537

STATE OF ALABAMA)
:
SHELBY COUNTY)

19790613000073410 1/3 $.00
Shelby Cnty Judge of Probate,AL
06/13/1979 12:00:00AM FILED/CERT

KNOW ALL MEN BY THESE PRESENTS, that in consideration of Sixty-seven Thousand Five Hundred and No/100 Dollars ($67,500.00) to Jack J. Benners and Morris C. Benners, Jr., as Trustees under Indenture of Trust dated December 24, 1976 (herein called "the Trustees"), in hand paid by Jack J. Benners (herein called "the Grantee"), the receipt and sufficiency whereof are hereby acknowledged, the Trustees do hereby grant, bargain, sell and convey unto the Grantee the following described real estate situated in Shelby County, Alabama, to-wit:

BOOK 320 PAGE 71

Lots 26 and 27, according to the Map and Survey of Mountain View Lake Company, Second Sector, as recorded in Map Book 3, Page 150, in the Office of the Judge of Probate of Shelby County, Alabama. Minerals and mining rights excepted.

***

TO HAVE AND TO HOLD unto the Grantee, his heirs and assigns forever, subject, however, to (i) title to minerals underlying captioned lands with mining rights and privileges pertaining thereto; (ii) transmission line permits to Alabama Power Company recorded in Deed Book 182, Page 25, in the aforesaid office; (iii) restrictive covenants and conditions recorded in Deed Book 172, Page 236, in the aforesaid office; and (iv) the lien for taxes for the tax year commencing October 1, 1978.

IN WITNESS WHEREOF, Jack J. Benners and Morris C. Benners, Jr. as Trustees under Indenture of Trust dated December 24, 1976, have hereunto set their hands and seals, this 31st day of May, 1979.

Jack J. Benners (SEAL)
Jack J. Benners

Morris C. Benners, Jr. (SEAL)
Morris C. Benners, Jr.

As Trustees under Indenture of Trust
dated December 24, 1976

*** $37,000.00 of the purchase price recited above was paid from mortgage loan closed simultaneously herewith.

STATE OF ALABAMA)
:
JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Jack J. Benners and Morris C. Benners, Jr., whose names as Trustees under Indenture of Trust dated December 24, 1976, 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, in their capacity as such trustees, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 31st day of May, 1979.

Wm. H. Wogsom
Notary Public

[NOTARIAL SEAL]

320 72

19790613000073410 2/3 $.00
Shelby Cnty Judge of Probate,AL
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THIS INSTRUMENT WAS PREPARED BY
WILLIAM W. JOHNSON, JR.
1500 BROWN-MARX BUILDING
BIRMINGHAM, ALABAMA 35203

CONSENT TO SALE

Morris C. Benners and Anne Jones Benners, being the Settlors of that certain Trust Indenture dated December 24, 1976, with Jack J. Benners and Morris C. Benners, Jr., as Trustees, do hereby consent to the sale by said Trustees to Jack J. Benners of Lots 26 and 27, according to the Map and Survey of Mountain View Lake Company, Second Sector, as recorded in Map Book 3, Page 150, in the Office of the Judge of Probate of Shelby County, Alabama. The Settlors' children for whose benefit the trust was established are Jack J. Benners, Morris C. Benners, Jr., Thomas Hatch Benners, II, and Carol B. Garbutt. The beneficiaries of the trust have executed this instrument to evidence their consent to said sale.

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19790613000073410 3/3 $.00
Shelby Cnty Judge of Probate,AL
06/13/1979 12:00:00AM FILED/CERT

WITNESSES:

Caroline Jones Kinney

Caroline Jones Kinney

Morris C. Benners
Morris C. Benners

Anne Jones Benners
Anne Jones Benners

As Settlors of the Trust Indenture
Dated December 24, 1976

Caroline Jones Kinney

Caroline Jones Kinney

Jack J. Benners
Jack J. Benners

Morris C. Benners Jr.
Morris C. Benners, Jr.

Patricia Woolley

Thomas Hatch Benners, II
Thomas Hatch Benners, II

Lucie C. Burtz

Carol B. Garbutt
Carol B. Garbutt

As Beneficiaries of the Trust
Indenture Dated December 24, 1976

JUN 13 AM 9 31
JUDGE OF PROBATE

Sec Mtg 392 - 6.50
Deed Tax - 30.50
Rec. 4.00
Cert. 1.00
36.00