

STATE OF ALABAMA
SHELBY COUNTY

379
S.S. 3540.11

KNOW ALL MEN BY THESE PRESENTS, That -

WHEREAS, on towit, January 28th, 1890, the Shelby Iron Company, a body corporate, executed an indenture or instrument conveying certain property therein described to certain trustees, a correct copy of said instrument being attached hereto marked Exhibit "A" and made a part of this instrument as though fully set forth herein; and,

WHEREAS, all of the trustees named in said instrument are dead and there are ~~no~~ successor trustees ~~and there are no~~ existing trustees at this time; and, ^{only two} ~~only two~~

WHEREAS, The said trustees held said property in trust for the church of the Covenant (Congregational) Shelby, Alabama; and,

WHEREAS, The undersigned
Agnes Averyt,

Henry Madison Averyt

trustees

Mr. Averyt, are the only surviving ~~members~~ of the said church and they do hereby appoint ~~themselves~~ as successor trustees under said instrument attached hereto and as said surviving members of said church and as said trustees, they do hereby, in consideration of the sum of Five (\$5.00) Dollars cash to them in hand paid and other good and valuable considerations, grant, bargain, sell and convey unto the Alabama Congregational and Christian Conference, the said property referred to in said instrument attached hereto.

TO HAVE AND TO HOLD, Unto the said Alabama Congregational and Christian Conference, its successors and assigns forever.

All of the grantors herein are unmarried except

Henry Madison Averyt and his wife, Eloise Neely Averyt

does hereby join in this conveyance, and conveys unto the grantees herein all of her right, title, claim and interest in and to the property hereby conveyed.

IN WITNESS WHEREOF, The parties hereto have hereunto set their hands and seals, on this, the ___ day of ___, 1939

Henry Madison Averyt (SEAL)
Eloise Neely Averyt (SEAL)
Agnes Averyt (SEAL)
Mrs. Alice Birney (SEAL)

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, Mary Belle Averyt, a Notary Public in and for said County, in said State, hereby certify that

Henry Madison Averyt and Eloise Neely Averyt, his wife, whose names are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day that, being informed

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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 25th day of May 1950.

Mary Belle Gwinn
Notary Public

STATE OF ALABAMA
SHELBY COUNTY

I, O. B. Bristow, a Notary Public in and for said County, in said State, hereby certify that

Osamu Avery and Mrs. Alice Bierley 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 1st day of November 1950.

O. B. Bristow
Notary Public

STATE OF ALABAMA)
SHELBY COUNTY)

WHEREAS, on to wit, April 24th, 1901, James W. Lapsley of Calhoun County, Alabama, did execute an indenture or instrument conveying certain property therein described to Alexander M. Averyt and others, which is recorded, with four other identical Quitclaim Deeds in Deed Book Number 26 in the office of the Judge of Probate of Shelby County, Alabama, a correct copy of said instrument being attached hereto and marked Exhibit "B" and made a part of this instrument as though fully set forth herein; and,

KNOW ALL MEN BY THESE PRESENTS, That -

WHEREAS, On to wit, January 28th, 1890, the Shelby Iron Company, a body corporate, executed an indenture or instrument conveying certain property therein described to certain trustees, a correct copy of said instrument being attached hereto marked Exhibit "A" and made a part of this instrument as though fully set forth herein; and,

WHEREAS, ^{two} ~~all~~ of the ~~trustees~~ named in said instruments are dead and there are ~~no~~ ^{only two} successor trustees and there are ~~no~~ ^{only two} existing trustees at this time; and,

WHEREAS, The said trustees held said property in trust for the church of the Covenant (Congregational) Shelby, Alabama; and,

WHEREAS, The undersigned

Agnes Averyt
Henry Madison Averyt
Alice Bierley

are the only surviving ^{trustees} ~~members~~ of the said church and they do hereby appoint ~~themselves~~ ^{Mrs. Alice Bierley} as successor trustees under said instrument attached hereto and as said surviving members of said church and as said trustees, they do hereby, in consideration of the sum of Five (\$5.00) Dollars cash to them in hand paid and other good and valuable considerations, grant, bargain, sell and convey unto the Alabama Congregational and Christian Conference, . . . the said property referred to in said instrument attached hereto.

TO HAVE AND TO HOLD, Unto the said Alabama Congregational and Christian Conference, its successors and assigns forever.

all of the grantors herein are ~~unmarried~~ except

Henry Madison Averyt and his wife, Eloise Neely Averyt

does hereby join in this conveyance, and conveys unto the grantee herein all of her right, title, claim and interest in and to the property hereby conveyed.

IN WITNESS WHEREOF, The parties hereto have hereunto set their hands and seals, on this, the ____ day of _____, 1939.

Henry Madison Avery (SEAL)
Elaine Ruby Avery (SEAL)
Agnes Avery (SEAL)
Mrs. Alice Bierley (SEAL)

STATE OF ALABAMA)
 JEFFERSON COUNTY)

I, Mary Belle Avery, a Notary Public in and for said County, in said State, hereby certify that

Henry Madison Avery and Elaine Ruby Avery his wife, 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 25th day of May, 1940.

Mary Belle Avery
 Notary Public

STATE OF ALABAMA)
 SHELBY COUNTY)

I, A. B. Bristow, a Notary Public in and for said County, in said State, hereby certify that

Agnes Avery and Mrs. Alice Bierley 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 1st day of Nov, 1940.

A. B. Bristow
 Notary Public

Exhibit B - page 2.

The State of Alabama

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County of Calhoun.

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I, A. H. Shepperd, Clerk of
City Court Anniston, in and for said State and County,

hereby certify that James W. Lapsley whose name is signed to the
foregoing conveyance, and who is known to me, acknowledged before
me on this day, that being informed of the contents of the said
conveyance, he executed the same voluntarily on the day the same
bears date.

Given under my hand this 24 day of April 1901.

(Signed) A. H. Shepperd,

Clerk of City Court of Anniston

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(Also there are four other separate quitclaim deeds identical
with the above exhibit B and given to Alexander H. Averyt and
others by Homer R. Stoughton of Washington County, Vermont,
Lucius A. Barbour of Hartford County, Connecticut, Daniel Phillips
of Hartford County, Connecticut, and Wm. S. North of Cook County,
Illinois which are respectively recorded in the office of the
Judge of Probate of Shelby County, State of Alabama, on the 17th
of February at 2:00 o'clock P.M. presumably in 1902 in Book #26
of Deeds, page 387-388, Book #26 of Deeds, page 283-285, Book #26
of Deeds, 385-386, and Book #26 of Deeds, page 389-390.

Exhibit B - page 1

The State of Alabama

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Calhoun County

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Know all men by these Presents: That for the consideration of the sum of five dollars, received to my full satisfaction of Alexander H. Averyt, Charles A. Bowles and Charles Sparks, I, James W. Lapsley, do hereby release, transfer and quitclaim unto the said Alexander H. Averyt, Charles A. Bowles and Charles Sparks that certain tract or parcel of land situated in Shelby County, Alabama, and bounded and described as follows, to-wit: The lot of land on which the brick church building now stands with the building and the parsonage now occupied by Rev. A. T. Clarke north of the Church Building and fronting eastward on Church Avenue and the tract of land with it under fence, or in lieu thereof a building of equal value for the same purpose, which shall be erected upon the said Church lot, which lot is described as follows: beginning at a point on the south line of section thirteen, township twenty two south of range one west of Huntsville Meridian on Church Avenue where the fence now is, thence northerly along said Avenue one hundred and twenty nine feet thence south eighty feet, thence north ~~eighty five~~ ^{eighty five} feet east two hundred and seventy feet, thence northerly along said fence on said Avenue two hundred and fifty three feet to place of beginning, a plat of which is appended to deed made by Shelby Iron Company to grantor and others dated January 28th, 1890 and recorded in Volume 13 page 284 of the Deed Records of Shelby County, Alabama.

To have and to hold unto the said Alexander H. Averyt, Charles A. Bowles and Charles Sparks, their assigns, survivors and successors in trust forever, in trust however for the following persons and purposes, that is to say: That the said lots and buildings and appurtenances shall be used and controlled as a place of religious worship of the Congregational order to those holding the tenets and creeds of the orthodox Congregational Churches of this County as declared from time to time by the National Congregational Council. And at the desire and request of the members worshipping in said Church, the property held for them, or any part thereof may be sold for reinvestment in other real estate to be held and used as the same trust as the property sold, and if the said trustees deem it desirable to do so, they may of their own motion sell said properties or any part thereof and reinvest the proceeds in other real estate to be held as the same trusts as that sold.

Any of the trustees therein named may resign the trust, and the remaining trustees may elect a successor to the trustee so resigning, and the trustee so elected shall have all the powers of the original trustees named herein. And the surviving trustees shall have full power to fill any and all vacancies which may occur by reason of the death or removal from the State or by the mental incapacity of any of the trustees herein provided for.

In testimony whereof, I have hereunto set my hand and seal this 24th day of April, 1901.

(Signed) James W. Lapsley (Seal)

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EXHIBIT A

The State of Alabama) This indenture made this twenty-
Shelby County) eight day of January, A. D. 1890, by

and between the SHELBY IRON COMPANY, a body corporate under the laws of the State of Alabama, of the first part, and Newton Case, Daniel Phillips, J. Andrew Pickett, James W. Lapsley, William S. North, Lucius A. Barbour, Timothy W. Stanley, Ward W. Jacobs and Homer R. Stoughton, as Trustees of the second part, WITNESSETH:- That the party of the first part, for the purpose of promoting and preserving Religion among the residents of Shelby, has granted, bargained and sold, and doth hereby grant, bargain, sell and convey unto the party of the second part, IN TRUST, the lot of land on which the Brick Church building now stands, with the building and the parsonage, now occupied by the Rev. J. S. Upton, north of the church building, and fronting eastward on Church Avenue, and the tract of land with it under fence, or in lieu thereof a building of equal value for the same purpose which shall be erected upon the said Church lot, which lot is described as follows:- Beginning at a point on the south line of Section thirteen (13), Township twenty-two (22), south of Range one (1), west of Huntsville meridian on Church Avenue where the fence now is; thence northerly along said Avenue one hundred and twenty-nine (129) feet; thence S. 85° W. three hundred and two and one half (302 1/2) feet; thence S. 11° 30' E. three hundred and eighty (380) feet; thence N. 85° E. two hundred and seventy (270) feet; thence northerly along said fence on said Avenue two hundred and fifty-three (253) feet to place of beginning, a plat of which is hereto appended as a part of this-

To have and to hold unto the said party of the second part and their successors, survivors and assigns, IN TRUST, as follows:- That the said lots and buildings and appurtenances shall be used and controlled as a place of religious worship of the Congregational Church, to those holding the tenets and creeds of the Orthodox Congregational Churches of this country, as declared from time to time by its National Congregational Council, and at the desire and request of the members worshipping in said church the property held for them, or part thereof, may be sold for re-investment in other real estate, to be held and used as the same trusts as the property sold, and if the said Trustees shall deem it desirable to do so they may of their own motion sell said properties, or any part of them, and re-invest the proceeds in other real estate to be held as the same trusts as that sold.

Any Trustee may resign the trust, and the remaining Trustees may elect a successor to the person resigning, who shall have the same power as the original Trustee, and the surviving Trustees shall fill all vacancies which may occur by death.

IN WITNESS WHEREOF, the said party of the first part has caused this indenture to be signed in its name and on its behalf by its President, and its corporate seal to be heretofore affixed, attested by the signature of its Secretary, this the twenty-eight day of January, A. D. 1890.

attest,
STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED
Wm. A. Williams
Secretary
SHELBY IRON COMPANY
by
Dudman 4.00
Rec 17.50
Jan 3.00
Ward W. Jacobs,
President

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STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED