

635-430

CHEROKEE COUNTY, GA.
REAL ESTATE TRANSFER TAX
PAID 173.00 ✓
DATE 6-19-87
Annette Fleming
CLERK OF SUPERIOR COURT

EXECUTOR'S DEED UNDER POWER

STATE OF GEORGIA
COUNTY OF FULTON

THIS INDENTURE, made this 16th day of June, 1987, between ERNEST JAMES WHEELER and DOYLE KENNETH WHEELER as Co-Executors of the last will and testament of ERNEST FILMORE WHEELER, a/k/a ERNEST WHEELER, late of the State of Georgia, and County of Cherokee, deceased, and ERNEST JAMES WHEELER, DOYLE KENNETH WHEELER, and ERA VICTORIA HOWARD, individually, of the First Part (hereinafter collectively called "Grantor") and J.G. SCOTT and SHERLEEN SCOTT of Fulton County, Georgia, of the Second Part (hereinafter called "Grantee"); the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits.

WITNESSETH: That the said Grantor (acting under and by virtue of the power and authority contained in the said will, the same having been duly probated and recorded in the Court of Probate of Cherokee County, Georgia) for and in consideration of the sum of TEN (\$10.00) DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION in hand paid, at and before the sealing and delivery of these presents (the receipt of which is hereby acknowledged), has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto the said Grantee,

ALL THAT TRACT or parcel of land lying and being in Land Lot 1240 of the 3rd District, 2nd Section of Cherokee County, Georgia, consisting of 15.78 acres, and being more particularly described as follows:

BEGINNING at an iron pin at the southwest corner of said land lot common to Land Lots 1240, 1281, 1282, and 1239; thence running North 01°12'06" East along the west line of said Land Lot 1240 a distance of 429.21 feet to an iron pin located on the southerly right-of-way line of Arbor Hill Road (80-foot right-of-way); thence North 75°44'05" East along the southerly right-of-way line of Arbor Hill Road a distance of 847.17 feet to an iron pin; thence continuing along said right-of-way line a curvilinear arc distance of 16.57 feet to an iron pin, said curve being subtended by a chord of North 75°20'04" East with a distance of 16.57 feet; thence leaving said right-of-way line and running South 20°37'10" East a distance of 194.11 feet to an iron pin; running thence North 70°34'10" East a distance of 165.44 feet to an iron pin; running thence North 39°29'30" East a distance of 90.72 feet to an iron pin; running thence North 07°18'50" West a distance of 162.93 feet to an iron pin on the southerly right-of-way line of Arbor Hill Road; thence continuing along said right-of-way line a curvilinear arc distance of 165.44 feet to a point, said curve being subtended by a chord of North 57°17'57" East with a distance of 165.31 feet; thence continuing along said right-of-way line North 53°18'10" East a distance of 154.19 feet to an iron pin on the southwest corner of the intersection of Arbor Hill Road and Gaddis Road (30-foot right-of-way); thence along the westerly right-of-way line of Gaddis Road a curvilinear arc distance of 79.54 feet to an iron pin, said curve being subtended by a chord bearing South 14°14'20" East; thence continuing along said right-of-way line a curvilinear arc distance of 100.40 feet to an iron pin, said curve being subtended by a chord bearing South 00°50'28" East; thence continuing along said

#11938
11/22/87
At Cherokee County
Shirley H. Fleming
1600 E. ...
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right-of-way line a curvilinear arc distance of 70.57 feet to an iron pin, said curve being subtended by a chord bearing South 05°18'56" West; thence continuing along said right-of-way line a curvilinear arc distance of 238.05 feet to an iron pin, said curve being subtended by a chord bearing South 05°36'48" West; thence continuing along said right-of-way line a curvilinear arc distance of 117.31 feet to an iron pin, said curve being subtended by a chord bearing South 09°36'45" West; thence continuing along said right-of-way line a curvilinear arc distance of 58.33 feet to an iron pin, said curve being subtended by a chord bearing South 07°42'29" West; thence leaving said right-of-way line South 89°47'01" West a distance of 431.05 feet to an iron pin; running thence South 03°26'43" West a distance of 300.00 feet to an iron pin on the southerly line of Land Lot 1240; running thence North 88°00'39" West along said land lot line a distance of 885.40 feet to an iron pin and the point of beginning; said tract consisting of 15.78 acres identified as Tracts 5, 5-A, 5-B, and 6, according to plat of survey dated November 18, 1986, prepared by Byers Engineering Co. for E. J. Wheeler and Kenneth Wheeler.

Said property was formerly owned by ERNEST FILMORE WHEELER, a/k/a ERNEST WHEELER who died on November 3, 1985 leaving a will which was probated in solemn form at the December Term 1985 of the Cherokee County Court of Probate. The Grantors herein sell and convey said property by virtue of the powers vested in the Co-Executors under Item V of said will. They join as individual Grantors in order to warrant the title and to convey any individual interest they might have under the terms of said will.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever, **IN FEE SIMPLE**: in as full and ample a manner as the same was held, possessed and enjoyed, or might have been held, possessed and enjoyed, by the said deceased.

IN WITNESS WHEREOF, each Grantor herein has hereunto set hand and seal, the day and year first above written.

Ernest James Wheeler (SEAL)
ERNEST JAMES WHEELER

Signed, sealed and delivered this 16 day of June, 1987 in the presence of:

Doyle Kenneth Wheeler (SEAL)
DOYLE KENNETH WHEELER

[Signature]
Unofficial Witness

Individually and as Co-Executors as Aforesaid

[Signature]
Notary Public
Notary Public, Fulton County, Georgia
My Commission Expires June 4, 1989

Era Victoria Howard (SEAL)
ERA VICTORIA HOWARD

2 YR 6-22-87