

5560

Value \$50,000.

STATE OF ALABAMA)
JEFFERSON COUNTY)

For value received the undersigned K. E. Cooper and wife, Grace Cooper, do hereby grant, bargain, sell and convey to Coy M. Cooper, as Trustee, for the persons, upon the trusts and for the purposes hereinafter expressed, the following described lands in Shelby County, Alabama, to-wit:

The Southwest quarter of Southwest quarter and the West half of Northwest quarter of Southwest quarter of Section 1; and the Northwest quarter of Section 12; and the Northwest quarter of Southwest quarter of Section 12, and all that part of the Southwest quarter of Northeast quarter of Section 12 lying North and West of the old Montgomery Highway;

Also, the Northwest quarter of Northeast quarter of Section 14;

Also, the East half of Northeast quarter, and the Northeast quarter of Southeast quarter of Section 11;

Also, the Northwest quarter of Southeast quarter of Section 11, except a strip of land 850 feet wide evenly off the North side of said forty;

Also, all that part of the South half of Southeast quarter of Section 11, except approximately 25 acres of said eighty lying East and South of the following described line:

From the southeast corner of the Southeast quarter of Section 11 run North along the East line of Southeast quarter of Section 11, 701 feet to a point on the creek (Little Cahaba Valley Creek), for point of beginning; run thence North 67° 50' West 277.5 feet; thence South 79° 40' West 157.5 feet to Oxmoor Road; thence along Oxmoor Road North 20° 50' West 85.8 feet; thence South 84° 35' West 1704.5 feet; thence South 915.4 feet to a point on the South line of said quarter section which is 469 feet East of the southwest corner of said quarter section.

All of the above described lands lying and being in Township 20 South of Range 3 West, in Shelby County, Alabama, containing 492 acres, more or less.

See Release on Dec 1 Book 255 page 473
BOOK 226 PAGE 473 See release Mar Book 7 page 138 2-4-74 Ensign mfg

TO HAVE AND TO HOLD unto the said Coy M. Cooper, as Trustee, and his successors in trust, in the undivided interests and for the use and benefit of the beneficiaries stated as follows:

1. K. E. Cooper, a beneficiary, owns an undivided one fifth interest,
2. Kenneth Maru Cooper, a beneficiary, owns an undivided one fifth interest,
3. Elaire Cooper Fletcher, a beneficiary, owns an undivided one fifth interest,
4. Coy M. Cooper, a beneficiary, owns an undivided one fifth interest,
5. Erlin Cantey Cooper, a beneficiary, owns an undivided one fifth interest.

I hereby grant to my said Trustee, and to any successor Trustee the following trust powers:

1. To lease said property, or any part thereof, for such length of time not exceeding ten years, and on such terms as to the Trustee may seem best.
2. To sell and convey said property, or any part thereof, within the limitations relating to consent of beneficiaries hereinafter set forth.
3. To borrow money and to mortgage said property, or part thereof, as security for money borrowed, in order to obtain funds to pay taxes of any kind, if that should become necessary, provided all of the then living adult beneficiaries give their consent and approval thereto.
4. To assess said property and pay the taxes thereon, and to keep in force such amounts of fire and tornado insurance as the Trustee may deem wise.

5. To sell and convey timber growing on said property for such consideration as the Trustee may deem wise.

This trust is irrevocable. No interest in said lands is reserved to the grantors except that the undersigned K. E. Cooper is one of the trust beneficiaries to the extent of an undivided one fifth interest in said trust. No interest whatever is reserved by the grantors in and to the other four fifths interest.

In the event of the death, prior to the termination of the trust, as hereinafter provided, of any one or more of the named beneficiaries of said trust, then the share which such deceased beneficiary would have received if living, shall go to and become the beneficial interest of the heirs, legatees or devisees of such deceased beneficiary.

The net income derived from said trust shall be distributed annually, or oftener as may be determined by the Trustee, to the beneficiaries of said trust, and upon the termination of said trust, accelerated or otherwise, as hereinafter provided, the principal of said trust estate shall be distributed to said beneficiaries, their heirs, legatees or devisees, in the proportions above provided for.

Said trust estate shall be held together and administered by the Trustee, or his successor in trust, until December 31, 1970, at which time the trust shall terminate, unless the majority of the then living adult beneficiaries shall direct the Trustee or successor Trustee, in writing, to continue administration of the trust for not exceeding three additional years. In the event, within a period of

not more than three months prior to December 31, 1970, and not less than 30 days prior to said date, the majority of the then living adult beneficiaries do decide to extend administration of this trust for not exceeding three additional years, and shall notify the Trustee, or successor Trustee, in writing accordingly, the trust estate shall be held together and administered for such additional period of time, not exceeding three years.

Upon termination of said trust, accelerated or otherwise, the trust property and assets may be distributed in kind, if that form of distribution is agreed to by all of the then living adult beneficiaries, or if not so agreed to, by liquidation and sale of the trust properties and distribution of the proceeds of sale and other liquid assets, to the beneficial owners in the proportions herein provided for.

The Trustee shall be charged with paying all ad valorem taxes on the trust properties, and assessing same for taxes each year, and with keeping the insurance on buildings in force and effect. Upon renting or leasing the property, the Trustee shall require the lessee to make all necessary repairs to buildings and fences and to keep the pastures in as good shape, natural causes excepted, as they are now in.

In the event, prior to termination, accelerated or otherwise, the ^{living adult} ~~beneficiaries~~ ^{OK. N. L. P.} wish to sell the trust property, at and for a price acceptable to them, the Trustee, upon the written approval of all of the then living adult beneficiaries, shall have the right and duty to effect such sale and convey the property, and thereupon to distribute the proceeds of sale and terminate this trust.

In the event Coy M. Cooper should die, resign or fail to act as such Trustee, the living adult beneficiaries, by unanimous vote, may select a successor Trustee, and upon such selection being made, file in the Probate Office of Shelby County, Alabama, a certificate naming the person or corporation so selected as such successor Trustee. If such selection is not accomplished unanimously within thirty days from date of death, resignation or failure to act of Coy M. Cooper, The First National Bank of Birmingham shall be named the successor Trustee; or if said Bank will not accept, a court having jurisdiction shall name the successor Trustee.

IN WITNESS WHEREOF, the undersigned have hereunto

set their hands and seals, on this the 15 day of January, 1963.

STATE OF ALA. SHELBY CO.
I CERTIFY THIS INSTRUMENT
WAS FILED ON 1/18/63
RECORDED & S. MTG. TAX
& S. DEED TAX HAS BEEN
PD. ON THIS INSTRUMENT.

Conrad M. Jankovic
NOTARY PUBLIC
STATE OF ALABAMA)
JEFFERSON COUNTY)

K. E. Cooper (SEAL)
K. E. Cooper
Grace Cooper (SEAL)
Grace Cooper

I, the undersigned authority, in and for said County, in said State, hereby certify that K. E. Cooper and wife, Grace Cooper whose names are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this 15th day of January, 1963.

Elizabeth Feinstein
Notary Public



The above Trust is
hereby accepted
Coy M. Cooper

BOOK 226, PAGE 477