

1316
DEED 5792F493

EXTENSION OF TRUST FOR MARY BELCHER
ABERNATHY, NEE MARY EARNESTINE BELCHER

This agreement made and entered into by and between Mary Belcher Abernathy, nee Mary Elizabeth Belcher, hereinafter sometime 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 the 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 of 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 continue 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.

AND WHEREAS, the said Mary Earnestine Bolcher, upon the expiration of ten years from the first extension of trust as extended by that certain instrument dated May 12, 1947, recorded in Dood Book 4161 at page 139, in the Office of the Judge of Probate of Jefferson County, Alabama, has elected to have the aforesaid trust to continue and be extended for an additional 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 Bolcher Abernathy, nee Mary Earnestine Bolcher, 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, 1957 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 for 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 Bolcher Abernathy and husband, James Robert Abernathy, Jr., do hereby ratify and confirm all actions and deeds of the said Nell Vandergrift Bolcher, 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

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and Deed of Trust, during the period of ten years from and after the 12th day of May, 1957, 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, 1957.

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, under date of the 12th day of May, 1957.

Mary Belcher Abernathy (SEAL)
Mary Belcher Abernathy

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

Nell Vandergrift Belcher (SEAL)
As Trustee for Mary Belcher Abernathy
nee Mary Earnestine Belcher

STATE OF ALABAMA }
JEFFERSON COUNTY }

I, Anna L. Beuthorn, 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 September, 1957.

Anna L. Beuthorn
NOTARY PUBLIC

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STATE OF ALABAMA }
JEFFERSON COUNTY }

I, Anna L. Burtman, a Notary Public in and for said County, in said State, hereby certify that on the 12th day of September, 1957, 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 September, 1957.

Anna L. Burtman
NOTARY PUBLIC

STATE OF ALABAMA }
JEFFERSON COUNTY }

I, Anna L. Burtman, 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 foregoing instrument and who is known to me, acknowledged before me on this day that, being 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 September, 1957.

Anna L. Burtman
NOTARY PUBLIC

STATE OF ALABAMA
JEFFERSON COUNTY
RECORDED
SEP 13 4 23 PM '57
DEED 5792P496
JAMES R. ABERNATHY, JR.
TRUSTEE
OF THIS INSTRUMENT
JAMES R. ABERNATHY, JR.
JUDGE OF PROBATE

185-223-1000

THE STATE OF ALABAMA,
JEFFERSON COUNTY

PROBATE COURT

I, the Undersigned, as Judge of the Court of Probate, in and for said County, in said State, hereby certify that the foregoing contains a full, true and correct copy of the _____

Extension of Trust Agreement between

Mary Belcher Abernathy et al and Nell

Vandergrift Belcher as Trustee

_____ together

with the filing of same as appears of record in this office in Vol. 5792 Record of Deeds on page 493.

STATE OF ALA. SHELBY CO.
I CERTIFY THIS INSTRUMENT
WAS FILED ON 4/1/62
12/5/62
RECORDED & \$.....MTG. TAX
& \$.....DEED TAX HAS BEEN
PD. ON TH'S INSTRUMENT.

Given under my hand and official seal, this

the 5th day of December, 1962.

Paul M. Mikes

Judge of Probate.

Conrad M. Jancus

JUDGE OF PROBATE

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