

20211230000613920  
12/30/2021 12:59:04 PM  
EXEDEED 1/7

*This deed is being filed in order to clarify title to the real estate pursuant to a Will, therefore, no deed tax is applicable.*

*This deed was prepared without the benefit of a title commitment or survey.*

This instrument was prepared by, and  
after recording, return to:  
Mel McElroy  
Maynard, Cooper & Gale, P.C.  
1901 Sixth Avenue North, Suite 1700  
Birmingham, Alabama 35203

SEND TAX NOTICE TO:

Arthur Key Foster, Jr. Marital Trust  
112 Delmar Terrace  
Birmingham, AL 35213

**STATE OF ALABAMA )**

**PERSONAL REPRESENTATIVE'S DEED**

**COUNTY OF JEFFERSON )**

**WHEREAS**, A. Key Foster, Jr., the Grantee in that certain deed dated May 30, 2001, and recorded June 4, 2001, in Instrument 2001-22613 in the Probate Office of Shelby County, Alabama, died on or about May 24, 2018 (A. Key Foster, Jr. is hereinafter referred to as the "Decedent");

**WHEREAS**, on June 26, 2020, the Last Will and Testament of Arthur Key Foster, Jr. was admitted to probate in the Probate Court of Jefferson County, Alabama, in Case No. 20BHM01220 (the "Will");

**WHEREAS**, the Decedent's son, Arthur Key Foster III, and the Decedent's spouse, Jean Lyles Foster, were duly appointed as Personal Representatives of Decedent's estate under Letters Testamentary issued by the Probate Court of Jefferson County, Alabama, on June 26, 2020;

**WHEREAS**, in accordance with the terms of the Will, all right, title and interest in and to the Property (defined below) is to be allocated to the Arthur Key Foster, Jr. Marital Trust under Article Five of the Will;

**WHEREAS**, Jean Lyles Foster and Arthur Key Foster III were appointed in Article Seven of the Will to act as Trustees of the Arthur Key Foster, Jr. Marital Trust, and each are currently so serving; and

**WHEREAS**, pursuant to and in accordance with the Will, Jean Lyles Foster and Arthur Key Foster III, in their capacity as Personal Representatives of the Estate of Arthur Key Foster, Jr., desire by this instrument to transfer and convey all legal right and title of the Decedent in and to the Property to the Arthur Key Foster, Jr. Marital Trust.

**KNOW ALL MEN BY THESE PRESENTS**, that for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration in hand paid to

**JEAN LYLES FOSTER AND ARTHUR KEY FOSTER III as Personal Representatives of The Estate of A. Key Foster, Jr., deceased** (the “Grantor”), the receipt whereof is hereby acknowledged, Grantor grants, bargains, sells and conveys unto **JEAN LYLES FOSTER AND ARTHUR KEY FOSTER III, as trustees of the ARTHUR KEY FOSTER, JR. MARITAL TRUST under the Will** (“Grantee”), all of Grantor’s right, title and interest in the real property described on **Exhibit A** attached hereto, together with Grantor’s interest in all improvements, fixtures, rights, privileges, easements and other appurtenances, to the extent thereon or relating thereto (the “Property”).

**TO HAVE AND TO HOLD** the Property, together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, to Grantee, its successors and assigns forever.

And, Grantor does for itself, its successors and assigns, covenant with Grantee, its successors and assigns, that it is lawfully seized in fee simple of the Property, that the Property is free from all encumbrances other than encumbrances of record, that it has a good right to sell and convey the same as aforesaid, and that it will and its successors and assigns shall warrant and defend the same to Grantee, its successors and assigns forever, against the lawful claims by, through or under Grantor, but not otherwise.

Pursuant to the provisions of Ala. Code § 40-22-1 (1975), the following information is offered in lieu of submitting Form RT-1:

Grantor’s Name and Mailing Address:	Grantee’s Name and Mailing Address:
Jean Lyles Foster and Arthur Key Foster, III as Personal Representatives of the Estate of A. Key Foster, Jr.	Jean Lyles Foster and Arthur Key Foster III, as trustees of the Arthur Key Foster, Jr. Marital Trust
112 Delmar Terrace Birmingham, AL 35213	112 Delmar Terrace Birmingham, AL 35213
Property Address:	[set forth in the attached legal and with the Parcel ID numbers as shown on Exhibit A
Date of Sale:	December 22, 2021
Actual Value:	\$1,841,169.00
The Actual Value can be verified in:	No value needed for Personal Representative’s Deed

This instrument is executed by Grantor solely in their representative capacities named herein, and neither this instrument nor anything herein contained shall be construed as creating any indebtedness or obligation on the part of Jean Lyles Foster or Arthur Key Foster, III, in their individual capacities, and Grantor expressly limits their liability hereunder to the Property now or hereafter held by them in the representative capacity named.

-Remainder of page intentionally left blank-

IN WITNESS WHEREOF, Grantor has hereunto caused this instrument to be executed effective as of the 22<sup>nd</sup> day of December, 2021.

**GRANTOR:**

Jean Lyles Foster  
Jean Lyles Foster, as Personal Representative of  
the Estate of Arthur Key Foster, Jr., deceased

STATE OF ALABAMA )

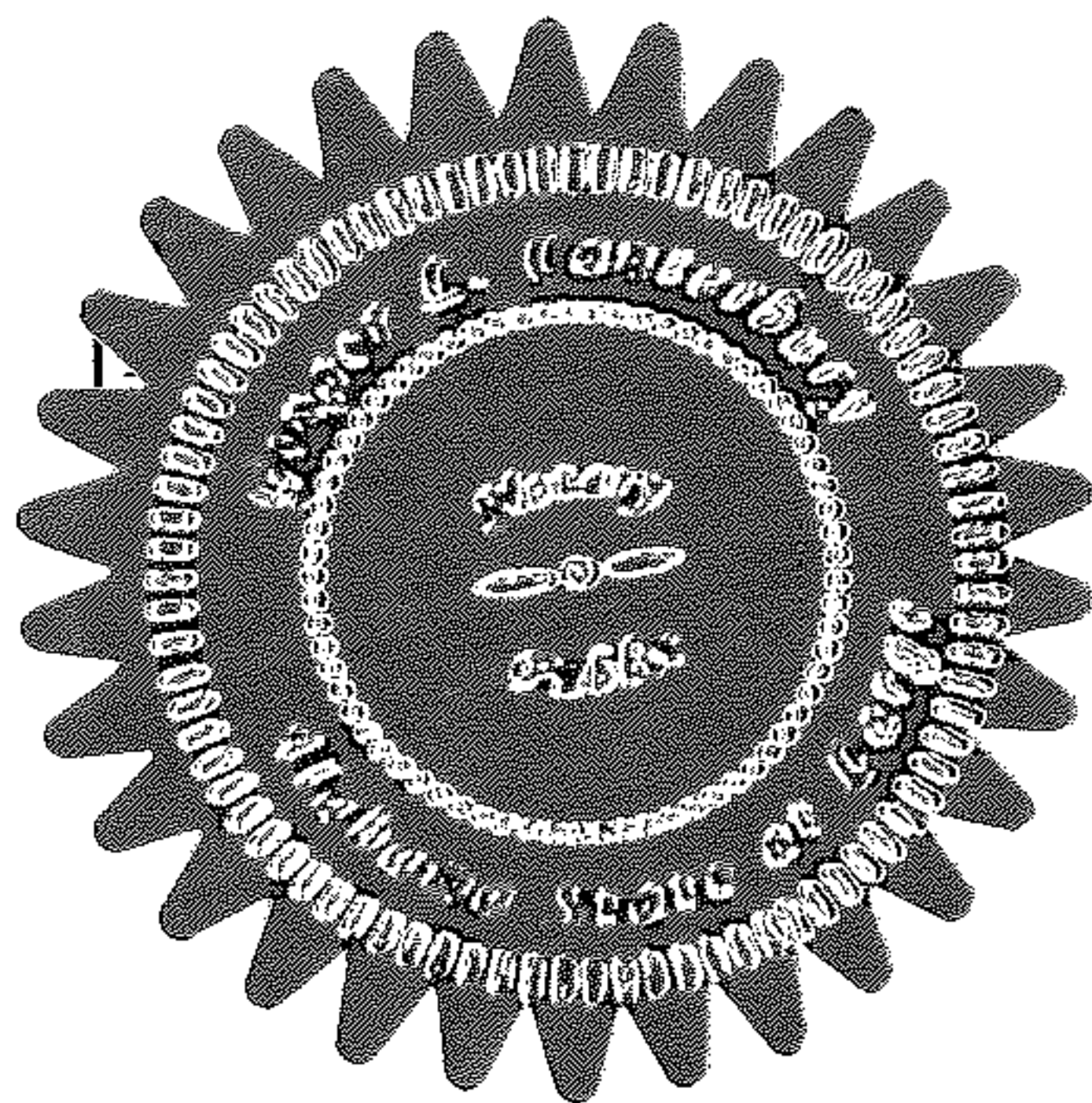
COUNTY OF JEFFERSON )

I, the undersigned, a Notary Public in and for said county in said state, hereby certify that Jean Lyles Foster, whose name as Personal Representative of the Estate of Arthur Key Foster, Jr., deceased, 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, she, as such Personal Representative, executed the same voluntarily on the day the same bears date..

Given under my hand this 22<sup>nd</sup> day of December, 2021.

Shirley L. Cantelero  
Notary Public

My commission expires: June 15, 2025







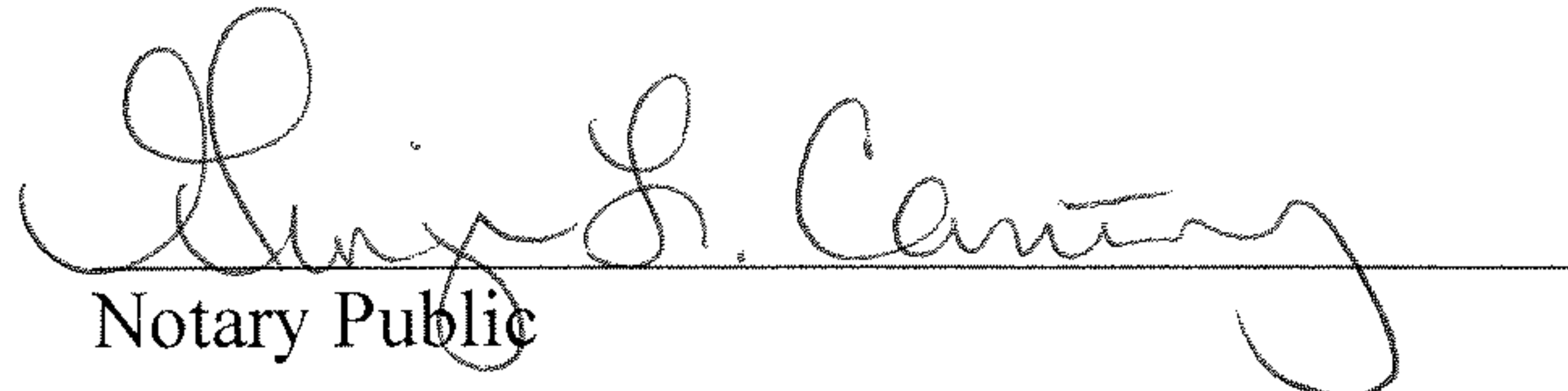
Arthur Key Foster III as Personal Representative of  
the Estate of Arthur Key Foster, Jr., deceased

STATE OF ALABAMA )

COUNTY OF JEFFERSON )

I, the undersigned, a Notary Public in and for said county in said state, hereby certify that Arthur Key Foster III, whose name as Personal Representative of the Estate of Arthur Key Foster, Jr., deceased, 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, he, as such Personal Representative, executed the same voluntarily on the day the same bears date..

Given under my hand this 22<sup>nd</sup> day of December, 2021.



Notary Public

My commission expires: June 15, 2025



**EXHIBIT "A"**

**Legal Description**

Parcel 1:

The East  $\frac{1}{2}$  of the SW  $\frac{1}{4}$  and the West  $\frac{1}{2}$  of the SE  $\frac{1}{4}$ , except 10 acres in the NE corner of the NW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$ , all in Section 28, Township 19 South, Range 1 West, Shelby County, Alabama.

Less and except that portion of the NE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of Section 28, Township 19 South, Range 1 West lying Northwest of Highway No. 11 as located in Shelby County, Alabama.

Parcel 2:

A parcel of land situated in the SE  $\frac{1}{4}$  of Section 28, Township 19 South, Range I West, and more particularly described as follows:

Commence at the SW corner of the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of said Section 28; thence in a Northerly direction along the West line thereof, a distance of 1140.91 feet to the point of beginning; thence continue North along the West line of said  $\frac{1}{4}$  -  $\frac{1}{4}$  Section, a distance of 914.08 feet; thence an angle right of 169 deg. 24 min. 08 sec. and run in a Southeasterly direction 477.29 feet; thence an angle left of 30 deg. 30 min. 06 sec. and continue Southeasterly 346.42 feet to a point on a public road; thence an angle right of 75 deg. 58 min. 24 sec. and turn in a Southwesterly direction along said public road a distance of 173.71 feet; (hence 3 deg. 20 min. right and continue Southwest along a road a distance of 92.54 feet; thence an angle right of 65 deg. 48 min. 22 sec. and run in a Westerly direction a distance of 273.0 feet to the point of beginning; being situated in Shelby County, Alabama.

Parcel 3:

A portion of the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 28, Township 19 South, Range 1 West, described as follows:

Begin at the SW corner of the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$ , Section 28, Township 19 South, Range I West, and run Northerly along the West side of the said  $\frac{1}{4}$  -  $\frac{1}{4}$  for 396.75 feet to an existing iron in the center of a dirt road, this being the point of beginning; then continue along the last described course for 744.16 feet to an iron; then turn an angle of 89 deg. 58 min. 49 sec. to the right and run Easterly for 273.00 feet to a point in the center of a dirt road; thence turn an angle of 114 deg. 11 min. 38 sec. to the right and run Southwesterly along the center of a dirt road for 517.28 feet; then turn an angle of 11 deg. 31 min. to the left and run Southwesterly for 279.12 feet to the point of beginning; being situated in Shelby County, Alabama.

Parcel 4

The following described property situated in Shelby County, Alabama:

A parcel of land situated in the Southeast 1/4 of Section 28, Township 19 South, Range 1 West, Shelby County, Alabama, and more particularly described as follows:

Commence at the Southwest corner of the Southeast 1/4 of the Southeast 1/4 of said Section 28; thence in a Northerly direction along the West line thereof, a distance of 2054.99 feet to the point of beginning, thence an angle right of 169°24'08" and run in a Southeasterly direction 477.29 feet; thence an angle left of 30°30'06" and continue in a Southeasterly direction 346.42 feet to a point in a public road; thence an angle left of 104°01'36" and run in a Northeasterly direction along said public road, a distance of 145.0 feet; thence an angle left of 16°35' and continue Northeast along said road a distance of 36.78 feet; thence an angle left of 90° and run in a Westerly direction 280 feet to a point 147.61 feet East of the West line of the Northeast 1/4 of Southeast 1/4 of Section 28; thence an angle right of 85°40' and run in a Northerly direction and parallel to said 1/4-1/4 section line a distance of 760.32 feet to a point on the Southwest right of way line of U.S. Highway No. 280; thence left in a Northwesterly direction along said right of way line a distance of 188 feet, more or less, to a point on the West line of the Northeast 1/4 of the Southeast 1/4 of said Section 28; thence in a Southerly direction along said 1/4-1/4 Section line, a distance of 404.64 feet to the point of beginning; being situated in Shelby County, Alabama; being approximately 3 acres, more or less.

Parcels 5 and 7

The NW 1/4 of NE 1/4; NE 1/4 of NW 1/4, S 1/2 of NW 1/4, NE 1/4 of SW 1/4, Section 33, Township 19 South, Range I West, Shelby County, Alabama.

That part of the NW 1/4 of NW 1/4, Section 33, Township 19 South, Range I West; and that part of the NE 1/4 of NE 1/4 and S 1/2 of NE 1/4, Section 32, Township 19 South, Range I West, lying South and East of a line described more particularly as: A straight line commencing at a point on the North line of Section 33, Township 19 South, Range I West, that is 7.0 chains West of the crest of the Easternmost ridge of Double Mountain and 49.64 chains West of the Northeast corner of the NW 1/4 of NE 1/4 of said Section; thence Southwesterly to point on the South line of the SW 1/4 of NE 1/4, Section 32, Township 19 South, Range 1 West, that is 5.00 chains West of the crest of the Easternmost ridge of Double Mountain and 10.03 chains West of the Southeast corner of said 1/4 1/4 Section.

LESS AND EXCEPT the following described property:

A parcel of land situated in the NW 1/4 of the NE 1/4 of Section 33, Township 19 South, Range 1 West, Shelby County, Alabama, being more particularly described as follows:

Begin at the SE corner of said 1/4 1/4 Section; thence run West along the South line of said 1/4 1/4 Section for a distance of 900.00 feet to a point; thence turn an angle to the right 90 deg. 00 min. 00 sec. and run in a Northerly direction for a distance of 275.00 feet to a point; thence turn



an angle to the right of 57 deg. 10 min. 13 sec. and run in a Northeasterly direction for a distance of 1,097.66 feet, more or less, to the East line of said 1/4 1/4 Section; thence turn an angle to the right of 124 deg. 18 min. 03 sec. and run in a Southerly direction along the East line of said 1/4 1/4 Section for a distance of 870.38 feet to the point of beginning; being situated in Shelby County, Alabama.

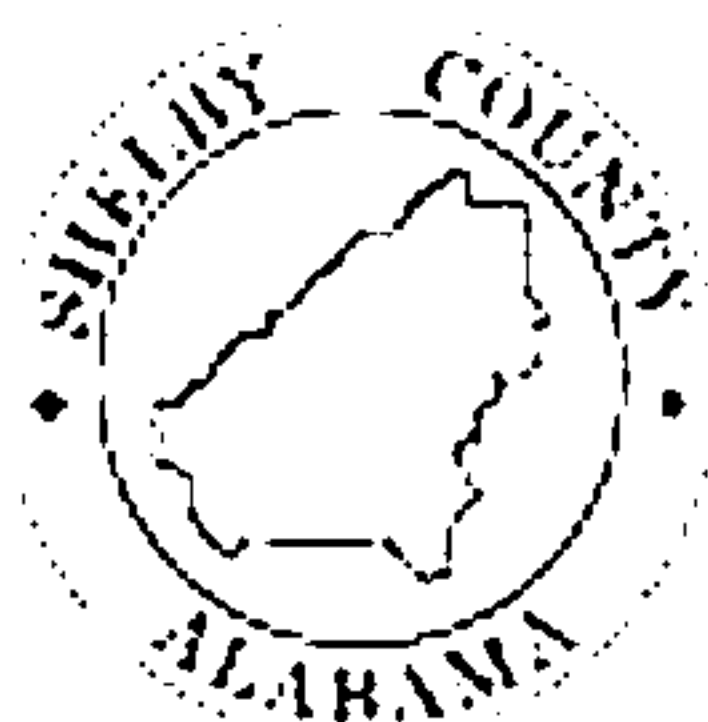
Parcel 6:

A tract of land in Section 28, Township 19 South, Range 1 West, situated in Shelby County, Alabama, more particularly describe as follows:

Commence at the Southwest corner of the SE 1/4 of the SE 1/4 of Section 28, Township 19 South, Range 1 West, Shelby County, Alabama; thence Northerly along the West line of said SE 1/4 1,708.64 feet to a point; thence 94 degrees 20 minutes to the right 148.03 feet to the point of beginning of the property herein described; thence continue along last described course 280. feet to a point; thence 90 degrees to the left 50.0 feet; thence 85 degrees 47 minutes to the right 188.92 feet to a point; thence 7 degrees 18 minutes 30 seconds to the left 55.41 feet to a point on the South R.O.W. line of U.S. Hwy. #280; thence Northwester along and contiguous with said South R.O.W. line 826 feet 147.61 feet East of the West line of said 1/4 -1/4 line; thence Southerly and parallel with the West line of said 1/4 - 1/4 760.32 feet to the point of beginning.

Each parcel also being identified by the following Tax Parcel ID numbers:

Parcel	Tax Parcel #	Acres
1	09 8 28 0 001 016.000	153.00
2	09 8 28 0 001 019.000	3.00
3	09 8 28 0 001 019.001	1.72
4	09 8 28 0 001 019.002	3.00
5	09 9 32 0 001 001.001	36.00
6	09 8 28 0 001 023.000	5.12
7	09 8 33 0 001 003.000	210.00



Filed and Recorded  
 Official Public Records  
 Judge of Probate, Shelby County Alabama, County  
 Clerk  
 Shelby County, AL  
 12/30/2021 12:59:04 PM  
 \$43.00 JOANN  
 20211230000613920

*Allen S. Bayl*