

STATE OF ALABAMA
TALLADEGA COUNTY

1710

INTER VIVOS TRUST

I, James S. Harding of Route 1, Helena, Shelby County, Alabama, being over the age of twenty-one (21) years and of sound mind and disposing memory, do hereby, by virtue of this instrument, make and establish this day an inter vivos trust for my benefit.

ITEM ONE

I, James S. Harding, do hereby give, transfer, bargain, sell and convey and set over to Beulah Osborne, of Talladega County, Alabama as TRUSTEE, all property owned by me as of this date, whether real, personal and mixed, of whatever nature and wheresoever situated, except for my future pension payments from Ingle Iron Works, which I shall receive monthly hereafter. All other property owned by me shall be subject to this trust and includes, but is not limited to, all bank accounts owned by me: savings, checking, time deposits or otherwise, and all realty or any interest therein owned by me on this date. Such property and all property hereafter subject to this trust shall constitute the trust estate, and shall be held, managed, administered and distributed by the Trustee as hereinafter provided.

In accordance with the establishment of this trust estate, I have this day executed deeds to all of my known real estate in favor of Beulah Osborne, as Trustee. I have further delivered to said Trustee bills of sale and certificates of title to my vehicles, savings pass books, checking account checks, and certificates of time deposits and related indices of ownership of personalty. Said trust estate shall include, but not be limited to, said items, as hereinabove designated.

ITEM TWO

I and any other person shall have the right at any time to add property acceptable to the Trustee to this trust and such

BOOK 280 PAGE 530
✓ Robbins & Ausley
211 E North St.
P.O. Box - 479
Talladega, Al.
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property, when received and accepted by the Trustee, shall become part of the trust estate.

ITEM THREE

It is my intention that this trust be established and remain in existence for my lifetime, and I do hereby expressly make this trust irrevocable.

ITEM FOUR

I, James S. Harding, shall be the sole beneficiary hereinunder and said trust shall continue in existence for my lifetime. During such period, the Trustee shall pay or apply to or for my benefit such sums out of income or principal of the trust estate as the Trustee in her sole discretion, shall determine to be necessary, proper or desirable for my health, support and maintenance.

ITEM FIVE

Without limitation of the powers conferred by statute or general rules of law, or hereinafter conferred by law, my Trustee shall hold and manage the trust estate with all of the powers and authority she would have if she were the absolute owner thereof, including, but not limited to, the following:

The Trustee shall hold and manage said property and such other property as she may subsequently acquire pursuant to the power and authority given to her (all of which for convenience will hereinafter be referred to "Trust estate"), with full power to compromise, adjust and settle in her discretion any claim in favor of or against said trust estate, with full power to collect the income therefrom, and with full power to invest and re-invest said trust estate, in such loans, stocks, bonds or other security, mortgages, common trust funds, or other property real or personal, as to said Trustee may seem suitable, and to change investments and to make new investments from time to time as to said Trustee may seem necessary or desirable. The Trustee may invest in any stock, securities or interest of any corporation, partnership or enterprise, so long she shall consider such

investment in the best interest of said trust estate, regardless of whether such property or securities constitute a so-called "legal" investment of trust funds. The Trustee shall have the power to determine whether any money or property coming into her hands shall be treated as a part of the principal of said trust estate or a part of the income therefrom, and to apportion between such principal and income, any loss or expenditure in connection with the said trust estate as to her may seem just and equitable. The Trustee is further authorized and empowered to execute and deliver any and all deeds, instruments or writings of any nature whatsoever, necessary or property to achieve the final distribution of this, my trust estate, as hereinafter directed. Said Trustee is hereby empowered to oversee and accomplish said distributions and winding-up of the affairs of my trust estate as hereinafter directed. No Trustee appointed herein shall be required to give bond or file any inventory or accounting in any Courts or render any report in Court upon final settlement of her acts as Trustee.

ITEM SIX

It is my will and intention that the Trustee as hereinabove named, Beulah Osborne, not be compensated for her performance of the duties of Trustee under this trust instrument. It is my understanding that said Trustee is willing to accept and perform as Trustee hereunder without compensaion. I have been made aware that there will in all probability be certain legal fees and costs involved in making the distributions as directed in this Trust instrument, and, that there may be certain legal fees and costs involved in the management of said trust estate, and it is my desire and intention that said costs and reasonable attorney fees, if any, be paid from the trust estate, as necessary, and prior to final distribution. It is my intention that my just and legal debts and funeral expenses be paid from the trust estate, and I hereby empower and authorize the Trustee hereunder to seek out and discover such debts which I may have at the time of my

death, and I further authorize and empower the said Trustee to pay such debts or any portion thereof, as she in her sole discretion shall deem justified, due and owing. Said Trustee shall cause to be published in a newspaper of general circulation in Shelby County, Alabama, once a week for three consecutive weeks, a notice of my death and the opportunity for creditors to file claims against my trust estate for the payment of such debts. Said notice shall inform such creditors of the place of filing of such claims, and shall further inform them that the last day for filing such claims shall be the 180th day after the date of my death. Claims not filed within that time period shall be barred, and shall not be allowed to share in the distribution of my trust estate.

ITEM SEVEN

In the event that Beulah Osborne shall predecease me, or shall fail or refuse for any reason to serve as Trustee herein, I name as contingent Trustee, Marie Donaldson.

ITEM EIGHT

Upon my death, the trust created herein shall terminate and the trust estate, including principal and any earned but undistributed income, shall be paid or distributed absolutely to Beulah Osborne and Marie Donaldson, share and share alike, per stirpes, and the Trustee is directed, authorized and empowered to deliver to these persons any and all documents and writings necessary or proper to achieve such distribution, including, but not limited to, deeds to my realty, certificates of title to vehicles, and the like. The Trustee is further directed, authorized and empowered to deliver all personalty within the Trust estate to said remaindermen, including, but not limited to, personal belongings and effects, cash, stock certificates, and any and all certificates of time deposits. My Trustee is further directed, authorized and empowered to place said remaindermen, Beulah Osborne and Marie Donaldson, in possession of the entire remainder of the trust estate, after payment of debts and costs

of administration, as the absolute owners thereof, and to execute and deliver any and all documents and writings, assignments, conveyances, and any and all instruments whatsoever necessary to transfer legal title and ownership of the entire trust estate to said remaindermen.

In the event that either of the said remaindermen shall predecease the other, it is my desire and direction that the heirs of the deceased remainderman take the share of the deceased remainderman.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 8th day of January, 1990. (1990).

James S. Harding
JAMES S. HARDING

I, James S. Harding, the settlor, sign my name to this instrument this 8th day of January, 1990, and being first duly sworn, do hereby declare to the undersigned authority that I sign and execute this instrument as a inter vivos trust and that I sign it willingly, that I execute it as my free and voluntarily act for the purposes therein expressed, and that I am nineteen (19) years of age or older, of sound mind, and under no constraint or undue influence.

James S. Harding
SETTLOR

We Mary H. Champion and Ottie Morris, the witnesses, sign our names to this instrument, being first duly sworn, do hereby declare to the undersigned authority that the Settlor signs and executes this instrument creating an inter vivos trust and that he signs it willingly and that each of us, in the presence and hearing of the settlor, hereby signs this Trust as witness to the Settlor's signing, and that to the best of our knowledge the Settlor is nineteen (19) years of age or older, of sound mind, and under no constraint or undue influence.

Mary H. Champion
WITNESS

Talladega, AL 35160
ADDRESS

Ottie Morris
WITNESS

Talladega, AL 35600
ADDRESS

STATE OF ALABAMA
TALLADEGA COUNTY

Subscribed, sworn to and acknowledged before me by James S. Harding, the Settlor, and subscribed and sworn to before me by Mary H. Champion and Ottie Morris, witnesses, this 08th day of January, 1990 AD.

Mark O. Overly
NOTARY PUBLIC

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

90 FEB 28 AM 10:43

JUDGE OF PROBATE

TAX PD. ON DEED 273-07,719

1. Deed Tax	\$	1.50
2. Mtg. Tax	\$	1.50
3. Recording Fee	\$	3.00
4. Indexing Fee	\$	1.00
5. No Tax Fee	\$	1.00
6. Certified Fee	\$	1.00
Total	\$	12.50