


Passed By Will

Send tax notice to:  
Robbie Jo Vaughan Kestic and Kathleen  
Vaughan Miller  
3734 Stone Ridge Terrace  
Birmingham, AL 35216

This Instrument Prepared By:  
Louis B. Feld, Esq.  
Feld, Hyde, Wertheimer & Bryant, P.C.  
2000 SouthBridge Parkway, Suite 500  
Birmingham, Alabama 35209

  
20040308000116690 Pg 1/3 18:00  
Shelby Cnty Judge of Probate, AL  
03/08/2004 09:40:00 FILED/CERTIFIED

**THIS INSTRUMENT HAS BEEN PREPARED IN ACCORDANCE WITH THE INFORMATION SUPPLIED BY THE PARTIES HERETO. NO TITLE EXAMINATION AND/OR OPINION WAS REQUESTED OF FELD, HYDE, WERTHEIMER & BRYANT, P.C. BY EITHER GRANTOR OR GRANTEE, AND NONE WAS CONDUCTED AND/OR RENDERED.**

**DEED OF DISTRIBUTION**

STATE OF ALABAMA        )

**KNOW ALL MEN BY THESE PRESENTS:**

SHELBY COUNTY            )

THAT, WHEREAS, Robert H. Vaughan, III (the "decedent") died on July 9, 2003 and his Last Will and Testament was admitted to probate in Jefferson County Probate Court Case Number 182728; and

WHEREAS, Robbie Jo Vaughan Kestic and Kathleen Vaughan Miller were appointed as Co-Personal Representatives of the decedent's estate by Letters Testamentary issued July 30, 2003; and

WHEREAS, Robbie Jo Vaughan Kestic and Kathleen Vaughan Miller are named as Co-Trustees of any and all trusts created under the decedent's Will; and

WHEREAS, the decedent died seized and possessed of the hereinafter described real property; and

WHEREAS, the decedent's wife, Kathleen C. Vaughan, predeceased the decedent on July 12, 1997; and

WHEREAS, pursuant to the decedent's Will, all of the decedent's property, including the subject real estate, passes under the residuary clause to the Family Trust created under the decedent's Will; and

WHEREAS, upon the death of the last to die of the decedent and his said wife, the Family Trust apportions into shares for Robbie Jo Vaughan Kestic and Kathleen Vaughan Miller and such shares are to be transferred and paid over to each of said beneficiaries after the decedent's death.

NOW, THEREFORE, in consideration of the terms of the Last Will and Testament of Robert H. Vaughan, III, deceased, the undersigned Grantors, Robbie Jo Vaughan Kestic and Kathleen Vaughan Miller, in their capacities as Personal Representatives of the Estate of said decedent and as Trustees of the Family Trust created under the Last Will and Testament of said decedent, with the general authority to execute conveyances conferred upon the Personal Representatives and Trustees and pursuant to the terms of the Last Will and Testament of said decedent, do grant, bargain, sell and convey unto Robbie Jo Vaughan Kestic and Kathleen Vaughan Miller, as tenants in common (hereinafter referred to as "Grantees"), all of the following described real estate situated in Shelby County, Alabama, to-wit:

Commence at the Southeast corner of Section 25, Township 18 South, Range 1 East, Shelby County, Alabama, and run thence westerly along the South line of said Section 25, a distance of 329.17 feet to a found corner and the point of beginning of the property being described; thence continue along last described course a distance of 358.09 feet to a found corner; thence turn 85 degrees 57 minutes 30 seconds right and run northerly a distance of 1,268.76 feet to a found corner; thence turn 89 degrees 44 minutes 42 seconds right and run easterly a distance of 824.95 feet to a found corner on the westerly margin of Shelby County Highway No. 55; thence turn 105 degrees 38 minutes 44 seconds right and run south-southwesterly along said margin of said Highway a distance of 558.73 feet to a set rebar corner; thence turn 78 degrees 37 minutes 14 seconds right and run westerly a distance of 210.00 feet to a set rebar corner; thence turn 81 degrees 33 minutes 49 seconds left and run southwesterly a distance of 420.00 feet to a set rebar corner; thence turn 98 degrees 26 minutes 12 seconds left and run easterly a distance of 60.17 feet to a found corner; thence turn 98 degrees 27 minutes 35 seconds right and run southwesterly a distance of 368.01 feet to the point of beginning.

SOURCE OF TITLE: Instrument # 1996-16926

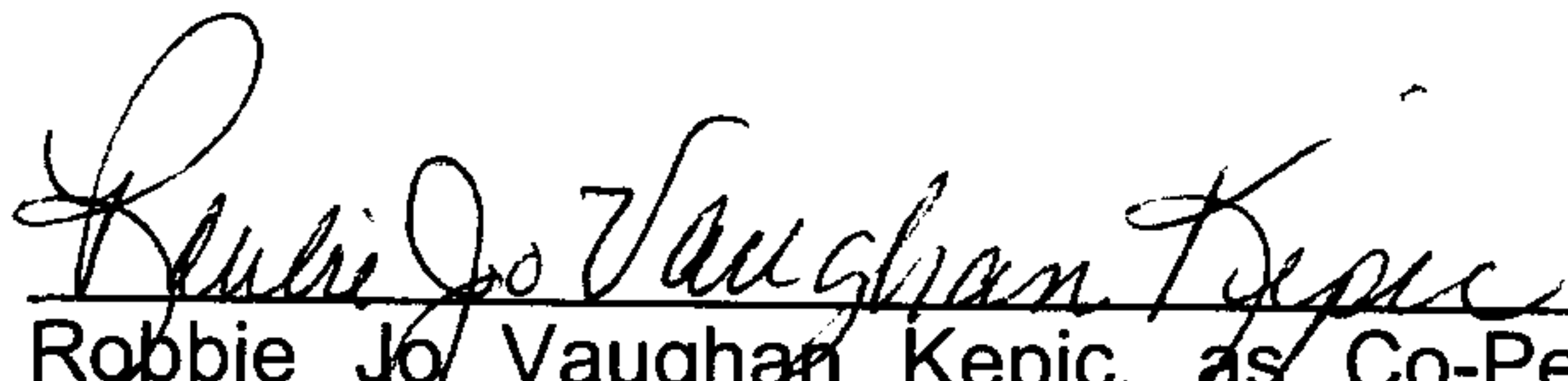
This conveyance is made subject to the following:

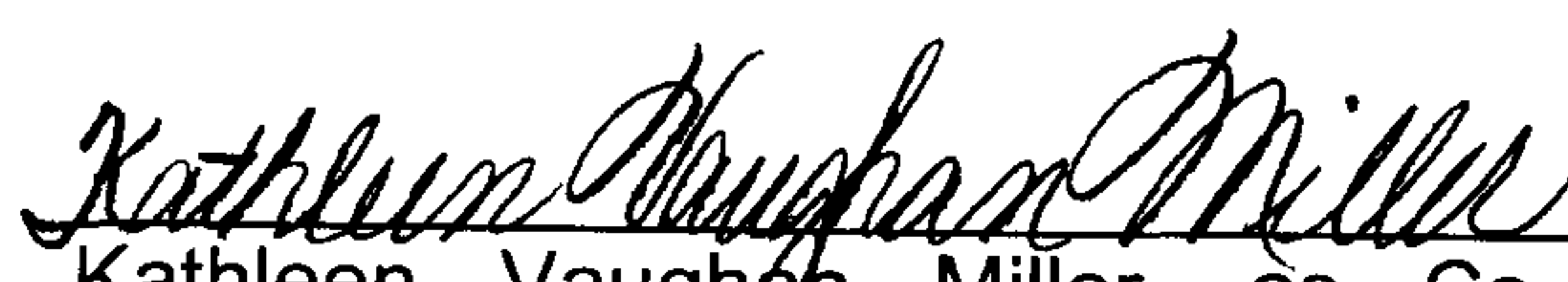
1. The lien for ad valorem taxes due in the current year or the subsequent year but not yet payable.
2. All easements, liens, encumbrances, restrictions, rights-of-way, reservations of mineral and mining rights, and other matters of record in the Probate Office of Shelby County, Alabama, together with any deficiencies in quantity of land, easements, discrepancies as to boundary lines, overlaps, etc., which would be disclosed by a true and accurate survey of the property conveyed herein.

TO HAVE AND TO HOLD to said Grantees, their heirs, successors and assigns.

This instrument is executed by the Grantors solely in their representative capacities named herein, and neither this instrument nor anything contained herein shall be construed as creating any indebtedness or obligation on the part of the Grantors in their individual capacity, and the liability of the Grantors is expressly limited to their representative capacities named herein.

18<sup>th</sup> **IN WITNESS WHEREOF**, the Grantors have hereunto set their hands and seals this day of Feb., 2004.

  
Robbie Jo Vaughan Kopic, as Co-Personal Representative of the Estate of Robert H. Vaughan, III, deceased and as Co-Trustee of the Family Trust created under the Last Will and Testament of Robert H. Vaughan, III, deceased

  
Kathleen Vaughan Miller, as Co-Personal Representative of the Estate of Robert H. Vaughan, III, deceased and as Co-Trustee of the Family Trust created under the Last Will and Testament of Robert H. Vaughan, III, deceased



I, the undersigned authority, a Notary Public in and for the State of Alabama at Large, hereby certify that Robbie Jo Vaughan Kepic, whose name as Co-Personal Representative of the Estate of Robert H. Vaughan, III, deceased and as Co-Trustee of the Family Trust created under the Last Will and Testament of Robert H. Vaughan, III, deceased, 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 conveyance, she, in her capacities as Co-Personal Representative and Co-Trustee, executed the same voluntarily on the day the same bears date.

Given under my hand this 18<sup>th</sup> day of Feb., 2004.

Kelly Stipe Prevatte  
Notary Public

Kelly Stipe Prevatte  
Printed Name

(NOTARY SEAL)

My Commission Expires: 9/18/04

I, the undersigned authority, a Notary Public in and for the State of Alabama at Large, hereby certify that Kathleen Vaughan Miller, whose name as Co-Personal Representative of the Estate of Robert H. Vaughan, III, deceased and as Co-Trustee of the Family Trust created under the Last Will and Testament of Robert H. Vaughan, III, deceased, 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 conveyance, she, in her capacities as Co-Personal Representative and Co-Trustee, executed the same voluntarily on the day the same bears date.

Given under my hand this 18<sup>th</sup> day of Feb., 2004.

Kelly Stipe Prevatte  
Notary Public

Kelly Stipe Prevatte  
Printed Name

(NOTARY SEAL)

My Commission Expires: 9/18/04