

STATE OF ALABAMA)
 SHELBY COUNTY)

RECORDED
 1995-12609

TRUST INDENTURE

I, William Julian Kennerly, do hereby transfer, assign and convey the following described real property, in Trust, to Robert A. Dennis, as Trustee under Revocable Trust Agreement dated February 11th, 1980, executed by William Julian Kennerly, to be held subject to the provisions of said Revocable Trust Agreement, his successors in Trust and assigns:

Inst # 1995-12609

Tract #1: The following described real estate situated in Shelby County, Alabama, to-wit: My one-half undivided interest as equal tenant-in-common in that certain lot or parcel of land in the town of Montevallo, which is particularly described as follows, to-wit: Beginning at a point along the northeast line of Moody Street one-hundred and twenty-five feet (125 ft.) northwest of the intersection of said northeast line of Moody Street and the northwest line of Nabors Street according to the map of Lyman's Addition as recorded in the office of the Probate Judge of Shelby County, running thence northwest from this point along the northeast line of Moody Street a distance of seventy-five feet, thence northeast along a line parallel with Nabors a distance of three-hundred feet (300 ft.), thence southeast along a line parallel with Moody Street a distance of seventy-five feet (75 ft.), thence southwest along a line parallel with Nabors Street, a distance of three-hundred feet (300 ft.) to the point of beginning.

Tract #2: The following described real estate situated in Shelby County, Alabama, to-wit: My one-half undivided interest as equal tenant-in-common in that certain lot or parcel of land in the town of Montevallo which is particularly described as follows, to-wit: Beginning at the point of intersection of the northeast line of Moody Street with the northwest line of Lyman's Addition, according to the map of said Lyman's Addition as recorded in the office of the Probate Judge of said Shelby County, which point is opposite and across the end of said Moody Street, according to said map, forms the northernmost corner of Lot One (1) Block L, of said Lyman's Addition; running thence northeast, along the said line of Lyman's Addition three hundred (300) feet; thence southeast, parallel with said Moody Street one hundred (100) feet, thence southwest, parallel with said northwest line of Lyman's Addition three hundred (300) feet to Moody Street and thence northwest along the northeast line of said Moody Street, to the point of beginning, a distance of one hundred (100) feet.

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05/15/1995-12609
 09:59 AM CERTIFIED
 SHELBY COUNTY JUDGE OF PROBATE
 005 MCD 19.50

Tract #3: The following described real estate situated in Shelby County, Alabama, to-wit: My one-half undivided interest as equal tenant-in-common in Lot number four (4) in Block "M" in Lyman's Addition to the Town of Montevallo, Ala. according to survey and map of said Lyman's Addition as recorded in the office of the Probate Judge of said Shelby County, Ala.

Tract #4: The following described real estate situated in Shelby County, Alabama, to-wit: My one-half undivided interest as equal tenant-in-common in All of Lot No. Twenty-five (25) in the town of Montevallo, according to the original plan of said town as recorded in the office of the Probate Judge of Shelby County, Alabama, that is to say all of our undivided interests in and to that lot particularly described as follows to-wit: Beginning at the easternmost corner of said lot No. Twenty-five (25), running thence northwesterly along the southwest margin of Vine St. a distance of two hundred (200) feet, thence perpendicular to said Vine St. a distance of seventy-seven (77) feet, more or less to the "Kroell Lot" thence southeasterly along the line of said "Kroell Lot", and parallel with Vine St. two hundred (200) feet to the margin of Broad Street, and thence northeasterly along the margin of Broad Street, to the point of the beginning, a distance of seventy-seven (77) feet more or less. But this Conveyance is subject to a life estate vested in Mrs. Willie Reynolds, widow of J.M. Reynolds, deceased.

Tract #5: The following described real estate situated in Shelby County, Alabama, to-wit: My one-half undivided interest as equal tenant-in-common in A part of Lot 22, according to the Original Plan of the Town of Montevallo, Alabama, more particularly described as follows: From the Southwest corner of Lot 22, at the intersection of Middle Street and Main Street, run Northwesterly along Middle Street for 99.88 feet to the SE corner of a Shoe Shop building, for the point of beginning; thence continue Northwesterly along Middle Street 48.7 feet to a point; thence run Northeasterly and parallel to Main or Broad Street, 75 feet, more or less, to the boundary line of Lot 23; thence run Southeasterly along the South boundary of said Lot 23 and parallel with Middle Street 50 feet to a point; thence Southwesterly, parallel to Main or Broad Street, 75 feet to the point of beginning.

Together with the right of ingress, egress and regress, to the grantee, his heirs or assigns, through and over an alley lying adjacent to the Southeasterly boundary of the lot described herein, being more particularly described as Commencing at the NE corner of the lot herein described, and running thence Easterly along the south boundary of Lot 23 and parallel with Middle Street 10 feet; thence Southwesterly and parallel with Main Street to the NE boundary of Middle Street; thence Westerly and parallel with the NE boundary of Middle Street 9.78 feet; thence Northeasterly and parallel with Main Street, to the point of beginning. All being situated in Shelby County, Alabama.

Tract #6: The following described real estate situated in Shelby County, Alabama, to-wit: My one-half undivided interest as equal tenant-in-common in The SE $\frac{1}{4}$ of Section 11, Township 22, Range 3 West. Also, the West 10 acres of the SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 12, Township 22, Range 3 West. Also, a lot of land described as follows, to-wit: Commencing at the SW corner of Section 12, Township 22, Range 3 West, and run thence North 89 deg. 45 min. East along the section line 330 feet for the point of beginning of the lot herein conveyed, thence North 2 deg. 30 min. West 54 feet; thence South 39 deg. 30 min. East 21 feet; thence South 72 deg. 30 min. East 75 feet; thence South 28 deg. 30 min. West 12 feet; thence South 89 deg. 45 min. West 76 feet to point of beginning.

Tract #7: The following described real estate situated in Buncombe County, North Carolina, to-wit: Lying and being in Montreat and described as follows: My one-half undivided interest as equal tenant-in-common in the following described property: BEGINNING at an iron pin in the North margin of Carolina Terrace, the Southeast corner of Lot 299 of the plat hereinafter referred to, and runs thence along and with the dividing line of Lots 299 and 300 of said plat, North 0 deg. 38' East 196.44 feet to an iron pin in the South margin of West Virginia Terrace; thence along and with said margin of said West Virginia Terrace. South 76 deg. 52' East 92.20 feet to a stake; thence South 0 deg. 38' West 155.07 feet to an iron pin in the North margin of the aforesaid Carolina Terrace; thence along and with said margin of said Carolina Terrace, South 85 deg. 32' West 30.1 feet to a stake; thence South 73 deg. 18' West 62.89 feet to the point of Beginning. Comprising all of Lot 300 and the western one-half of Lot 301, adjoining said Lot 300, as laid down and shown on the plat of the New Survey of the Mountain Retreat Association, which said plat is duly of record in the office of the Register of Deeds for Buncombe County, North Carolina in Plat Book 16 pages 92 to 97, inclusive, of the Buncombe County Records, to which reference is hereby made. Being the same property conveyed to the parties of the first part by deed from the Mountain Retreat Association dated December 5, 1948 and also from Mrs. A.P. Thorpe, which two deeds are duly recorded in the office aforesaid, to which reference is hereby made.

This conveyance is made subject to all the conditions, restrictions and stipulations as setforth in the original conveyance from Mountain Retreat Association.

And I do for myself and for my heirs, executors, and administrators covenant with the said Grantee, his successors in Trust and assigns, that I am lawfully seized in fee simple of said one-half undivided interest as tenant-in-common of said premises; that they are free from all encumbrances; unless otherwise noted above, that I have a good right to sell and convey the same as aforesaid; that I will and my heirs, executors, and administrators shall warrant and defend the same to the said Grantee, his successors in Trust and assigns

forever, against the lawful claims of all persons.

In witness whereof I have hereunto set my hand and seal this 11 day of February, 1980.

WITNESSES:

William Julian Kennerly

William Julian Kennerly

Rev. J. L. Brown L.S.

Richard L. Wall L.S.

STATE OF ALABAMA)

SHELBY COUNTY)

I, the undersigned authority, a notary public in and for said ~~county~~, in said State, hereby certify that William Julian Kennerly, 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, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 11 day of February, 1980.

Dean L. Wall
Notary Public
State of Alabama

My Commission Expires:

August, 1982



State of North Carolina, County of Buncombe

Each of the foregoing certificates, namely of Dean L. Wall

a notary or Notaries public of the State and County designated is certified to be correct.

This 24th day of June, 19 80

OTTO W. DeBRUHL
Register of Deeds, Buncombe County

By: *Margaret W. McElrath* Deputy

Filed for registration on the 24th day of June, 19 80 at 11:31 A.M.

OTTO W. DeBRUHL
Register of Deeds, Buncombe County

By: *Margaret W. McElrath* Deputy

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SHELBY COUNTY JUDGE OF PROBATE
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Filed for Registration
on 24th day of June 1980 in
Buncombe County, N.C., at 11:31am
page 685
in Book 1346
Ottow. De Buckle
Register of Deeds

Mail
John A. Dennis
Box 404
Montreat, N.C.
28757