deed Book 194, Page 161.*

The property and easement descriptions as stated in this Deed are according to the survey of Rodney Y. Shiflett, Al. Reg. #21784, dated March 21, 2012.

TO HAVE AND TO HOLD to the said Grantee, **Tina Yarbrough**, her heirs and assigns forever.

And I do, as Executor and Personal Representative of the Estate of Ernestine Yarbrough, deceased, covenant with the said Grantee, her heirs and assigns, that as Executor and Personal Representative of said Estate, I have authority and right to sell and convey the same as aforesaid.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 26th day of February, 2013.

Walter E. Yarbrough
Walter E. Yarbrough, as Executor and Personal Representative of the Estate of Ernestine Yarbrough, deceased

STATE OF ALABAMA)

SHELBY COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that **Walter E. Yarbrough**, whose name as Executor and Personal Representative of the Estate of Ernestine Yarbrough, deceased, is signed to the foregoing conveyance, and is known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance, he, in his capacity as such Executor and Personal Representative, and with full authority, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 26th day of February, 2013.

Kimi M. Foster
Notary Public

My Commission Expires: 12-28-14



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EXHIBIT "A-3"

PARCEL 3

Commence at the SW Corner of the SE 1/4 of the NE 1/4 of above said Section 9; thence N01°24'43"W, a distance of 408.21'; thence N00°46'37"W, a distance of 302.30'; thence N87°07'41"E, a distance of 382.28'; thence N40°05'03"E, a distance of 298.66' to the POINT OF BEGINNING; thence N06°48'45"E, a distance of 498.97'; thence S83°27'33"W, a distance of 20.69'; thence S64°34'07"W, a distance of 60.76'; thence S52°58'49"W, a distance of 104.00'; thence S36°52'32"W, a distance of 87.83'; thence S45°42'47"W, a distance of 105.71'; thence S53°10'01"W, a distance of 41.04'; thence S62°32'03"E, a distance of 28.48'; thence S20°02'00"E, a distance of 114.71'; thence S42°40'25"E, a distance of 39.79'; thence S54°14'24"E, a distance of 85.37'; thence S70°19'16"E, a distance of 105.89' to the POINT OF BEGINNING.

Said Parcel containing 2.00 acres, more or less.

Including the following described easements:

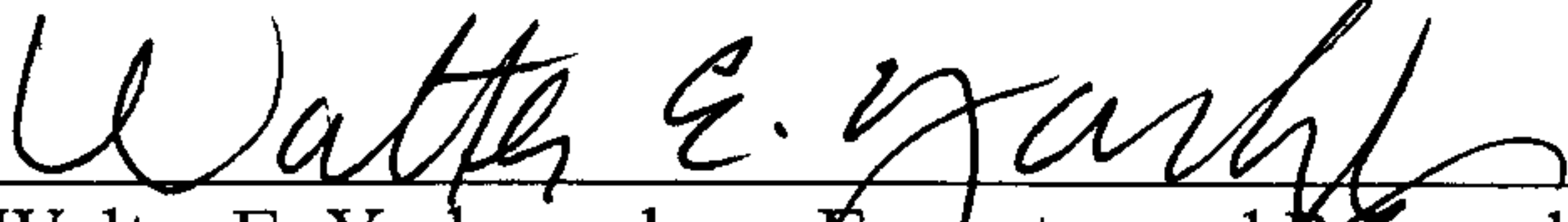
EASEMENT A – A 15' Ingress/Egress & Utility Easement, lying 7.5' either side of and parallel to the following described centerline:

Commence at the SW Corner of the SE 1/4 of the NE 1/4 of above said Section 9; thence N01°24'43"W, a distance of 408.21'; thence N20°17'45"W, a distance of 260.72' to a point on the Easterly R.O.W. line of Shelby County Highway 213, said point being the POINT OF BEGINNING OF SAID CENTERLINE; thence N65°33'45"E, a distance of 44.73'; thence N49°18'07"E, a distance of 60.17'; thence N42°13'58"E, a distance of 147.93'; thence N32°09'26"E, a distance of 68.65'; thence N18°54'56"E, a distance of 108.38'; thence N26°56'54"E, a distance of 144.99'; thence N36°55'30"E, a distance of 75.62'; thence N53°10'01"E, a distance of 80.22'; thence N45°42'47"E, a distance of 105.71'; thence N36°52'32"E, a distance of 87.83'; thence N52°58'49"E, a distance of 104.00'; thence N64°34'07"E, a distance of 60.76'; thence N83°27'33"E, a distance of 20.69' to the POINT OF ENDING OF SAID CENTERLINE.

EASEMENT B – A 15' Ingress/Egress & Utility Easement, lying 7.5' either side of and parallel to the following described centerline:

Commence at the SW Corner of the SE 1/4 of the NE 1/4 of above said Section 9; thence N01°24'43"W, a distance of 408.21'; thence N20°17'45"W, a distance of 260.72' to a point on the Easterly R.O.W. line of Shelby County Highway 213; thence N65°33'45"E, a distance of 44.73'; thence N49°18'07"E, a distance of 60.17'; thence N42°13'58"E, a distance of 147.93'; thence N32°09'26"E, a distance of 68.65'; thence N18°54'56"E, a distance of 108.38'; thence N26°56'54"E, a distance of 144.99'; thence N36°55'30"E, a distance of 75.62'; thence N53°10'01"E, a distance of 39.18' to the POINT OF BEGINNING OF SAID CENTERLINE; thence S62°32'03"E, a distance of 28.48'; thence S20°02'00"E, a distance of 114.71'; thence S42°40'25"E, a distance of 39.79'; thence S54°14'24"E, a distance of 13.21' to the POINT OF ENDING OF SAID CENTERLINE.

SIGNED FOR IDENTIFICATION:


Walter E. Yarbrough, as Executor and Personal
Representative of the Estate of Ernestine Yarbrough,
deceased



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Real Estate Sales Validation Form

This Document must be filed in accordance with Code of Alabama 1975, Section 40.22.1

Grantor's Name Walter E. Yarbrough as
Executor of Estate of Ernestine
Mailing Address Yarbrough, deceased
108 Hunset Mill Lane
Pelham, Alabama 35124

Grantee's Name Tina Yarbrough
Mailing Address 342 Highway 213
Calera, Alabama 35040

Property Address _____

Date of Sale 2/26/13 - final settleent of
estate transfer per Will

Total Purchase Price \$ _____

or

Actual Value \$ 12,000.00

or

Assessor's Market Value \$ _____

The purchase price or actual value claimed on this form can be verified in the following documentary evidence: (check one) (Recordation of documentary evidence is not required)

☐ Bill of Sale
☐ Sales Contract
☐ Closing Statement

☒ Appraisal
☒ Other opinion of value (see attached statement by
Jim Strickland dated 1/15/13)

If the conveyance document presented for recordation contains all of the required information referenced above, the filing of this form is not required.

Instructions

Grantor's name and mailing address - provide the name of the person or persons conveying interest to property and their current mailing address.

Grantee's name and mailing address - provide the name of the person or persons to whom interest to property is being conveyed.

Property address -the physical address of the property being conveyed, if available.

Date of Sale - the date on which interest to the property was conveyed.

Total purchase price - the total amount paid for the purchase of the property, both real and personal, being conveyed by the instrument offered for record.

Actual value - if the property is not being sold, the true value of the property, both real and personal, being conveyed by the instrument offered for record. This may be evidenced by an appraisal conducted by a licensed appraiser or the assessor's current market value.

If no proof is provided and the value must be determined, the current estimate of fair market value, excluding current use valuation, of the property as determined by the local official charged with the responsibility of valuing property for property tax purposes will be used and the taxpayer will be penalized pursuant to Code of Alabama 1975§ 40-22-1 (h).

I attest, to the best of my knowledge and belief that the information contained in this document is true and accurate. I further understand that any false statements claimed on this form may result in the imposition of the penalty indicated in Code of Alabama 1975§ 40-22-1 (h).

Date 2/26/13

Sign Walter E. Yarbrough
(Grantor/Grantee/Owner/Agent) circle one
Print Walter E. Yarbrough as Executor of Estate of Ernestine
Yarbrough, deceased

☐ Unattested

Kim M. Foster
(Verified by)



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OPINION OF VALUE

I, Jim Strickland, a commercial real estate broker with over twenty years of experience in Shelby County, am very familiar with the Yarbrough property in question located in Calera, Alabama that consists of approximately 80 acres as shown on the attached color aerial and consists of the following four(4) Tax I.D. Parcel Numbers:

58-28-2-09-0-001-004.000

58-28-2-10-0-001-017.000

58-28-2-10-0-001-018.000

58-28-2-10-0-001-022.000

Having been on the property several times, and having verified that the subject property is zoned Agriculture (A-1) in the City of Calera, and noting that the current use is mostly pasture land surrounding a small house, and that the bulk of the subject property is landlocked just east of County Highway 213 and west of I-65, and that the only apparent access is through a prescriptive driveway over an adjoining parcel along Hwy.213 (58-28-2-09-0-001-025.000), I have come to a personal opinion of its' value in today's market.

Based on my experience in listing and selling real estate in the immediate area, of which I have personally sold over ten (10) properties within one mile of the subject property, it is my personal opinion that a fair price to either a purchaser or seller of the subject property would be six thousand dollars per acre (\$6,000. Acre).

SIX THOUSAND DOLLARS PER ACRE (\$6,000. Acre)

This OPINION-OF-VALUE is not an appraisal. This OPINION-OF-VALUE is not an opinion of RealtySouth nor is RealtySouth involved in any way with this personal opinion. This OPINION-OF-VALUE is solely that of the individual JIM STRICKLAND.

Done this Fifteenth Day of January, 2013.

Jim Strickland 1-15-13



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