



20190918000342800 1/4 \$33.00
Shelby Cnty Judge of Probate, AL
09/18/2019 11:10:37 AM FILED/CERT

THIS INSTRUMENT PREPARED BY:

Brock G. Murphy Law Firm, LLC
Brock G. Murphy, Esq.
One Chase Corp Dr, #400
Birmingham AL 35244

SEND TAX NOTICES TO:

HIGGINBOTHAM OIL CO., INC.
562 Cahaba Valley Rd
Pelham, AL 35124

STATE OF ALABAMA)
 :
SHELBY COUNTY)

CORRECTIVE DEED

KNOW ALL PERSONS BY THESE PRESENTS:

THAT the real property described in Exhibit A, below, was titled to Burnie Arnold Higginbotham and Viola E. Higginbotham, joint tenants with right of survivorship, and that Viola E. Higginbotham predeceased her husband on May 9, 2018 thus passing sole title to the real property passed to Burnie Arnold Higginbotham;

THAT Burnie Arnold Higginbotham died on July 3, 2018 and his Last Will and Testament is currently being probated in the Probate Court of Jefferson County, Alabama; and,

THAT an Executor's Deed was recorded on June 26, 2019 (ID Number: 20190626000226600) ("EXECUTOR'S DEED") but now requires the following corrections:

- 1) the Grantor is the Estate of Burnie Arnold Higginbotham, late of the State of Alabama, County of Jefferson, alone ("GRANTOR"), as the surviving joint tenant with right of survivorship to his previously deceased wife; and,
- 2) only one parcel of real property – not two – is conveyed and devised by and through this Last Will and Testament of Burnie Arnold Higginbotham to the below-described Grantee.

The Grantee's President signs below to acknowledge the Grantee did not and does not claim to have received a devise and/or any other conveyance of the rights, title and interest to the second parcel of real property (Parcel: 10 9 31 4 001 007.011) which was mistakenly listed in Exhibit A to the EXECUTOR'S DEED.

WHEREFORE, PREMISES CONSIDERED, KNOW ALL MEN BY THESE PRESENTS: that, per the terms of the Last Will and Testament of Burnie Arnold Higginbotham which passes all rights, title and ownership of the same to Higginbotham Oil Company, Inc. ("GRANTEE"), the Estate of Burnie Arnold Higginbotham, by and through its Executor, Burnie

Higginbotham, Jr., does hereby devise, grant, bargain and otherwise convey unto the said GRANTEE, the following described real property situated in Shelby County, Alabama, viz:

Real property described in Exhibit A, which is attached hereto and incorporated herein by reference.

SUBJECT TO: Current taxes, assessments, reservations in patents and all easements, rights of encumbrances, liens, covenants, conditions and restrictions as may appear of record and/or as described in any Permitted Exceptions page of Exhibit "A".

TO HAVE AND TO HOLD unto the GRANTEE, and its successors and assigns, in fee simple, **FOREVER**.

IN WITNESS WHEREOF, GRANTOR has hereto set its signature and seal, as of this the 17th day of September, 2019.

**ESTATE OF BURNIE ARNOLD
HIGGINBOTHAM, GRANTOR**



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By:



Burnie Higginbotham, Jr., Executor

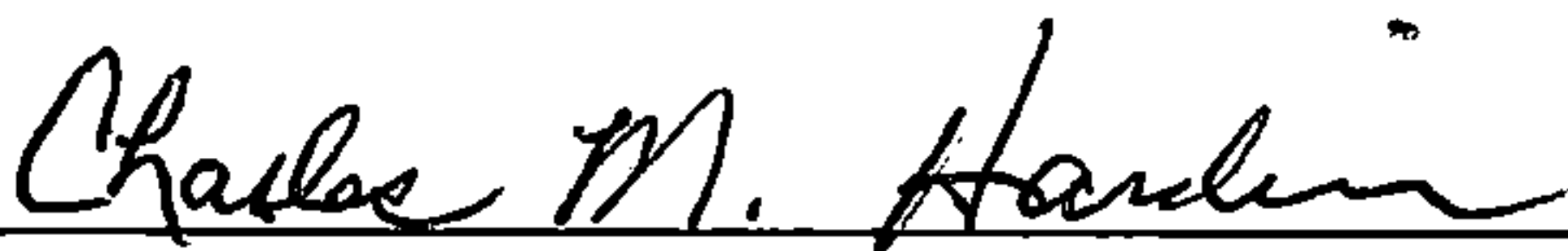
STATE OF ALABAMA)

COUNTY OF SHELBY)

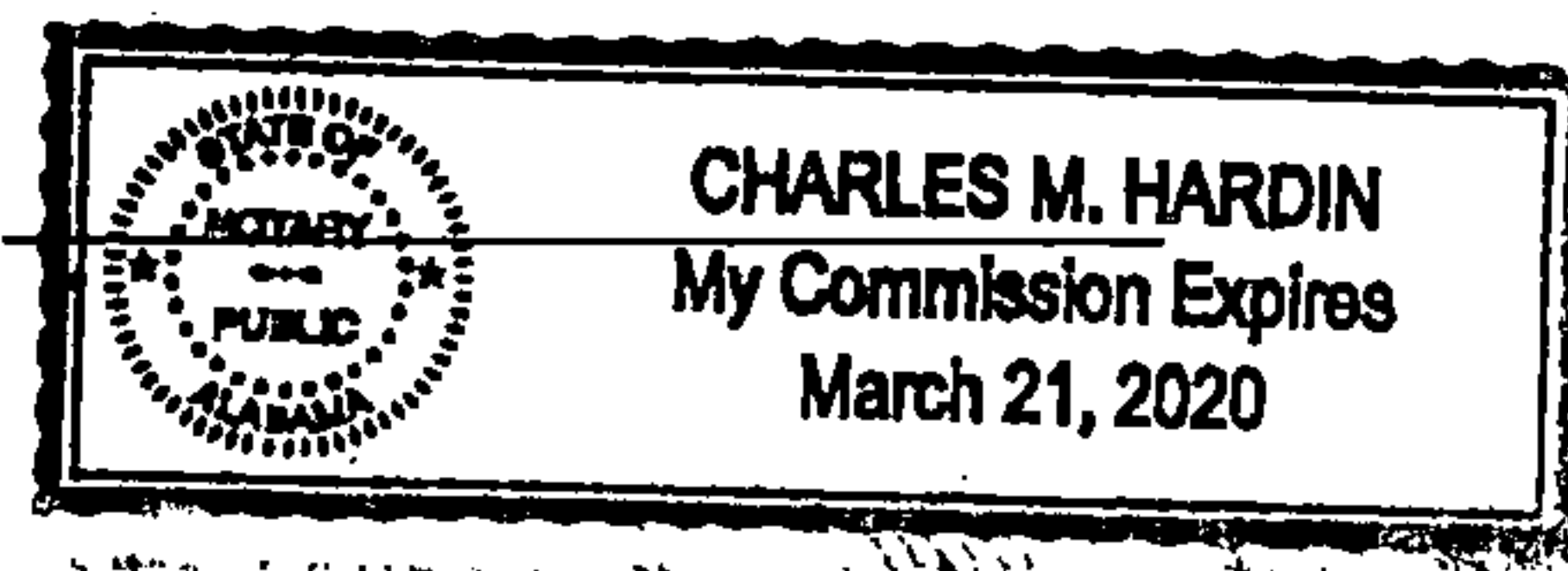
Before me, a Notary Public in and for said County and in said State, personally appeared **BURNIE HIGGINBOTHAM, JR.**, whose name as duly-authorized Personal Representative and/or Executor of the Estate of Burnie Arnold Higginbotham, as Grantor, is signed to the foregoing instrument, and who is known to me or has been made known to me, acknowledged before me on this day that, being informed of the contents of said instrument, he executed the same voluntarily and as the act of said Estates.

Subscribed and sworn to before me this the 17 day of September, 2019.

[NOTARY SEAL]


Notary Public

My Commission Expires:



**HIGGINBOTHAM OIL COMPANY, INC.,
GRANTEE**

By: 
Burnie Higginbotham, Jr., President

STATE OF ALABAMA

)

)


COUNTY OF SHELBY

)

Before me, a Notary Public in and for said County and in said State, personally appeared **BURNIE HIGGINBOTHAM, JR.**, whose name as duly-authorized President of Higginbotham Oil Company, Inc., as Grantee, is signed to the foregoing instrument, and who is known to me or has been made known to me, acknowledged before me on this day that, being informed of the contents of said instrument, he executed the same voluntarily and as the act of said Estates.

Subscribed and sworn to before me this the 17th day of September, 2019.

[NOTARY SEAL]


Notary Public

My Commission Expires: _____

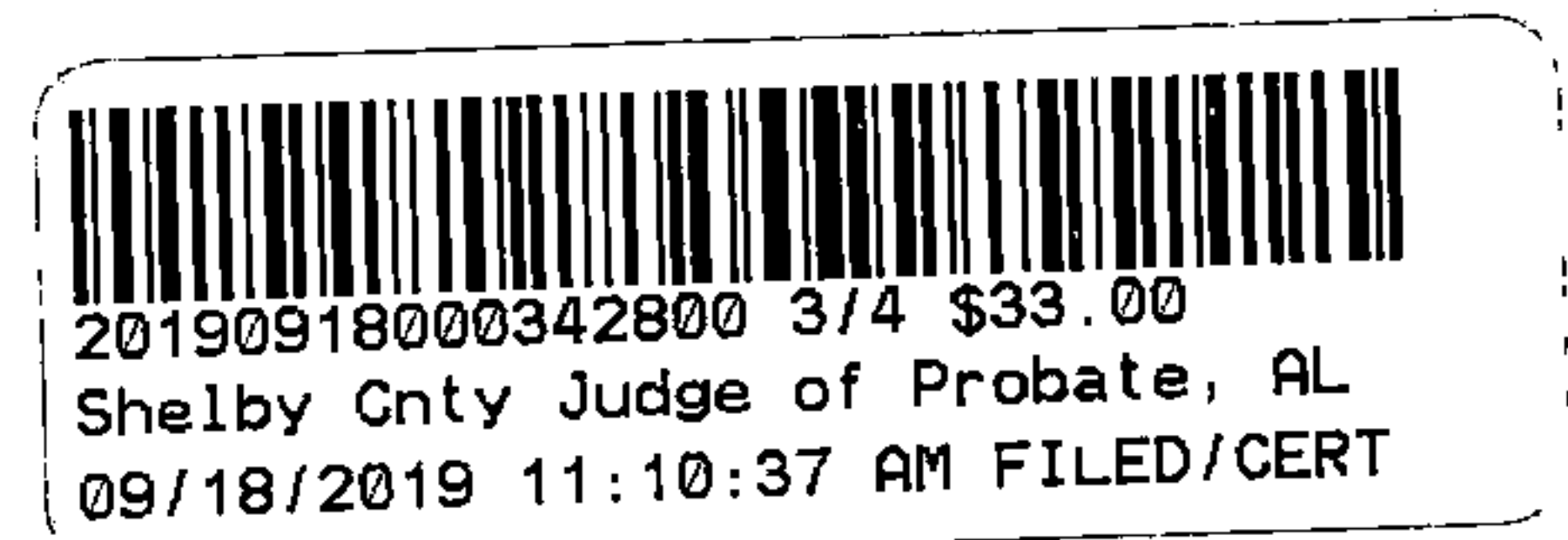
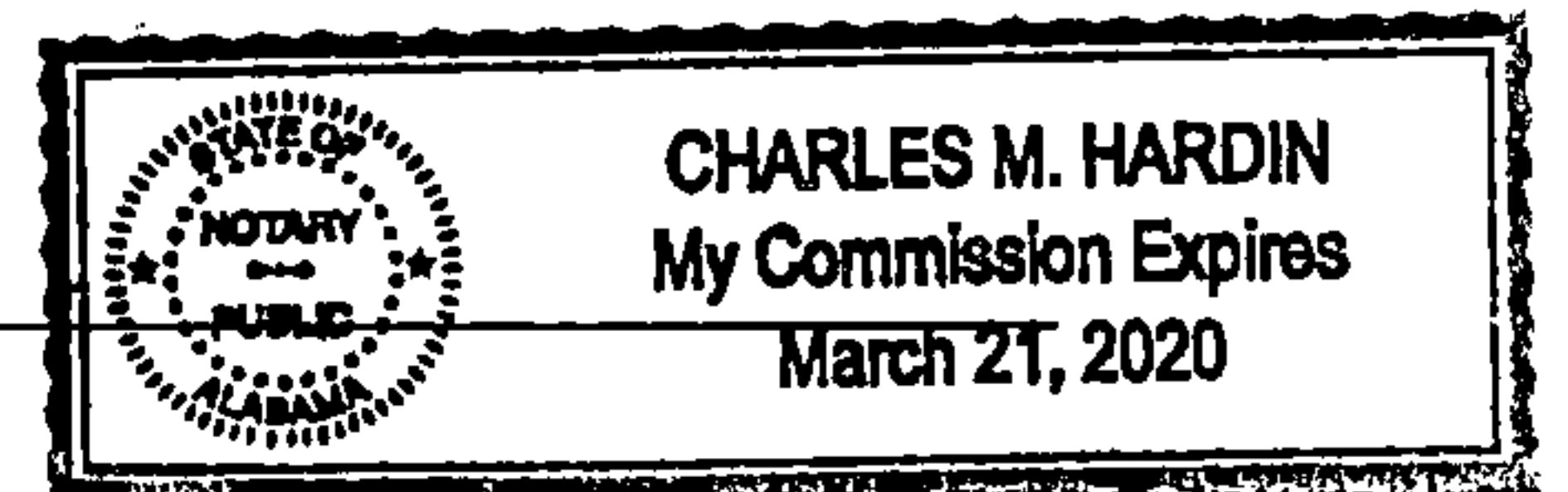


EXHIBIT A

LEGAL DESCRIPTION

Parcel: 10 9 31 4 001 007.006


A parcel of land situated in the Southeast Quarter of Section 31, Township 19 South, Range 2 West, Huntsville Meridian, Shelby County, Alabama, and being more particularly described as follows:

Commence at the Southwest corner of the Southeast Quarter of said Section 31; thence in an Easterly direction, along and with the South line of Section 31, 1826.71 to a point; thence with a deflection of 122 degrees 59' 55" left (a right interior angle of 57 degrees 00' 05") a distance of 399.97 feet to a point on the Northerly right of way margin of Oak Mountain Park Road; thence continue last described course a distance of 846.69 feet to the point of beginning; thence continue along last course 349.11 feet to a point; thence with a deflection of 91 degrees 18' 39" right, 160.0 feet to a point; thence with a deflection of 90 degrees 0' 0" right 349.02 feet to a point; thence with a deflection of 90 degrees 0' 0" right, 152.01 feet to the point of beginning, forming a closing interior angle of 91 degrees 18' 39". Situated in Shelby County, Alabama.

Together with full rights of ingress and egress in, on, over, through and across the most Northerly 25 foot strip of land parallel to the right of way line of Alabama Highway 119 bounded by the North property line of the property described above and by the Southerly right of way of Alabama Highway 119, as described in Real Record 154, Page 727, in the Probate Office.

SUBJECT TO:

1. Limitation of access and abutters rights as conveyed to State of Alabama in Deed Book 302, Page 370, and Deed Book 302, Page 13, in Probate Office.
2. Transmission line permit to Alabama Power Company recorded in Deed Book 145, Page 378, in Probate Office.
3. Right of way to Shelby County as recorded in Deed Book 135, Page 2, in Probate Office.
4. Title to minerals underlying caption lands with mining rights and privileges belonging thereto, as excepted in Real Record 154, Page 727, in Probate Office.
5. Rights of other parties in and to the use of the easement described in Real Record 154, Page 727, in Probate Office.


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