

Instrument prepared by:
JAMES M. TINGLE, Attorney
1600 City Federal Building
Birmingham, AL 35203

WARRANTY DEED, JOINTLY FOR LIFE WITH REMAINDER TO SURVIVOR.

STATE OF ALABAMA)
SHELBY COUNTY)

KNOW ALL MEN BY THESE PRESENTS: That, whereas, at the time of the death of Edward J. Hugensmith, Sr. he was the owner of the hereinafter described real estate situated in SHELBY COUNTY, Alabama; and

WHEREAS, the said Edward J. Hugensmith, Sr. died testate and his Last Will and Testament has been duly probated in the Probate Court of Jefferson County, Alabama, in case number 106831; and pursuant to the terms and provisions of said Last Will and Testament, the undersigned Carolyn H. Chappell was duly appointed as Executrix of said estate and also was named as Trustee under the Trusts established by the terms of said Will; and

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WHEREAS, heretofore said Carolyn H. Chappell as such Executrix has made the division of the rest and residue of the assets of the estate pursuant to Item Three of the Last Will and Testament of said Edward J. Hugensmith, Sr. and established the two trusts designated as PART FIRST and PART SECOND Trust Estates; and

WHEREAS, the sole beneficiary under the PART FIRST Trust as Identified in the said Will is the widow of the said Edward J. Hugensmith, Sr., being Corrice Lee Hugensmith, who joins in the execution of this instrument; and

WHEREAS, pursuant to the terms and provisions of ITEM THREE of the Last Will and Testament, the said Executrix, Carolyn H. Chappell, has allocated the hereinafter described real estate to

James Chappell
P.O. Box 457
Birmingham, Ala



constitute a portion of the corpus of the PART FIRST Trust as being the marital share described in said Item Three; and

WHEREAS, under the said terms of the Last Will and Testament establishing the PART FIRST Trust Estate, the said beneficiary, the undersigned Corrice Lee Hugensmith, was given the right to obtain from the Trustee such amounts out of the principal of the Trust as she may from time to time request and was further provided with an absolute Power of Appointment of said share by a specific exercise thereof in her own Last Will and Testament, all as described in said Item Three of said Last Will and Testament; and

WHEREAS, your undersigned beneficiary has requested and authorized the undersigned named grantees, Carolyn H. Chappell and her husband, James E. Chappell, to purchase the hereinafter described real estate from the said Trust Estate, and the said Corrice Lee Hugensmith specifically joins in the execution of this deed in order that it clearly demonstrates that the purchase by the grantees herein is specifically authorized, ratified and approved by the said beneficiary of said Trust estate, and being in and for a consideration that represents the fair market value of the property being conveyed:

NOW, THEREFORE, in consideration of the premises and in the further consideration of the purchase price of Ten Thousand and no/100 Dollars (\$10,000.00) cash, and the execution of a purchase money mortgage in the amount of One Hundred Eighty Thousand and no/100 Dollars (\$180,000.00) to the said Trust Estate, the undersigned, Carolyn H. Chappell as Executrix of the Estate of Edward J. Hugensmith, Sr., together with Carolyn H. Chappell as Trustee under the PART FIRST Trust created under the Last Will and Testament of said Edward J. Hugensmith, Sr.,

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and Corrice Lee Hugensmith, a widow, hereinafter referred to as Grantors, do hereby BARGAIN, GRANT, SELL and CONVEY unto Carolyn H. Chappell and James E. Chappell (hereinafter referred to as Grantees) for and during their joint lives, and upon the death of either of them, then to the survivor of them, in fee simple, together with every contingent remainder and right of reversion, the following described real estate situated in SHELBY COUNTY, ALABAMA, to-wit:

Part of the east half of Section 15, Township 20 South, Range 3 West, Shelby County, Alabama, said part being more particularly described as follows:

From the intersection of the south line of the L. & N. Railroad right-of-way and the center-line of Prairie Branch, run east along said south line of the railroad right-of-way for 1126.0 feet, thence right 101 degrees 30 minutes and southerly for 715.0 feet to a point of beginning, thence right 89 degrees 39 minutes and westerly for 121.71 feet, thence left 90 degrees and southerly for 295.0 feet, thence left 90 degrees and easterly for 419.18 feet to the west line of a proposed 50-foot county road right-of-way, thence left 103 degrees 45 minutes and north along said proposed right-of-way line for 303.69 feet, thence left 76 degrees 15 minutes and west for 228.29 feet to the point of beginning, containing 2.60 acres, more or less.

The above property is subject to a right-of-way agreement to Plantation Pipe Line Company recorded in Volume 112, page 327, in the Probate Judge's Office of Shelby County, Alabama.

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TO HAVE AND TO HOLD to the said GRANTEES for and during their joint lives and upon the death of either of them, then to the survivor of them in fee simple, and to the heirs and assigns of such survivor forever, together with every contingent remainder and right of reversion.

And we do, for ourselves and for our heirs, executors, and administrators covenant with the said GRANTEES, their heirs and assigns, that we are lawfully seized in fee simple of said premises; that they are free from all encumbrances; that we have a good right to sell and convey the same as aforesaid; that we will and our heirs, executors and administrators shall warrant and defend the same to the said GRANTEES, their heirs and assigns

forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this 10th day of June, 1983.

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Carolyn H. Chappell
Carolyn H. Chappell as Executrix of the Estate of Edward J. Hugensmith, Sr., Deceased.

Carolyn H. Chappell
Carolyn H. Chappell as Trustee under the PART FIRST Trust created under the Last Will and Testament of Edward J. Hugensmith, Sr., Deceased.

Corrice Lee Hugensmith
Corrice Lee Hugensmith

STATE OF ALABAMA)
COUNTY OF Jefferson)

I, the undersigned, a Notary Public in and for said county in said State, hereby certify that CAROLYN H. CHAPPELL as Executrix of the Estate of Edward J. Hugensmith, Sr., Deceased, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance, she executed the same voluntarily on the day the same bears date, and in the capacity therein stated.

GIVEN under my hand and official seal this 10th day of June, 1983.

James M. Taylor
Notary Public

STATE OF ALABAMA)
COUNTY OF Jefferson)

I, the undersigned, a Notary Public in and for said county in said State, hereby certify that CAROLYN H. CHAPPELL as Trustee under the PART FIRST trust created under the Last Will and Testament of Edward J. Hugensmith, Sr., Deceased, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance, she executed the same voluntarily on the day the same bears date, and in the capacity therein stated.

GIVEN under my hand and official seal this 10th day of June, 1983.

James M. Taylor
Notary Public

STATE OF ALABAMA)
COUNTY OF *Dallas*)

I, the undersigned, a Notary Public in and for said county in said State, hereby certify that CORRICE LEE HUGENSMITH, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance, she executed the same voluntarily on the day the same bears date.

GIVEN under my hand and official seal this 10th day of June, 1983.

[Signature]

Notary Public

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STATE OF ALA. SHELBY CO.
I CERTIFY THIS
CONVEYANCE WAS FILED
1983 JUL 20 AM 9:27
Thomas A. Lawson, Jr.
JUDGE OF PROBATE

Deed Tax 10.00
Rec 7.50
Ind. 1.00

18.50