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12/07/2021 09:07:12 AM
EXEDED 1/5

This instrument prepared by:

Tanya K. Shunnara, Esq.
Dentons Sirote PC
2311 Highland Avenue South (35205)
P.O. Box 55727
Birmingham, Alabama 35255-5727

**THIS INSTRUMENT IS BEING EXECUTED TO COMPLY WITH THE PROVISIONS OF,
AND TO MAKE A DISTRIBUTION PURSUANT TO, THE
WILL OF WILLIAM W. CUNNINGHAM, III, DECEASED,
ADMITTED TO PROBATE IN THE PROBATE COURT OF
JEFFERSON COUNTY, ALABAMA, IN CASE NO. 21BHM00932**

**THIS DEED WAS PREPARED WITHOUT BENEFIT OF A TITLE SEARCH OR SURVEY
AND WITH LEGAL DESCRIPTION PROVIDED BY GRANTOR.
NO REPRESENTATIONS CONCERNING TITLE OR THE ACCURACY OF THE LEGAL
DESCRIPTION ARE MADE BY THE PREPARER OF THIS INSTRUMENT.**

SOURCE OF TITLE: Instr. # 1994-22956 (Deed) and Instr. #: 2000-08533 (Correction to Deed)

| | | |
|------------------|---|---|
| STATE OF ALABAMA |) | Send Tax Notice to: |
| |) | Michele B. Cunningham, Trustee |
| COUNTY OF SHELBY |) | William W. Cunningham, III Family Trust |
| | | 2693 Alta Glen Drive |
| | | Vestavia, Alabama 35243-4534 |

PERSONAL REPRESENTATIVE'S DEED OF DISTRIBUTION

KNOW ALL MEN BY THESE PRESENTS, that for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration to the Grantor herein, in hand paid by the Grantee herein, the receipt and sufficiency of which are hereby acknowledged, the Grantor,

**MICHELE B. CUNNINGHAM, AS PERSONAL REPRESENTATIVE
OF THE ESTATE OF WILLIAM W. CUNNINGHAM, III, A/K/A
WILLIAM WELDON CUNNINGHAM, III, DECEASED,
PROBATE COURT OF JEFFERSON COUNTY, ALABAMA, CASE NO. 21BHM00932,
whose mailing address is 2693 Alta Glen Drive, Vestavia, Alabama 35243-4534**

(herein referred to as "**Grantor**"), does by these presents **GRANT, BARGAIN, SELL AND CONVEY**
unto

**MICHELE B. CUNNINGHAM, OR ANY SUCCESSOR(S), AS TRUSTEE OF
THE WILLIAM W. CUNNINGHAM, III FAMILY TRUST
U/W/O WILLIAM W. CUNNINGHAM, III, DECEASED**
whose mailing address is **2693 Alta Glen Drive, Vestavia, Alabama 35243-4534**

(herein referred to as "**Grantee**") the following described real property situated in Shelby County, Alabama (herein referred to as the "**Property**"; the Property having a **property address of South End - Papa Lane, Shelby County, Alabama 35043** and having an **Assessor's Market Value of \$524,790.00**, as can be verified by the records of the Shelby County, Alabama Property Tax Commissioner – Parcel No. 15-2-03-0-001-013.000), to-wit:

**SEE EXHIBIT "A" ATTACHED HERETO AND MADE A
PART HEREOF FOR LEGAL DESCRIPTION OF PROPERTY.**

TOGETHER WITH ALL AND SINGULAR the rights, members, privileges, improvements, hereditaments, tenements and appurtenances thereto belonging or in anywise appertaining and all right, title and interest of Grantor in and to any and all roads, alleys and ways bounding said premises.

This conveyance is made subject to the following:

1. Taxes and assessments for the current and subsequent years not yet due and payable.
2. Any and all previous reservations or conveyances, together with release of damages, of minerals of every kind and character, including, but not limited to, oil, gas, sand and gravel, in, on and under the Property, together with all rights in connection therewith (however, minerals are conveyed as a part of the Property to the extent owned by Grantor); all recorded mortgages, if any, all recorded encumbrances, if any; recorded or unrecorded easements, liens, dedications, restrictions, covenants, declarations, reservations, limitations, conditions, uses, agreements, set-back lines, rights-of-way, subdivision and other regulations, utilities and other matters of record in the Probate Office of Shelby County, Alabama, and to all applicable zoning ordinances and/or restrictions, prohibitions and/or other requirements imposed by governmental authorities, if any; rights of upstream and downstream riparian owners and other parties in and to the shore, littoral or riparian rights with respect to any body of water which may lie adjacent to, and/or traversing through, the Property; any rights of parties in possession; all recorded or unrecorded leases affecting the Property, if any; and any encroachments, overhangs, deficiencies in quantity of land, discrepancies as to boundary lines, overlaps, etc., which would be disclosed by a true and accurate survey of the Property.

TO HAVE AND TO HOLD to the said Grantee, Grantee's successors and assigns, in fee simple forever.

NOTES:

1. William W. Cunningham, III, being one and the same person as William Weldon Cunningham, III (the "**Decedent**"), a married man, died, on or about March 21, 2021, a resident of Jefferson County, Alabama, but owning the Property being conveyed hereby.

2. At the time of the Decedent's death, the Decedent owned the Property being conveyed hereby having been acquired pursuant to the following: (i) that certain deed conveying the Property to the Decedent, William Weldon Cunningham, III by deed from John C. Wilson, dated July 19, 1994, and filed

for record on July 21, 1994, in Inst. #1994-22956, in the Office of the Judge of Probate of Shelby County, Alabama; and (ii) that certain Correction to Deed, dated March 14, 2000, and filed for record on March 17, 2000, in Inst. #2000-08533, in the Office of the Judge of Probate of Shelby County, Alabama.

3. The Will of William W. Cunningham, III, executed on or about October 7, 2015 (the "**Decedent's Will**"), was admitted to probate in Case No. 21BHM00932 in the Probate Court of Jefferson County, Alabama, and pursuant to Letters Testamentary issued in said case on April 15, 2021, the Decedent's spouse, Michele B. Cunningham, was appointed as Personal Representative of the Estate of the Decedent ("**Decedent's Estate**").

4. The terms of Article IV of the Decedent's Will provide that all of the residuary estate of the Decedent, of which the Property being conveyed hereby forms a part, shall pass to the Trustee of the "Family Trust" created under the Decedent's Will (herein, the "**William W. Cunningham, III Family Trust**"), to be held in trust, and administered and distributed pursuant to the terms of the Decedent's Will.

5. Pursuant to the provisions of Article VIII of the Decedent's Will, Michele B. Cunningham was named to serve as Trustee of all trusts created under the Decedent's Will, which includes the William W. Cunningham, III Family Trust, and the said Michele B. Cunningham is currently serving as the Trustee as of the date of this Deed.

6. This Deed is being executed to evidence and complete the conveyance of the Property to the Trustee of the William W. Cunningham, III Family Trust in compliance with the terms of Article IV of the Decedent's Will.

7. The Property conveyed hereby to Grantee is specifically conveyed to Grantee in Grantee's fiduciary capacity, to have, hold, maintain and distribute in strict accordance with the terms of the Decedent's Will relating to the "Family Trust" created thereunder for the benefit of the beneficiary(ies) thereof as provided therein.

8. The Property was not and is NOT the homestead of the Decedent or the Decedent's spouse, Michele B. Cunningham.

9. This instrument is being executed by the undersigned Grantor solely in the fiduciary capacity as set forth herein, and neither this instrument nor anything herein contained shall be construed as creating any indebtedness or obligation on the part of the Grantor in her individual capacity, and the Grantor expressly limits her liability hereunder solely to the property now or hereafter held by her as the Personal Representative of the Decedent's Estate.

10. **REAL ESTATE SALES VALIDATION INFORMATION:** In lieu of the submission of a separate Real Estate Sales Validation Form (the "Validation Form"), to the best of the undersigned's knowledge, this conveyance document contains all of the information which would otherwise be included on such Validation Form. The undersigned attests that, to the best of the undersigned's knowledge, such information so contained in this Deed is true and accurate. The undersigned further understands that any false statements claimed may result in the imposition of the penalty indicated in Code of Alabama 1975 § 40-22-1(h).

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SIGNATURE PAGE FOLLOWS -

1st IN WITNESS WHEREOF, the said Grantor has hereunto set Grantor's hand and seal on this day of December, 2021.

GRANTOR:

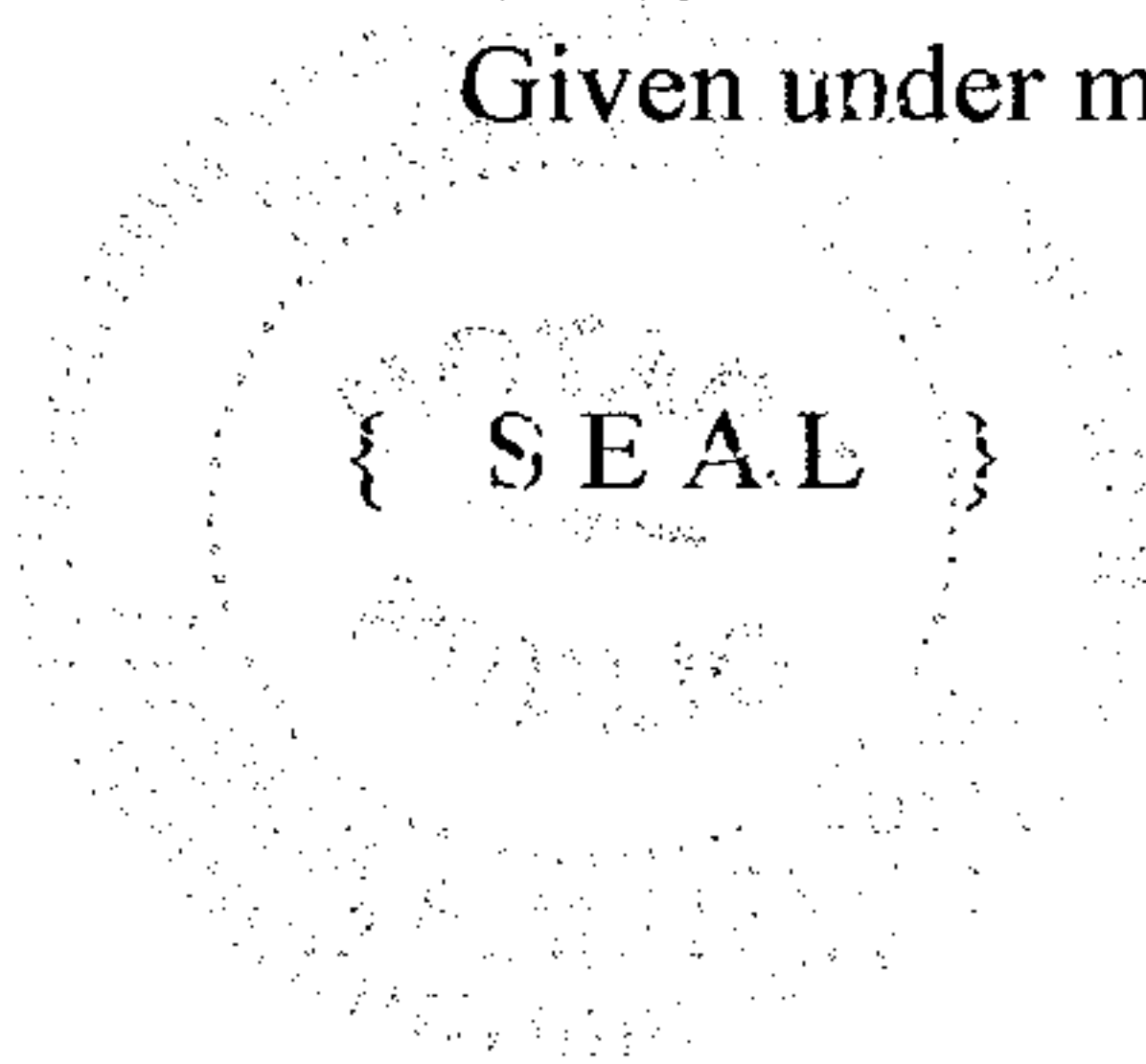
By: Michele B. Cunningham
Michele B. Cunningham, As Personal Representative of
the Estate of William W. Cunningham, III, a/k/a William
Weldon Cunningham, III, Deceased

STATE OF ALABAMA)

COUNTY OF Jefferson)

I, the undersigned authority, a Notary Public in and for said county in said state, hereby certify Michele B. Cunningham, whose name as Personal Representative of the Estate of William W. Cunningham, III, a/k/a William Weldon Cunningham, III, Deceased, 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 such conveyance, and with full authority, she executed the same voluntarily on the day the same bears date

Given under my hand and official seal this 1st day of December, 2021.



Reva D. Kirk
Notary Public
My Commission Expires MY COMMISSION EXPIRES 10/24/2022

EXHIBIT "A"

LEGAL DESCRIPTION OF PROPERTY

The south one-half of the southwest one-quarter of Section 3, Township 20 South, Range 1 West, Huntsville Meridian, Shelby County, Alabama.

A 60 foot easement for ingress and egress and the installation, use, and maintenance of utilities over, across, through and under the property more particularly described as follows:

Commence at the Northeast Corner of the Southeast Quarter of the Southeast Quarter of Section 4, Township 20 South, Range 1 West; run thence in a Southerly direction along the East Line of said Section 4 for a distance of 645.96 feet to the point of beginning of a 60 foot wide easement; said easement running from the Easterly line of Section 4, in a Southwesterly, Westerly and Northwesterly direction, said Center line being more particularly described as follows: from the point of beginning thus obtained thence turn an angle to the right of 66 degrees, 52 minutes, 18 seconds and run in a Southwesterly direction for a distance of 142.67 feet to the point of beginning of a curve to the right, said curve having a central angle of 85 degrees, 49 minutes, 36 seconds and a radius of 132.89 feet; thence run along the arc of said curve in a Southwesterly, Westerly, and Northwesterly direction for a distance of 199.07 feet to the end of said curve and the point of beginning of a curve to the right, said curve having a central angle of 15 degrees, 55 minutes, 24 seconds, and a radius of 715.01 feet; thence run along the arc of said curve to the right in a Northwesterly direction for a distance of 198.71 feet to the end of said description, said point being situated at the termination of an existing paved road.



Filed and Recorded
Official Public Records
Judge of Probate, Shelby County Alabama, County
Clerk
Shelby County, AL
12/07/2021 09:07:12 AM
\$37.00 BRITTANI
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Allen S. Bayl