
EXTENSION OF TRUST FOR MARY BELCHER ABERNATHY,

2896

NEE MARY EARNESTINE BELCHER

This agreement is made and entered into on the 12th day of May, 1947 by and between Mary Belcher Abernathy, nee Mary Earnestine Belcher, hereinafter sometimes referred to as "Mary Abernathy" and her husband, James Robert Abernathy, Jr., and Nell Vandergrift Belcher, as Trustee, hereinafter sometimes referred to as "Trustee";

W I T N E S S E T H

THAT WHEREAS, heretofore on, to-wit, the 23rd. day of December, 1940, William Albert Belcher, Sr. and the aforesaid Nell Vandergrift Belcher, as Trustee for Mary Earnestine Belcher, entered into that certain Indenture and Deed of Trust that was later recorded in the Office of the Judge of Probate of Jefferson County, Alabama on the 27th day of December, 1940 in Volume 3150 Record of Deeds at page 133, and

WHEREAS paragraph 20 of said Indenture and Deed of Trust provided in part as follows:

"My said daughter, Earnestine Belcher, shall be the sole beneficiary for whom this trust is created. Upon her arriving at the age of twenty-one years she shall be entitled to, and the trustee shall convey and deliver over to her, the entire trust estate including the entire corpus and all accumulated income remaining in the hands of the trustee, and this trust shall be terminated and the trustee discharged pro tanto."

AND WHEREAS, the said Mary Earnestine Belcher, upon her arrival at the age of 21 years on the 12th day of May, 1947, elected not to permit the aforesaid trust to be terminated but elected to have the same continued and extended for an additional term of ten years and she is desirous of evidencing her said election to continue and to extend the term of said trust by this written instrument, duly recorded in the Office of the Judge of Probate of Jefferson County, Alabama

NOW THEREFORE PREMISES CONSIDERED, I, the said Mary Belcher Abernathy, nee Mary Earnestine, Belcher, joined by my husband James Robert Abernathy, Jr. for the purpose of evidencing his consent hereto, do hereby make known to all whom this may concern, that I have heretofore elected and do hereby elect to continue in full force and effect under the same terms and conditions and to extend for a term of ten years from the 12th day of May, 1947 and from time to time thereafter as I may elect by written instrument duly recorded in the Office of the Judge of Probate of Jefferson County, Alabama, that certain trust that was created by my benefit on the 23rd day of December, 1940, as evidenced by Indenture and Deed of Trust recorded in the Office of the Judge of Probate of Jefferson County, Alabama on the 27th

day of December, 1940 in Volume 3150 Record of Deeds at page 133 and we, the said Mary Belcher Abernathy and husband, James Robert Abernathy, jr. do hereby ratify and confirm all actions and deeds of the said Nell Vandergrift Belcher, as Trustee under said Indenture and Deed of Trust since her acceptance of said Trusteeship on the 23rd day of December, 1940, and we do further hereby confirm and make known the fact that the Trustee under said Indenture and Deed of Trust, during the period of ten years from and after the 12th day of May, 1947, has had, shall have, and is hereby given, all of the rights, powers and duties in the administration of the Trust Estate covered by said Indenture and Deed of Trust as she had during the period from the 23rd day of December, 1940 to and including the 12th day of May, 1947.

IN WITNESS WHEREOF, the undersigned, Mary Belcher Abernathy and husband, James Robert Abernathy Jr. have hereunto affixed their signatures and seals and Nell Vandergrift Belcher has executed this agreement, as Trustee as further evidence of her acceptance of said Trusteeship, all on the day and in the year first above written.

Mary Belcher Abernathy (SEAL)
Mary Belcher Abernathy

James Robert Abernathy, Jr. (SEAL)
James Robert Abernathy, Jr.

Nell Vandergrift Belcher
As Trustee for Mary Belcher
Abernathy, nee Mary Earnestine
Belcher.

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, Beatrice Minor, a Notary Public in and for said County, in said State, hereby certify that Mary Belcher Abernathy, nee Mary Earnestine Belcher and James Robert Abernathy, Jr., whose names are signed to the foregoing instrument, and who are known to me, acknowledged before me on this day that, being informed of the contents of the said instrument, they executed the same voluntarily on the day the same bears date.

Given under my hand and official notarial seal on this 12th day of May, 1947.

Beatrice Minor
Notary Public

SEAL

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, Beatrice Minor, a Notary Public in and for said County, in said State, hereby certify that on the 12th day of May, 1947, came before me the within named Mary Belcher Abernathy, nee Mary Earnestine Belcher, known to me to be the wife of the within named James Robert Abernathy, Jr., who being examined separate and apart from the husband, touching her signature to the within instrument, acknowledged that she signed the same of her own free will and accord and without fear, constraints or threats on the part of the husband.

Given under my hand and official notarial seal on this 12th day of May, 1947.

Beatrice Minor
Notary Public

SEAL

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, Beatrice Minor, a Notary Public in and for said County, in said State, hereby certify that Nell Vandergrift Belcher, whose name as Trustee for Mary Belcher Abernathy, nee Mary Earnestine Belcher under the aforementioned Indenture and Deed of Trust and the extension thereof as evidenced by the above and foregoing instrument, is signed to the said instrument and informed of the contents of the said instrument, she, in her capacity as such Trustee, executed the same voluntarily on the day the same bears date.

Given under my hand and official notarial seal on the 12th day of May, 1947.

Beatrice Minor
Notary Public, My com. exp. 11/21/41

Filed for record in my office on the 15th day of April 1948 at 3P.M. and recorded in deed book 133 page 452 on this the 21st day of April, 1948, L. C. Walker, Probate Judge