

**THIS INSTRUMENT WAS PREPARED BY
AND AFTER RECORDING RETURN TO:**

T. J. Fincher
Alabama Power Company
P. O. Box 2641
Birmingham, Alabama 35291

SEND TAX NOTICE TO:

Alabama Power Company
P. O. Box 2641
Birmingham, Alabama 35291
Attention: Ad Valorem Taxes

STATE OF ALABAMA)

GENERAL WARRANTY DEED

COUNTY OF SHELBY)

I **KNOW ALL MEN BY THESE PRESENTS**, that for and in consideration of the sum of One Hundred Sixty-Two and No/100 (\$162,000.00) dollars and other good and valuable consideration in hand paid to **William R. Justice, commissioner, under and by virtue of the authority vested in me by the order of the Circuit Court of Shelby County, Alabama, dated June 17, 2020, Case No. CV-2011-900238, a copy of which is attached as Exhibit B to this deed.**, ("Grantor"), the receipt whereof is hereby acknowledged, Grantor grants, bargains, sells and conveys, unto **ALABAMA POWER COMPANY**, an Alabama corporation ("Grantee"), the real property described on **Exhibit A**, attached hereto and made a part hereof together with all improvements and fixtures thereon and all easements and other appurtenances thereto (the "Property").

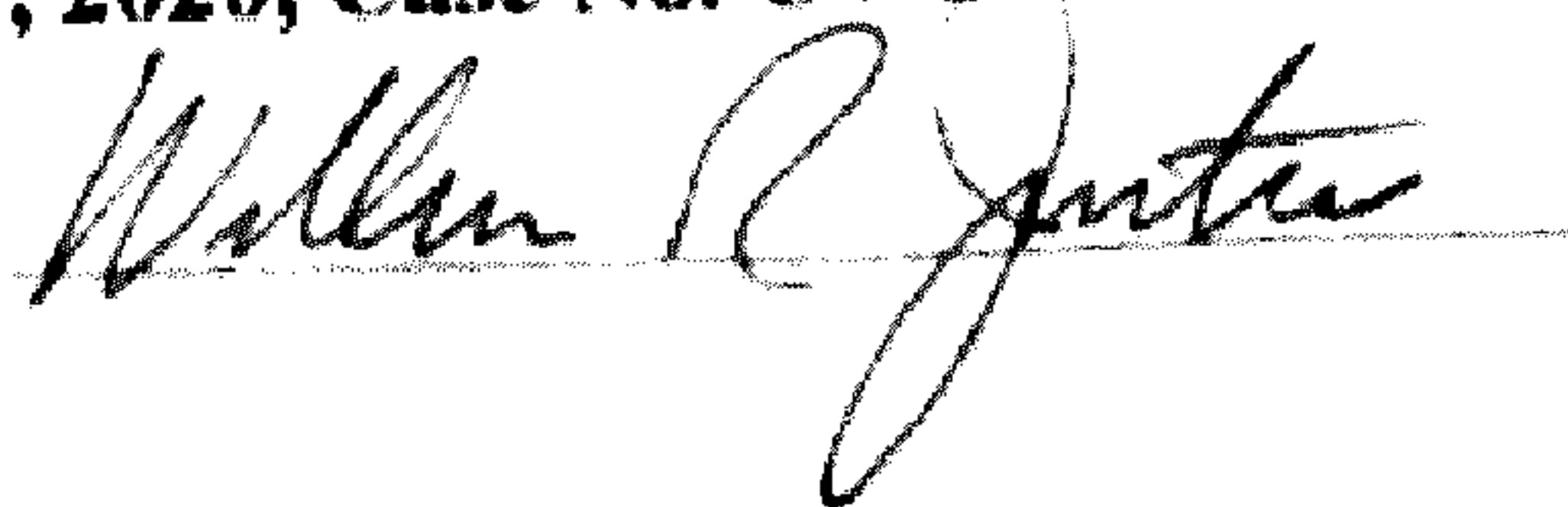
TO HAVE AND TO HOLD to the Grantee, its successors and assigns forever.

And said Grantor does for itself, its heirs, personal representatives, successors and assigns, covenant with said Grantee, its successors and assigns, that it is lawfully seized in fee simple of said premises, that the premises is free from all encumbrances except as herein stated, that it has a good right to sell and convey the same as aforesaid, and that it and its successors and assigns shall warrant and defend the same to the said Grantee, its successors and assigns forever, against the lawful claims of all persons. The undersigned executes this conveyance in my capacity as commissioner under and by virtue of the authority of the court order referred to above, and I do not personally or individually make or undertake the warranties stated above.

IN WITNESS WHEREOF, said Grantor, has hereunto caused this instrument to be executed effective as of the 6th day of October, 2020.

GRANTOR:

William R. Justice, commissioner, under and by virtue of the authority vested in me by the order of the Circuit Court of Shelby County, Alabama, dated June 17, 2020, Case No. CV-2011-900238



By:
Its:

STATE OF ALABAMA)
COUNTY OF SHELBY)

I, Celeste Fulmer, a Notary Public in and for said County in said State,
hereby certify that William R Justice,
whose name as Commissioner, an _____ is
signed to the foregoing instrument, and who is known to me, acknowledged before me on this
day that, being informed of the contents of the instrument, is, as such Commissioner and with
full authority, executed the same voluntarily for and as the act of said
Commissioner.

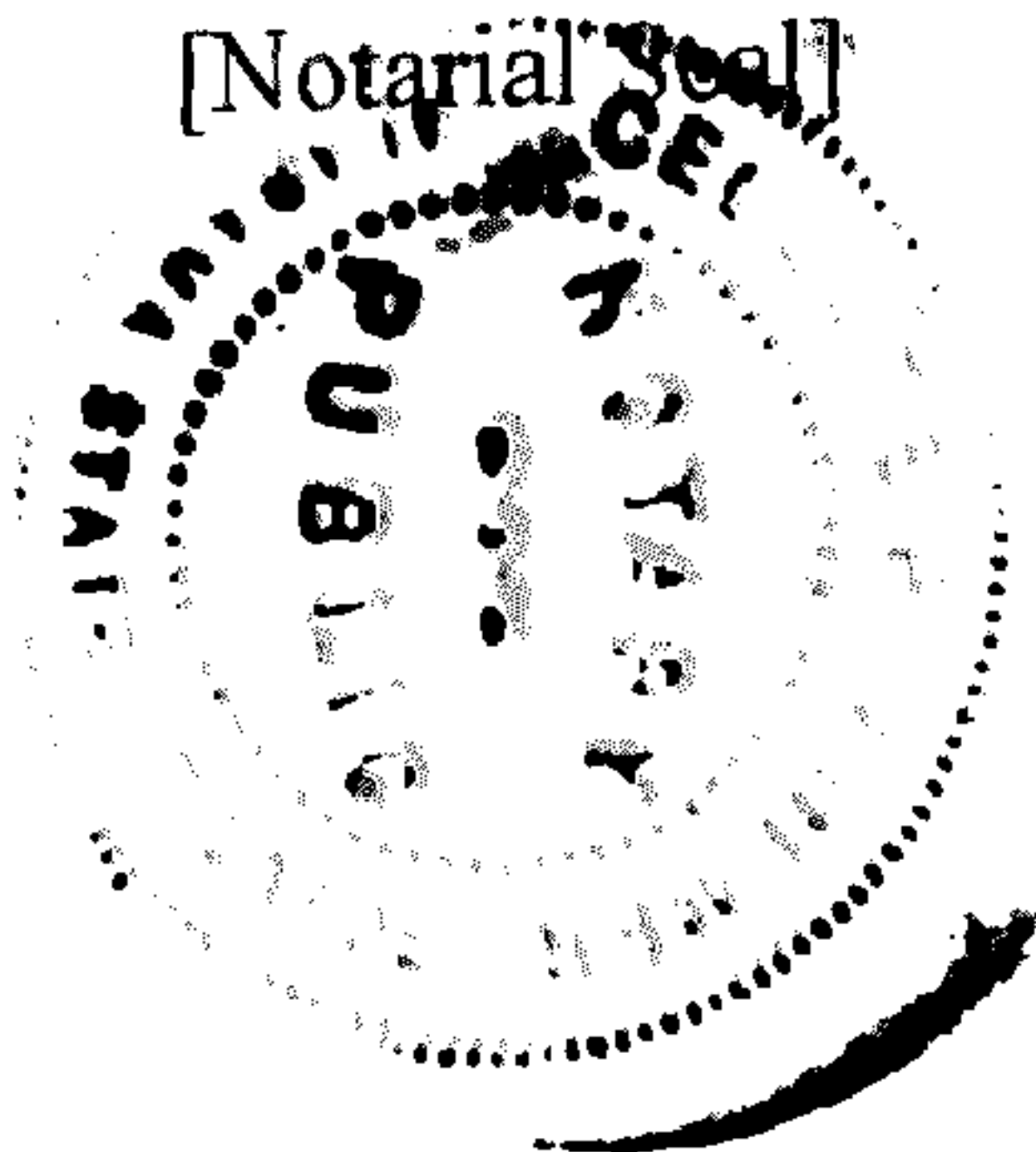
Given under my hand this the 6th day of October, 2020.

Celeste Fulmer

Notary Public

My commission expires: 10-11-20

[Notarial Seal]



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EXHIBIT A

Tract 1 Boundary Description
Shelby County, Alabama
Section 31
Fractional Township 20 South, Range 02 East

A tract of land located in a portion of the Northwest 1/4 of the Northeast 1/4 of Section 31, Fractional Township 20 South, Range 02 East, being more particularly described as follows:

Commence at the Northwest corner of the Southwest 1/4 of the Southeast 1/4 of Section 30, Fractional Township 20 South, Range 02 East, marked by a found 1/2 inch capped rebar stamped T. Simmons #12945; thence South $00^{\circ}16'59''$ West a distance of 1304.27 feet along the west line of Southwest 1/4 of the Southeast 1/4 of said Section 30 to the Northwest corner of the Northwest 1/4 of the Northeast 1/4 of Section 31, Fractional Township 20 South, Range 02 East, marked by a set 5/8 inch capped rebar stamped "APCO", said point being the **Point of Beginning** of the tract of land, hereinafter described; thence North $89^{\circ}13'36''$ West a distance of 1325.65 feet along the north line of said 1/4-1/4 section to the Northeast corner of the Northwest 1/4 of the Northeast 1/4 of said Section 31, marked by a found 5/8 inch capped rebar stamped "APCO"; thence South $00^{\circ}22'29''$ West a distance of 191.74 feet along the east line of said 1/4-1/4 section to a found 1/2 inch rebar; thence continue along the east line of said 1/4-1/4 section and run South $00^{\circ}15'47''$ West a distance of 616.15 feet to a point on the westerly right-of-way of Shelby County Road #441, marked by a found 5/8 inch capped rebar stamped "APCO"; thence South $28^{\circ}45'28''$ West a distance of 191.29 feet along the westerly right-of-way of said road to a point on the northwesterly right-of-way of Alabama State Highway #25 (having a 66 foot wide right-of-way), marked by a found 5/8 inch capped rebar stamped "APCO"; thence southwesterly a chord bearing of South $42^{\circ}39'16''$ West and a chord distance of 115.79 feet along the northwesterly right-of-way of said highway along a non-tangential curve concave to the southeast (curve to the left) having a radius of 1564.83 feet to a found 5/8 inch capped rebar stamped "APCO"; thence South $41^{\circ}07'50''$ West a distance of 280.64 feet along the northwesterly right-of-way of said highway to a found 1/2 inch capped rebar; thence leaving the northwesterly right-of-way of said highway and run North $30^{\circ}59'10''$ West a distance of 301.13 feet to a found 1/2 inch capped rebar; thence North $89^{\circ}39'31''$ West a distance of 367.04 feet to a found 1/2 inch capped rebar; thence North $00^{\circ}32'46''$ East a distance of 27.61 feet to a found 1/2 inch rebar; thence North $89^{\circ}41'02''$ West a distance of 448.77 feet to a point on the west line of said 1/4-1/4 section, marked by a 5/8 inch rebar; thence North $00^{\circ}14'28''$ East a distance of 999.58 feet along the west line of said 1/4-1/4 section to the to the point of beginning.

All bearings based on the Alabama State Plane West Zone Grid North.

Said tract of land is subject to a portion of an existing Alabama Power Company transmission right-of-way (being 100 foot in width).

Said tract of land, containing 31.64 acres, more or less.
 Situated, lying, and being in Shelby County, Alabama.

EXHIBIT A (Cont.)**Tract 2 Boundary Description
Shelby County, Alabama
Section 31****Fractional Township 20 South, Range 02 East**

A tract of land located in a portion of the Southwest 1/4 of the Northeast 1/4 of Section 31, Fractional Township 20 South, Range 02 East, being more particularly described as follows:

Commence at the Northwest corner of the Southwest 1/4 of the Southeast 1/4 of Section 30, Fractional Township 20 South, Range 02 East, marked by a found 1/2 inch capped rebar stamped T. Simmons #12945; thence South 00°16'59" West a distance of 1304.27 feet along the west line of the Southwest 1/4 of the Southeast 1/4 of said Section 30 to the Northwest corner of the Northwest 1/4 of the Northeast 1/4 of Section 31, Fractional Township 20 South, Range 02 East, marked by a set 5/8 inch capped rebar stamped "APCO", thence South 00°14'28" East a distance of 999.58 feet along the west line of the Northwest 1/4 of the Northeast 1/4 of said Section 31 to a found 5/8 inch rebar; thence continue along the west line of said 1/4-1/4 section and run thence South 00°11'11" West a distance of 314.89 feet to the Northwest corner of the Southwest 1/4 of the Northeast 1/4 of said Section 31; thence South 00°15'01" West a distance of 373.05 feet along the west line of the Southwest 1/4 of the Northeast 1/4 of said Section 31 to a found 1/2 inch capped rebar, said point being the **Point of Beginning** of the tract of land, hereinafter described; thence leaving said 1/4-1/4 section line and run North 80°35'06" E a distance of 473.64 to a found 1/2 inch capped rebar; thence South 67°04'16" East a distance of 198.15 to a point on the northwesterly right-of-way of Alabama State Highway #25 (having a 66 foot wide right-of-way), marked by a found 1/2 inch capped rebar; thence South 38°39'27" West a distance of 88.65 feet along the northwesterly right-of-way of said highway to a found 5/8 inch capped rebar stamped "APCO"; thence South 39°10'30" West a distance of 598.84 to a point on the northeasterly right-of-way of an existing Southern Electric Generating Company Railroad, marked by a found 5/8 inch capped rebar stamped "APCO", said point being 175.00 feet from, and perpendicular to the center line of said railroad; thence leaving the northwesterly right-of-way of said highway and run North 57°03'15" West a distance of 72.73 feet along the northeasterly right-of-way of said railroad to a found 5/8 inch capped rebar stamped "APCO"; thence North 00°08'14" East a distance of 175.22 feet along the northeasterly right-of-way of said railroad to a found 5/8 inch capped rebar stamped "APCO"; thence South 39°07'31" West a distance of 147.93 feet along the northeasterly right-of-way of said railroad to a found 5/8 inch capped rebar stamped "APCO"; thence along the northeasterly right-of-way of said railroad a chord bearing of North 55°20'37" West and a chord distance of 28.46 feet to a point; thence northwesterly a chord bearing of North 53°56'43" West and a chord distance of 49.69 feet along the northeasterly right-of-way of said railroad along a tangential curve concave to the northeast (curve to the right) having a radius of 1257.69 feet to a point on the west line of the Southwest 1/4 of the Northeast 1/4 of said Section 31, marked by a found 5/8 inch capped rebar stamped "APCO"; thence leaving said northeasterly railroad right-of-way and run North 00°13'17" East a distance of 387.70 feet along the west line of said 1/4-1/4 section to the point of beginning.

All bearings based on the Alabama State Plane West Zone Grid North.

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Said tract of land is subject to a portion of an existing Alabama Power Company transmission right-of-way (being 100 foot in width).

Said tract of land, containing 5.35 acres, more or less.

Situated, lying, and being in Shelby County, Alabama.

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EXHIBIT B

DOCUMENT 217



ELECTRONICALLY FILED
6/17/2020 9:26 AM
58-CV-2011-900738.00
CIRCUIT COURT OF
SHELBY COUNTY, ALABAMA
MARY HARRIS, CLERK

IN THE CIRCUIT COURT OF SHELBY COUNTY,

JESSE D. ODEN; et al.,

Plaintiffs,

v.

MARTHA KIDD; et al.,

Defendants.

CASE NO. CV-2011-900738

ORDER GRANTING PLAINTIFFS' MOTION TO CONFIRM SALE

This case is before the Court on Plaintiffs' Motion to Confirm Sale. This Court had previously approved the sale of the following described real property and ordered that the property be sold at private sale in accordance with the terms of a written contract to purchase the property for not less than the fair and reasonable market value. This Court had further ordered that any such written offer be submitted to this Court for confirmation. The Plaintiffs have now done so and have furnished affidavit and documentary evidence in support of the motion to confirm sale. The real property to be sold is described as follows:

The W $\frac{1}{2}$ of the NE $\frac{1}{4}$ lying Northwest of Highway, Section 31, Township 20 South, Range 2 East, Shelby County, Alabama.
LESS AND EXCEPT: South 315 feet of the West 420 feet of NW $\frac{1}{4}$ of NE $\frac{1}{4}$, Section 31, Township 20 South, Range 2 East, Shelby County, Alabama.

LESS AND EXCEPT: Portions of above-described real property conveyed to Southern Electric Generating Company by deeds recorded in Real Book 289, Page 398, and in Real Book 292, Page 344, in the Probate Office of Shelby County, Alabama.

Also less and except the following real property granted to Martha Kidd by consent judgment entered previously in this case: Commence at the NW Corner of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 31, Township 20 South, Range 2 East, Shelby County, Alabama; thence S 00 deg. 13 min. 39 sec. W for a distance of 999.54 feet; thence S 89 deg. 40 min. 39 sec. E for a distance of 448.71 feet;

thence S 00 deg. 36 min. 37 sec. W for a distance of 27.64 feet to the POINT OF BEGINNING; thence continue S 00 deg. 36 min. 37 sec. W for a distance of 287.86 feet; thence N 89 deg. 36 min. 49 sec. W for a distance of 446.53 feet; thence S 00 deg. 14 min. 13 sec. W for a distance of 372.82 feet; thence N 80 deg. 36 min. 10 sec. E for a distance of 473.71 feet; thence S 67 deg. 04 min. 40 sec. E for a distance of 198.15 feet to the Northwesternly R.O.W. line of Alabama Highway 25, 80 foot R.O.W.; thence N 39 deg. 09 min. 46 sec. E and along said R.O.W. line for a distance of 512.23 feet; thence N 30 deg. 59 min. 00 sec. W and leaving said R.O.W. line for a distance of 301.23 feet; thence N 89 deg. 40 min. 39 sec. W for a distance of 367.16 feet to the POINT OF BEGINNING. Said Parcel containing 9.20 acres, more or less.

The Court being satisfied that the property is being sold for an amount not disproportionate to its fair market value, and to a party bearing no relation or common interest with Plaintiffs, and all parties having been given notice of such sale, the Court finds that the Motion to Confirm Sale is due to be granted. It is therefore ORDERED as follows:

1. The contract for sale attached to the motion and this Order as Exhibit A be and is hereby approved.
2. Plaintiffs' attorney, William R. Justice, is appointed commissioner to complete said sale and is hereby authorized and directed to execute a deed and other documents, on behalf of the owners of the property, necessary to convey title to the real property to the purchaser in accordance with the contract, provided the net proceeds from the sale be paid to the Clerk of this Court to be held pending further orders of this Court.
3. Plaintiffs' attorney shall report completion of the sale to this Court within thirty (30) days of the date of this Order.

Done and ordered this 17th day of JUNE, 2020.


Circuit Judge

Real Estate Sales Validation Form

This Document must be filed in accordance with Code of Alabama 1975, Section 40-22-1

Grantor's Name William R. Justice, Comm.
Mailing Address PO Box 587
Columbiana, AL 35051

Grantee's Name Alabama Power Company
Mailing Address PO Box 2641
Birmingham, AL 35291

Property Address Hwy 25
Wilcoxville, AZ

Date of Sale 10-6-2020
Total Purchase Price \$ 162,000.00

or
Actual Value \$

or
Assessor's Market Value \$

Filed and Recorded
Official Public Records
Judge of Probate, Shelby County, Alabama, County
Clerk
Shelby County, AL
10/12/2020 03:03:43 PM
\$205.00 CHARTER
20201012000463280



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

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 10-6-2020

Print William R. Justice, commissioner

☐ Unattested

Sign

William R. Justice
(Grantor/Grantee/Owner/Agent) circle one

(verified by)

Form RT-1