

**THIS INSTRUMENT IS BEING EXECUTED TO COMPLY WITH THE PROVISIONS OF, AND TO MAKE A DISTRIBUTION PURSUANT TO, ITEM SECOND OF THE LAST WILL AND TESTAMENT OF EVELYN RUTH SPRAITZAR, DECEASED, PROBATE COURT OF JEFFERSON COUNTY, ALABAMA CASE NO. 2015-224228.**

**THIS DEED WAS PREPARED WITHOUT BENEFIT OF TITLE SEARCH OR SURVEY AND WITH LEGAL DESCRIPTION PROVIDED BY GRANTOR. NO REPRESENTATIONS CONCERNING TITLE OR THE ACCURACY OF THE LEGAL DESCRIPTION ARE MADE BY THE PREPARER OF THIS INSTRUMENT.**

<b>STATE OF ALABAMA</b>	)	Send Tax Notice to:
	)	Curtis Leslie Spraitzar
<b>COUNTY OF SHELBY</b>	)	2009 Vestavia Park Court
		Vestavia Hills, Alabama 35216-3201

**PERSONAL REPRESENTATIVE'S DEED**

**KNOW ALL MEN BY THESE PRESENTS**, that for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration to

**CURTIS LESLIE SPRAITZAR, AS PERSONAL REPRESENTATIVE OF THE ESTATE OF EVELYN RUTH SPRAITZAR, DECEASED, PROBATE COURT OF JEFFERSON COUNTY, ALABAMA, CASE NO. 2015-224228, whose mailing address is 2009 Vestavia Park Court, Vestavia Hills, Alabama 35216-3201,**

(hereinafter referred to as "Grantor"), in hand paid by

**CURTIS LESLIE SPRAITZAR,**  
whose mailing address is **2009 Vestavia Park Court, Vestavia Hills, Alabama 35216-3201,**

(hereinafter referred to as "Grantee"), the receipt and sufficiency of which are hereby acknowledged, the said Grantor does by these presents **GRANT, BARGAIN, SELL AND CONVEY** unto the said Grantee the following described real property (the "Property") situated in Shelby County, Alabama (being unimproved land located off of Hwy 39, Chelsea, Alabama, and having an **Assessor's Market Value of \$171,330.00**, as can be verified by the records of the Shelby County, Alabama Property Tax Commissioner - Parcel No. 09 7 35 0 005 021.000), to-wit:

**SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF FOR LEGAL DESCRIPTION OF PROPERTY.**

**SOURCE OF TITLE:** Deed Book 205, Page 316, Deed Book 291, Page 405, Inst. #1994-16601, as rerecorded in Inst. #1994-19775, Inst. #1994-16602, Inst. #1994-16603, and Inst. #1994-09810 (being a rerecording of Orders recorded in Book 51, Page 813, and Book 51, Page 818), Probate Office of Shelby County, Alabama.

**TOGETHER WITH ALL AND SINGULAR** the rights, members, privileges, improvements, hereditaments, tenements and appurtenances thereto belonging or in anywise appertaining and all right, title and interest of Grantor in and to any and all roads, alleys and ways bounding said premises.

**This conveyance is made subject to the following:**

1. Taxes for the current and subsequent years which are not yet due and payable.
2. Any and all previous reservations or conveyances, if any, of oil, gas and other minerals in, on and under any of the Property, together with all rights in connection therewith; all recorded mortgages, if any; all recorded encumbrances, if any; recorded or unrecorded easements, liens, dedications, restrictions, covenants, declarations, reservations, limitations, conditions, set-back lines, rights-of-way, subdivision and other regulations, utilities and other matters of record in the Probate Office of Shelby County, Alabama, and to all applicable zoning ordinances and/or restrictions, prohibitions and/or other requirements imposed by governmental authorities, if any; any and all recorded or unrecorded leases affecting any of the Property; any rights of parties in possession; and any encroachments, overhangs, deficiencies in quantity of land, discrepancies as to boundary lines, overlaps, etc., which would be disclosed by a true and accurate survey of the Property.

**TO HAVE AND TO HOLD** to the said Grantee, Grantee's heirs and assigns, in fee simple forever.


**NOTE:** Evelyn Ruth Spraitzar (the "Decedent") died, unmarried, on or about October 8, 2014, and, at the time of her death, owned the Property being conveyed hereby.

**NOTE:** The Decedent's Last Will and Testament dated October 25, 2013 (the "Decedent's Will") was duly admitted to probate in Case No. 2015-224228 in the Probate Court of Jefferson County, Alabama, and, pursuant to Letters Testamentary issued in said case on July 29, 2015, Curtis Leslie Spraitzar was appointed as Personal Representative of the Decedent's estate and continues to serve in said capacity at the time of execution of this Deed.

**NOTE:** Pursuant to the terms of Item SECOND of the Decedent's Will, all the residuary estate of the Decedent, of which the Property being conveyed hereby forms a part, was devised and bequeathed to the Decedent's son, Curtis Leslie Spraitzar, the Grantee herein, and this Deed is being executed to evidence and complete the distribution of the Property to the beneficiary thereof pursuant to the terms of the Decedent's Will.

**NOTE:** The Property being conveyed hereby was not the homestead of the Decedent, who was an unmarried woman.

**NOTE:** This instrument is being executed by the undersigned solely in the fiduciary capacity named herein, and neither this instrument nor anything herein contained shall be construed as creating any indebtedness or obligation on the part of the undersigned in his individual capacity, and the undersigned expressly limits his liability hereunder solely to the property now or hereafter held by him as the Personal Representative of the Decedent's estate.

  
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Shelby Cnty Judge of Probate, AL  
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IN WITNESS WHEREOF, the said Grantor has hereto set Grantor's hand and seal this 12<sup>th</sup>  
day of July, 2016.

**GRANTOR:**

Curtis Leslie Spraitzar  
Curtis Leslie Spraitzar, as Personal Representative of the  
Estate of Evelyn Ruth Spraitzar, Deceased

STATE OF ALABAMA       )  
  )  
COUNTY OF JEFFERSON    )


I, the undersigned, a Notary Public in and for said county, in said state, hereby certify that Curtis Leslie Spraitzar, whose name as Personal Representative of the Estate of Evelyn Ruth Spraitzar, 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 said conveyance, he, as such Personal Representative, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this the 12<sup>th</sup> day of July, 2016.

(SEAL)

Nancy E. May  
Notary Public  
My Commission Expires: \_\_\_\_\_  
**MY COMMISSION EXPIRES 12/14/2018**

This Instrument Prepared By:  
Peter M. Wright, Esq.  
Sirote & Permutt, P.C.  
2311 Highland Avenue South (35205)  
P. O. Box 55727  
Birmingham, Alabama 35255-5727

  
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Shelby Cnty Judge of Probate, AL  
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## EXHIBIT "A"

### LEGAL DESCRIPTION OF PROPERTY

The following described property situated in Shelby County, Alabama, to-wit:

All of the NW 1/4 of the NW 1/4 of Section 35, Township 19 South, Range 1 West, located and situated in Shelby County, Alabama, with exception of railroad right-of-way now existing on or across said realty, consisting of 40 acres, more or less, **less and except** any portion of the above-described NW 1/4-NW 1/4 which lies north and/or west of those certain north and west boundary lines of said NW 1/4-NW 1/4 established by: (a) as to the north boundary line, the survey of John S. Parks, P.E. & L.S., Alabama Reg. No. 12579, dated December 31, 1991, and amended June 20, 1993, which is attached as Exhibit "A" to that certain Order of Court dated February 4, 1994, Spraitzar v. Miles, et al., Circuit Court of Shelby County, Alabama, Case No. CV 92-853, and recorded May 23, 1994, in Inst. #1994-16601, and rerecorded on June 22, 1994, in Inst. #1994-19775 all in the Probate Office of Shelby County, Alabama; and (b) as to the west boundary line, the survey of John S. Parks, P.E. & L.S., Alabama Reg. No. 12579, dated December 31, 1991, attached as Exhibit No. 45 to that certain Amended Order dated May 23, 1994, Spraitzar v. Miles, et al., Circuit Court of Shelby County, Alabama, Case No. CV 92-853, and recorded May 23, 1994, in Inst. #1994-16603 in the Probate Office of Shelby County, Alabama, said Amended Order being an amendment to that certain Order dated February 23, 1994, issued in the above-described case and recorded on May 23, 1994, in Inst. #1994-16602, in the Probate Office of Shelby County, Alabama.

TOGETHER WITH THE FOLLOWING DESCRIBED INGRESS AND EGRESS EASEMENTS:

1. A 15-foot-wide right-of-way situated in the SE 1/4 of the SE 1/4 of Section 27, Township 19 South, Range 1 West, Shelby County, Alabama. Commence at the SE corner of Section 27, Township 19 South, Range 1 West, and run West along the South line of said Section for 149.5 feet, to the point of beginning and centerline of said 15-foot-wide right-of-way; from point thus obtained turn an angle of 57 deg. 48' 36" to the right and run for a distance of 30 feet to a point; thence turn an angle of 6 deg. 43' to the right and run 30 feet, more or less, to the point of ending on the Southeasterly right-of-way of Shelby County Highway No. 39.

According to survey of John S. Parks, P.E. and L.S. AL Reg. No. 12579, dated December 31, 1991, and amended June 20, 1993, as recorded in Map Book 18, Page 144, in the Probate Office of Shelby County, Alabama (the "Parks Amended Survey"); **except that** said Parks Amended Survey provides for a 30-foot-wide right-of-way, but said right-of-way was reduced to a 15-foot-wide right-of-way with the same centerline shown in the Parks Amended Survey per Order of Court dated February 4, 1994, Spraitzar v. Miles, et al., Circuit Court of Shelby County, Alabama, Case No. CV 92-853, recorded on May 23, 1994, in Inst. #1994-16601, and rerecorded on June 22, 1994, in Inst. #1994-19775, all in the Probate Office of Shelby County, Alabama.

2. A 15-foot-wide right-of-way situated in the NE 1/4 of the NE 1/4 of Section 34, Township 19 South, Range 1 West. Commence at the NE corner of Section 34, Township 19 South, Range 1 West and run South along the East line of said Section for a distance of 140 feet to the point of beginning of centerline of a 15-foot-wide right-of-way for a roadway; thence from said point turn 119 deg. 45 min. to the right and run for a distance of 50 feet to a point; thence turn an angle of 14 deg. 48 min. to the right and run for a distance of 70 feet to a point; thence turn an angle of 1 deg. 00 min. to the right and run for a distance of 37 feet to a point; thence turn an angle of 6 deg. 06 min. to the right and run for a distance of 48.83 feet, more or less, to the North line of Section

34 and the point of ending of this part of said right-of-way; said point of ending lying 149.5 feet West of the point of commencement.

According to survey of John S. Parks, P.E. and L.S. AL Reg. No. 12579, dated December 31, 1991, and amended June 20, 1993, recorded in Map Book 18, Page 144, in the Probate Office of Shelby County, Alabama (the "Parks Amended Survey"); **except that** said Parks Amended Survey provides for a 30-foot-wide right-of-way, but was reduced to a 15-foot-wide right-of-way (7-1/2 feet on each side of centerline) per Amended Order dated May 23, 1994, Spraitzar v. Miles, et al, Circuit Court of Shelby County, Alabama, Case No. CV-92-853, recorded on May 23, 1994, in Inst. #1994-16603, Probate Office of Shelby County, Alabama, said Amended Order being an amendment to that certain Order dated February 23, 1994, issued in the above-described case and recorded on May 23, 1994, in Inst. #1994-16602, in the Probate Office of Shelby County, Alabama.

3. A right-of-way, 30 feet in width, running along and contiguous to the eastern most boundary of that certain tract of land located in Section 35, Township 19, Range 1-West, in Shelby County, Alabama, and known as Tract 20, in Chelsea Estates, as recorded in Map Book 5, Page 61, in the Probate Office of Shelby County, Alabama, more particularly described as follows:

Commence at the NW corner of the SW 1/4 of the NW 1/4 of Section 35, Township 19 South, Range 1 West (also being the NW corner of Lot 21 of Chelsea Estates); Thence run East along the North line of said 1/4-1/4 Section for a distance of 620.34 feet to the Point of Beginning; Thence turn Southwesterly 108°23'52-1/2" and run parallel to the East boundary of said Lot 20 a distance of 270 feet (approximately) to a point on the curb line of North Fork Circle as shown on the Map of said Chelsea Estates; Thence run in an Easterly direction along the curb line of said North Fork Circle to a point where said curb line intersects the Western boundary of Lot 19 of Chelsea Estates; Thence run in a Northerly direction along the Western boundary of said Lot 19 a distance of 270.18 feet to a point being the Northwest Corner of said Lot 19; Thence turn West 71°36'07-1/2" and run 31.5 feet along the North line of said Lot 20 to the Point of Beginning.

According to Orders dated December 10, 1980, and May 7, 1981, Spraitzar v. Johnston, et al, Probate Court for Shelby County, Alabama, Case No. 21-261, as recorded in Inst. #1994-09810, and being a rerecording of such Orders originally recorded in Book 51, Page 813, and Book 51, Page 818, Probate Office of Shelby County, Alabama.

