

4119
STATE OF ALABAMA,

BOOK 181 PAGE 305

SHELBY COUNTY.

This agreement made between Mae Ketchum McCoy, hereinafter referred to as Party of the First Part, and Franklin Howell Smith, as Executor of the Last Will and Testament of H. M. McCoy, deceased, hereinafter referred to as Party of the Second Part, witnesseth:

WHEREAS, Party of the First Part has filed for probate in the Probate Court of Shelby County, Alabama, an instrument in writing purporting to be the Last Will and Testament of H. M. McCoy, deceased, and Party of the Second Part has filed in said Court an instrument in writing of later date purporting to be the Last Will and Testament of H. M. McCoy, deceased;

IT IS THEREFORE agreed between the parties hereto that Party of the First Part shall withdraw and will withdraw the Will which she has sought to have probated as aforesaid and withdraw a contest she has filed to the probate of the Will propounded by Party of the Second Part.

Party of the First Part, in consideration of the sum of Five and no/100 (\$5.00) DOLLARS, the receipt of which is acknowledged, and the relinquishment on the part of Party of the Second Part of any claim the estate of H. M. McCoy, deceased, has against one diamond stickpin and one diamond ring formerly owned by H. M. McCoy, deceased, does hereby relinquish all claims she has against said estate, including homestead and dower rights, if any.

Party of the Second Part, in consideration of the relinquishment above mentioned does hereby relinquish any claim the estate of said H. M. McCoy, deceased, may have in reference to said jewelry above mentioned.

It is the purpose of this agreement to permit the Party of the Second Part to probate the Will he has propounded as the Last Will and Testament of H. M. McCoy, deceased, and be appointed Executor, which has been done, and that all claims of Party of the First Part against said estate of every kind, nature and description for herself, her heirs and assigns, are waived.

Witness our hands and signed in duplicate this the 9 day of February, 1952.

Mae Ketchum McCoy
Party of the First Part

ATTEST AS TO PARTY OF THE
SECOND PART:

Benjamin Cason

Franklin H. Smith
As Executor of the Last Will and Testament
of H. M. McCoy, deceased, Party of the
Second Part

STATE OF ALABAMA,
SHELBY COUNTY.

I, Wales W. Wallace, Jr., a Notary Public State at Large, in and for said County, in said State, hereby certify that Mae Ketchem McCoy, whose name is signed to the foregoing agreement, and who is known to me, acknowledged before me on this day that, being informed of the contents of the agreement she executed the same voluntarily on the day the same bears date.

Given under my hand this the 9th day of February, 1952.

Wales W. Wallace
Notary Public State at Large for Alabama

Filed in the office of the Probate Judge on the 18 day of July 1953 at 8 o'clock A.M.
and recorded in Deed Book P 161 Page 305 this 19 day of July 1953.
Deed Tax Mortgage Tax has been paid.
L.C. Walker, Judge of Probate