



Probate Court of Cobb County

IN THE PROBATE COURT OF COBB COUNTY
STATE OF GEORGIA

FILED IN OFFICE

2022 AUG 31 AM 11:52

IN RE: ESTATE OF)

MARY SUE TIBBITTS,)
DECEASED)

PROBATE COURT OF)
COBB COUNTY, GA)
ESTATE NO. 22-1173

LETTERS TESTAMENTARY *[Relieved of filing returns]*

At a regular term of probate court, the last will and testament dated AUGUST 3, 2021 of the above-named decedent, who was domiciled in this county at the time of his or her death or was domiciled in another state but owned property in this county at the time of his or her death, was legally proven in solemn form to be the decedent's will and was admitted to record by order, and it was further ordered that TAMMY J. KONE named as executor in said will, be allowed to qualify, and that upon so doing, letters testamentary be issued to such executor.

THEREFORE, the executor, having taken the oath of office and complied with all necessary prerequisites of the law, is legally authorized to discharge all the duties and exercise all powers of executor under the will of said decedent, according to the decedent's will and the law.

Given under my hand and official seal, the 31st day of August, 2022

Tara C. Riddle, Associate Judge
Cobb County Probate Court

The following must be signed if the judge does not sign the original of this document:

Issued by:

[Seal]

Clerk of the Probate Court

WARRANTY DEED

NEW ERA PRINT, DALLAS, GA.

STATE OF GEORGIA, PAULDING County.

THIS INDENTURE, made this _____ day of _____ Seventy-Six in the year of our Lord One Thousand Nine Hundred and _____ between J. U. TIBBITTS

of the State of Georgia and County of Paulding of the first part and MARY SUE TIBBITTS

of the State of Georgia and County of Paulding of the second part

WITNESSETH: That the said party _____ of the first part for and in consideration of the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION

in hand paid at and before the signing and delivery of these presents, the receipt whereof is hereby acknowledged, he... granted, bargained, sold and conveyed and by these presents do... grant, bargain, sell and convey unto the said part... Y... of the second part... her... heirs and assigns, a one-half undivided interest in all that tract or parcel of land lying and being in the Second District and Third Second of Paulding County, Georgia, and being more particularly described as follows:

One acre off the Southwest corner of Land Lot 459 plus all of Original Land Lot No. 458 EXCEPT one acre off the East end of the North half of said Land Lot EXCEPT One one-fourth (1 1/4) acre described as follows:

BEGINNING at the Northwest corner of the above described 1 acre tract in the Northeast corner of Land Lot No. 458 and thence running West along the North original line of said Land Lot No. 458 to the line of the property formerly owned by Ben F. Croker, now owned by J. U. Tibbitts; thence South along the East boundary line of property now owned by J. U. Tibbitts a distance of 10 feet to a stake; thence running East on a line which runs through a spring and a culvert and continuing down through the center of said stream to the East original line of said Land Lot No. 458; thence North along the East original line of said Land Lot No. 458 to the Southeast corner of the above described 1 acre tract in the Northeast corner of said Land Lot No. 458; thence running in a Westerly direction along the South boundary line of said above described 1 acre tract to the Southwest corner of same; thence North along the West boundary line of said above described 1 acre tract to the North original line of said Land Lot No. 458 and the point of beginning.

Paulding State Transfer Tax Paid \$ None Date 2-24-76 C. M. Turner, Clerk of Superior Court

TO HAVE AND TO HOLD the said bargained premises, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging or in any wise appertaining, to the only proper use, benefit and behoof of herself the said part... Y... of the second part... her... heirs and assigns forever, IN FEE SIMPLE

And the said part... Y... of the first part, for himself, his... heirs, executors and administrators will warrant and forever defend the right and title to the above described property unto the said part... Y... of the second part... her... heirs and assigns, against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, The said part... Y... of the first part he... herunto set his hand and affixed his seal the day and year above written:

Signed, sealed and delivered in the presence of Jeffrey B. Talley, Peggy W. Lester, J. U. Tibbitts (Seal), (Seal), (Seal), (Seal)

Jeffrey B. Talley Peggy W. Lester, N.P. Seal Affixed

Deed Doc: ESTD
Filed 06/07/2018 10:42AM
Georgia Transfer Tax Paid : \$0.00
Bk 03881 Pg 0249-0251
1102018003953

DOCUMENT PREPARATION ONLY - DRAFTING ATTORNEY HAS NOT EXAMINED

DEED DOES NOT CERTIFY TITLE
Clerk Superior Court, Paulding County, Ga.

Please return to:
Mason Law Group (Georgia) LLC
201 W Memorial Dr.
Dallas, GA 30132

Executor's Deed

STATE OF GEORGIA

COUNTY OF PAULDING

THIS INDENTURE, made this 7th day of June, 2018 between **CONNIE SUE TIBBITTS**, as Executrix of the Estate of Jerrell Umbrey Tibbitts a/k/a J.U. Tibbitts, Deceased of the First Part (hereinafter called "grantor") and **MARY SUE TIBBITTS** 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 Letters Testamentary by the Paulding County, Georgia Probate Court on March 29, 2017, in Estate No. 2017-096), for and in consideration of the sum of **TEN DOLLARS (\$10.00)** Dollars 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,

SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION

This deed is given subject to all easements and restrictions of record.

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, the grantor herein has hereunto set hand and seal, the day and year above written.

Signed, sealed and delivered in the presence of:

Mason

WITNESS: Meredith Tibbitts

GRANTOR:

Connie Sue Tibbitts (SEAL)

CONNIE SUE TIBBITTS, AS EXECUTRIX OF THE ESTATE OF JERRELL UMBREY TIBBITTS, DECEASED

Michael L. Mason

Notary Public

(Affix Notary Seal)



Exhibit "A"

... a one-half undivided interest in all that tract or parcel of land lying and being in the Second District and Third Second of Paulding County, Georgia, and being more particularly described as follows:

One acre off the Southwest corner of Land Lot 458 plus all of Original Land Lot No. 458 EXCEPT one acre off the East end of the North half of said Land Lot EXCEPT One one-fourth (1/4) acre described as follows:

BEGINNING at the Northwest corner of the above described 1 acre tract in the Northeast corner of Land Lot No. 458 and thence running West along the North original line of said Land Lot No. 458 to the line of the property formerly owned by Ben E. Croker, now owned by J. U. Tibbitts; thence South along the East boundary line of property now owned by J. U. Tibbitts a distance of 20 feet to a stake; thence running East on a line which runs through a spring and a culvert and continuing down through the center of said stream to the East original line of said Land Lot No. 458; thence North along the East original line of said Land Lot No. 458 to the Southeast corner of the above described 1 acre tract in the Northeast corner of said Land Lot No. 458; thence running in a westerly direction along the South boundary line of said above described 1 acre tract to the Southwest corner of same; thence North along the West boundary line of said above described 1 acre tract to the North original line of said Land Lot No. 458 and the point of beginning.

Rec'd State Trust Tax
Paid \$ 75.00
Date 2-20-76
P. J. ...

eFiled and eRecorded
DATE: 03/21/2022
TIME: 4:09 PM
DEED BOOK: 4736
PAGE: 766 - 769
FILING FEES: \$25.00
TRANSFER TAX: \$0.00
PARTICIPANT ID: 9679273920
PT61: 1102022002343
RECORDED BY: TS
CLERK: Sheila Butler
Paulding County, GA

[SPACE ABOVE LINE RESERVED FOR RECORDER]

AFTER RECORDING, RETURN TO:

Taylor English Duma LLP
1600 Parkwood Circle, Suite 200
Atlanta, GA 30339
Attn.: LaTise Miller, Esq.

STATE OF GEORGIA

COUNTY OF COBB

LIMITED WARRANTY DEED

THIS DEED, made this 21st day of March, 2022, by and between **RICHARD L. HARRIS AND DELORES C. HARRIS** ("*Grantors*") and **230 SUMMERHILL ROAD, LLC**, Georgia limited liability company ("*Grantee*"), (the terms Grantors and Grantee to include their respective heirs, successors and assigns where the context hereof requires or permits),

WITNESSETH THAT: Grantors, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00), and other good and valuable consideration, in hand paid at and before the sealing and delivery of these presents, the receipt, adequacy and sufficiency of which being hereby acknowledged by Grantors, have granted, bargained, sold and conveyed, and by these presents do hereby grant, bargain, sell and convey unto Grantee, the real property described on Exhibit "A" attached hereto and made a part hereof (the "*Property*").

TO HAVE AND TO HOLD the Property, together 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 Grantee, forever in FEE SIMPLE.

AND, SUBJECT TO all easements, restrictions, covenants, and other matters of record, Grantors will warrant and forever defend the right and title to the Property unto the Grantee against the claims of all persons claiming by, through or under Grantors, but not otherwise.

02246347-1

IN WITNESS WHEREOF, Grantors have signed and sealed this Deed the day and year first above written.

Signed, sealed and delivered in the presence of:

[Signature]
Unofficial Witness
Print Name: Juan P. Silva

[Signature]
Richard L. Harris

[Signature]
Notary Public
Print Name: Lindsey H. Morrison

[Signature]
Delores C. Harris

Commission Expiration Date:
3/15/25

[AFFIX NOTARY SEAL]



02246347-1

EXHIBIT "A"

LEGAL DESCRIPTION

TRACT ONE:

All that tract or parcel of land lying and being in Land Lots 457 and 480 of the 2nd District, 3rd Section of Paulding County, Georgia, and being an area of 1.052 acres as shown as Tract II on plat of survey for Russell Paris prepared by Jon R. Tripcony, RLS # 2267, dated December 29, 1989, revised September 15, 1994, more particularly described as follows:

BEGIN at the intersection of the Northerly right of way of South Dallas By-Pass (300 foot right of way as shown on the above referenced plat) and the East land lot line of Land Lot 480; thence North 89 degrees 25 minutes 25 seconds West along said right of way of the South Dallas By-Pass for a distance of 864.66 feet to a point on the Southeasterly right of way of Summerhill Road (60 foot right of way as shown on the above referenced plat); thence in an Easterly and Northeasterly direction along said Southeasterly right of way of Summerhill Road for a distance of 887.95 feet to an iron pin located on the East land lot line of Land Lot 457; thence South 01 degrees 06 minutes 57 seconds West along said East Land Lot line for a distance of 114.35 feet to the Southeast corner of Land Lot 457 which is also the Northeast corner of Land Lot 480; thence South 00 degrees 39 minutes 43 seconds East along the East Land Lot line of Land Lot 480 for a distance of 52.45 feet to an iron pin and the point of beginning.

This conveyance is subject to all easements, rights of way and restrictions of record. Said property is subject to the easement recorded in Deed Book 1120, Page 850, Paulding County, Georgia records. Said property is a portion of the property conveyed to Bobby R. Paris by deed dated February 9, 1974 and recorded in Deed Book 7-H, page 65 and by deed dated August 31, 1976, and recorded at Deed Book 7-Z, page 675, Paulding County, Georgia records.

Said property being commonly known as 230 Summerhill Road, according to the present system of numbering properties in Paulding County, Georgia.

This being the same property conveyed to Richard L Harris and Delores C Harris, by virtue of that certain Warranty Deed from Nancy C Mintz, Charles F Mintz and Charles D Mintz, dated February 9, 2012, recorded February 14, 2012 in Deed Book 2968, at Page 70, Paulding County, Georgia real property records.

TOGETHER WITH:

TRACT TWO:

All that lot, tract or parcel of land lying and being in Land Lot 458 of the 2nd District, 3rd Section of Paulding County, Georgia, BEGINNING at an iron pin at the common intersection Land Lots 457, 458, 479 and 480, said district and section, thence running North 00 degrees 56 minutes 10 seconds East along the western land lot line of Land Lot 458 a distance of 114.18

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feet to a point on the southeastern right-of-way of Summerhill Road (a 60 foot right of way); thence running northeasterly along said right of way North 56 degrees 13 minutes 42 seconds East a distance of 16.94 feet to a point; thence turning and running South 02 degrees 05 minutes 54 seconds West a distance of 123.58 feet to a point on the southern land lot line of Land Lot 458; thence turning and running westerly along said land lot line South 89 degrees 35 minutes 50 seconds West a distance of 11.42 feet to an iron pin at the common intersection of land lots 457,458,479 and 480, which is the TRUE POINT OF BEGINNING.

Being the same property shown and described upon a plat of survey prepared for Umbrey Tibbitts dated August 12, 2015 by W. Carlton Rakestraw, GRLS #2236, a copy of which is recorded in Plat Book 60, Page 004A of the Paulding County deed records and is incorporated herein by reference.

This being the same property conveyed to Richard L. Harris and Delores C. Harris, by virtue of that certain Quit-Claim Deed from J.U. Tibbitts and Mary Sue Tibbitts, dated October 30, 2015, recorded November 2, 2015 in Deed Book 3462, at Page 768, Paulding County, Georgia real property records.

AND FURTHER TOGETHER WITH:

TRACT THREE:

All that tract or parcel of land lying and being in the 2nd District 5th Section of Paulding County, Georgia and being located in Land Lots 458 and 479 and being 1.139 acres according to a plat of survey prepared for Richard Corneo by Ruhling and Ruhling Land Surveyors, Vance W. Ruhling, RLS # 2134, dated November 7, 2005 and revised April 14, 2006, said plat of survey being incorporated herein by reference hereto, and property being more fully and particularly described as follows:

To reach the Point of Beginning, start at the intersection of the west right of way of Summer Hill Road (60 foot right of way) and the north right of way of the South Dallas Bypass (600 foot right of way); thence north 88 degrees 44 minutes 37 seconds east along the north right of way of the South Dallas Bypass for a distance of 1,515.74 feet to a point; thence north 01 degrees 23 minutes 00 seconds east for a distance of 7.64 feet to a point, being the Point of Beginning; thence north 01 degree 28 minutes 00 seconds east a distance of 158.30 feet to a point, located on the south right of way of Summer Hill Road; thence north 51 degrees 19 minutes 29 seconds east along the south right of way of Summer Hill Road for a distance of 77.36 feet to a point; thence south 01 degrees 09 minutes 57 seconds west for a distance of 163.24 feet to a point; thence north 88 degrees 55 minutes 00 seconds east for a distance of 600.35 feet to a point; thence south 00 degrees 12 minutes 31 seconds east for a distance of 69.35 feet to a point; thence south 89 degrees 04 minutes 37 seconds west for a distance of 515.24 feet to a point; thence north 87 degrees 11 minutes 26 seconds west for a distance of 142.86 feet to a point, being the Point of Beginning.

This being the same property conveyed to Richard L. Harris and Delores C. Harris, by virtue of that certain Joint Tenancy With Right of Survivorship Warranty Deed from C.J. Martin Enterprises, LLC, dated September 18, 2012, recorded September 18, 2012 in Deed Book 3051, at Page 973, Paulding County, Georgia real property records.

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STATE OF GEORGIA
COUNTY OF COBB

Paulding County, Ga.
Real Estate Transfer Tax
\$ 7.50
4-14-93
Sylvia A. Strickland
Clerk Superior Court

PAULDING COUNTY, GEORGIA
SUPERIOR COURT
FILE IN OFFICE

93 APR 14 PM 2:12

LIMITED WARRANTY DEED

THIS INDENTURE, made the 31st day of March, 1993, between COBB AMERICAN BANK AND TRUST COMPANY, a Georgia banking association, as party or parties of the first part, hereinafter called "Grantor", and MIKE J. POPE, a resident of the State of Georgia, as party or parties 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: Grantor, for and in consideration of the sum of TEN DOLLARS AND OTHER VALUABLE CONSIDERATION (\$10.00) in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm upon the said Grantee the following described property:

All that tract or parcel of land lying and being in Land Lot 479 of the 2nd District, 3rd Section of Paulding County, Georgia, as shown on a plat prepared by Paul Lee, as revised on August 31, 1988, denominated as Tract 1 thereon and also shown in Plat Book 20, page 191, aforesaid records, and being more particularly described as follows:

BEGINNING at intersection of Land Lots 458, 459, 478 and 479, 2nd District, 3rd Section, Paulding County, Georgia; thence running Westerly South 88° 55' West, a distance of 660.45 feet to an iron pin set; thence Southerly along a line South 0° 12' 31" East, a distance of 97.14 feet to an iron pin set; thence

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Easterly along a line South $87^{\circ} 12' 49''$ East; a distance of 663.90 feet to an iron pin set; thence Northerly along a line North $01^{\circ} 16' 00''$ West, a distance of 141.93 feet to a point of beginning.

TOGETHER WITH a perpetual easement for ingress and egress from the above described property to Summerhill Road, a 60-foot public right-of-way, said easement having been granted to Jerry F. Wiley and Brenda Diane Wiley by Henry H. Kinsey, Sr. and Naomi E. Kinsey in Deed Book 72, page 692, Paulding County records. Said easement is more particularly shown on a plat of survey for Bruce L. Goodman prepared by Paul E. Lee, RLS, dated November 9, 1990, and filed in Plat Book 20, page 191, Paulding County records, to which plat reference is made for a more detailed description of the easement herein conveyed.

THIS CONVEYANCE is made subject to all easements, restrictions and covenants of record, all ad valorem real estate taxes which are liens and which may be now or hereafter due and payable and is conveyed by Grantor to Grantee "AS IS" and "WHERE IS".

By acceptance of this deed, Grantee acknowledges and agrees that Grantor has acquired subject property pursuant to a real property foreclosure sale conducted by Grantor as attorney in fact for Blake Properties, Inc. and makes no representations or warranties as to the property or any improvements located thereon, express or implied.

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.

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AND subject to the exceptions aforesaid, the said Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons claiming by, through or under Grantor.

IN WITNESS WHEREOF, the Grantor has signed and sealed this Limited Warranty Deed on the day and year first above written.

Signed, Sealed and Delivered
this 6th day of April, 1993
in the presence of:

COBB AMERICAN BANK AND
AND TRUST COMPANY

Michelle Mansone
Witness

By: Leo Rainey, Jr.
Leo Rainey, Jr.
Title: Executive Vice
President
(AFFIX BANK SEAL)

SHIRLEY D. HICKS
N.P.

Shirley D. Hicks
(Notary Public)
NOTARY
Commission Expires:
Notary Public, Cobb County, Georgia
Commission Expires March 22, 1996
05360:14-16

RECORDED 4-16-93
SPRING STREET, ATLANTA, GA
SPRING STREET, ATLANTA, GA

EXHIBIT "A"

All that tract or parcel of land lying and being in Land Lot 479 of the 2nd District, 3rd Section of Paulding County, Georgia, as shown on a plat prepared by Paul Lee, as revised on August 31, 1988, denominated as Tract 1 thereon and also shown in Plat Book 20, page 191, aforesaid records, and being more particularly described as follows:

BEGINNING at intersection of Land Lots 458, 459, 478 and 479, 2nd District, 3rd Section, Paulding County, Georgia; thence running Westerly South $88^{\circ} 55'$ West, a distance of 660.45 feet to an iron pin set; thence Southerly along a line South $0^{\circ} 12' 31''$ East, a distance of 97.14 feet to an iron pin set; thence Easterly along a line South $87^{\circ} 12' 49''$ East; a distance of 663.90 feet to an iron pin set; thence Northerly along a line North $01^{\circ} 16' 00''$ West, a distance of 141.93 feet to a point of beginning.

TOGETHER WITH a perpetual easement for ingress and egress from the above described property to Summerhill Road, a 60-foot public right-of-way, said easement having been granted to Jerry F. Wiley and Brenda Diane Wiley by Henry H. Kinsey, Sr. and Naomi E. Kinsey in Deed Book 72, page 692, Paulding County records. Said easement is more particularly shown on a plat of survey for Bruce L. Goodman prepared by Paul E. Lee, RLS, dated November 9, 1990, and filed in Plat Book 20, page 191, Paulding County records, to which plat reference is made for a more detailed description of the easement herein conveyed.

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