

This instrument was prepared by:

Gilbert M. Sullivan, Jr.

Gilbert M. Sullivan, Jr. PC

2100-C Rocky Ridge Road

Birmingham, Alabama 35216

(205) 978-0876

SEND TAX NOTICE TO C

20040511000246820 Pg 1/4 220.00  
Shelby Cnty Judge of Probate, AL  
05/11/2004 10:35:00 FILED/CERTIFIED

**Cecil G. Estill and Charlotte S. Estill  
Trustees of the Estill Family Living Trust  
35 The Oaks Circle  
Hoover, AL 35244**

**QUITCLAIM DEED**

STATE OF ALABAMA )

SHELBY COUNTY )

KNOW ALL MEN BY THESE PRESENTS

That in consideration of \$1.00 (One and no/100 dollars) and other valuable consideration to the undersigned Grantor (whether one or more), in hand paid by the Grantees herein, the receipt whereof is acknowledged, We, **CECIL G. ESTILL and CHARLOTTE S. ESTILL, husband and wife**, (herein referred to as "Grantor," whether one or more), hereby remise, convey and forever QUITCLAIM unto **CECIL G. ESTILL and CHARLOTTE S. ESTILL as TRUSTEES OF THE ESTILL FAMILY LIVING TRUST DATED MAY 10, 2004** (herein referred to as "Grantee," whether one or more), all of their rights, title and interests in the following described real estate, situated in SHELBY County, Alabama, to-wit:

**Lot 35, together with an undivided 1/43<sup>rd</sup> interest in Lot 44 (common area), according to the Map of The Oaks, as recorded in Map Book 10, Page 89, in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.**

**Subject to existing easements, restrictions, permits, mortgages, setback lines, rights of ways or limitations, if any, of record.**

**Subject to unpaid ad valorem taxes for the current tax year**

**This property is the homestead of CECIL G. ESTILL and CHARLOTTE S. ESTILL, husband and wife.**

**THE PREPARER OF THIS DOCUMENT HAS NOT EXAMINED TITLE TO THE PROPERTY DESCRIBED HEREIN AND MAKES NO CERTIFICATION AS TO TITLE.**

TO HAVE AND TO HOLD the described premises to Grantee, so that neither Grantor nor any person or persons claiming under Grantor shall at any time, by any means or ways, have, claim or demand any right or title to the premises or appurtenances, or any rights thereof.

IN WITNESS WHEREOF, We have hereunto set our hands and seals this 10<sup>th</sup> day of May, 2004.

  
CECIL G. ESTILL

(SEAL)

  
CHARLOTTE S. ESTILL

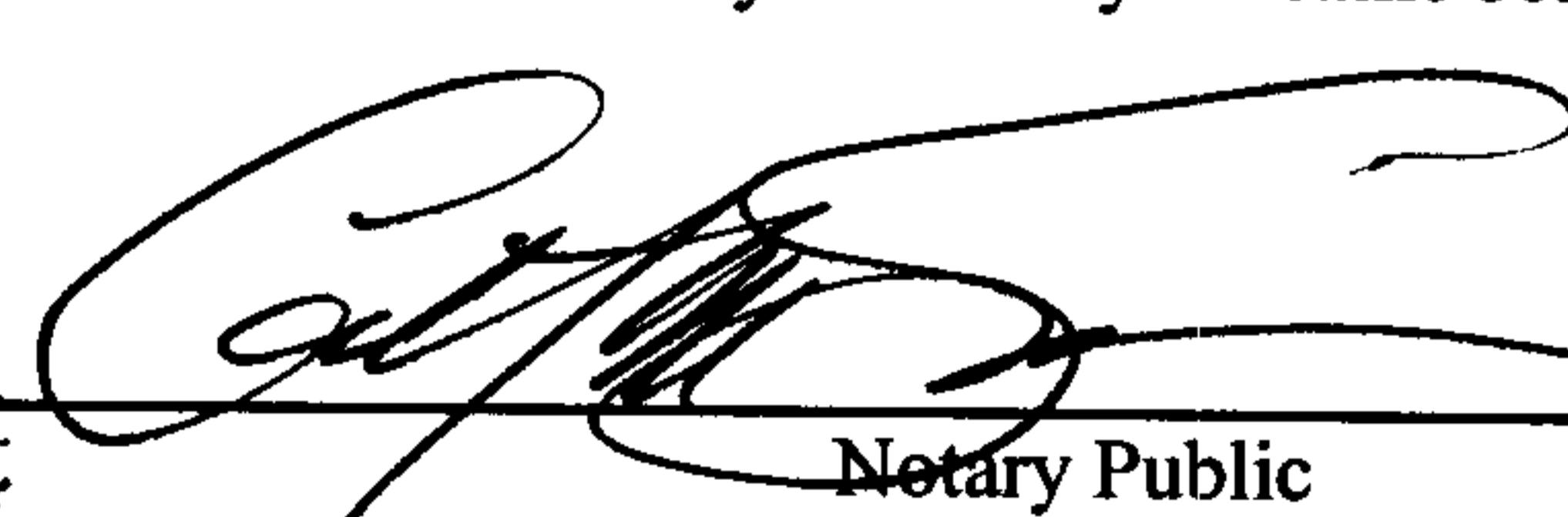
(SEAL)

STATE OF ALABAMA )

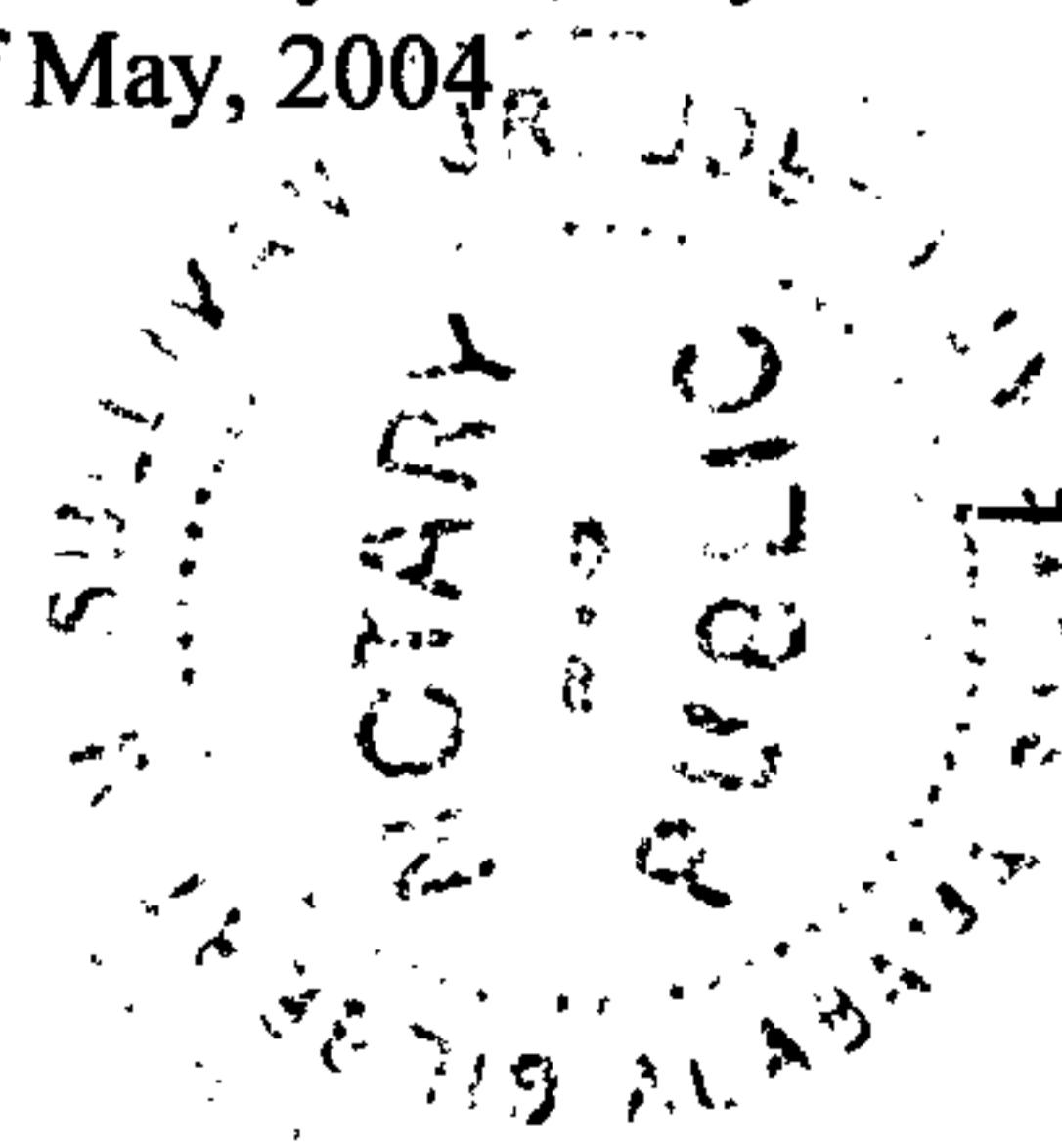
SHELBY COUNTY )

**General Acknowledgment**

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that, **CECIL G. ESTILL and CHARLOTTE S. ESTILL, husband and wife**, whose names are signed to the foregoing conveyance, and who are known to me, acknowledge 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 60<sup>th</sup> day of May, 2004.

  
Notary Public

NOTARY PUBLIC STATE OF ALABAMA AT LARGE  
MY COMMISSION EXPIRES: Jan 31, 2005  
BONDED THRU NOTARY PUBLIC UNDERWRITERS



# EXHIBIT

## MEMORANDUM OF TRUST

KNOW THAT, CECIL GENE ESTILL and CHARLOTTE S. ESTILL hereby present this Memorandum of Trust, in lieu of providing a copy of the trust instrument, to establish the existence and terms of the trust as set for below.

1. Purpose of Memorandum of Trust. The purpose of this Memorandum of Trust is (1) to certify the existence of ESTILL FAMILY LIVING TRUST dated May 10, 2004 (the "Trust"), and (2) to summarize some the more important provisions of the Trust so the Trustee can deal with third parties, such as financial institutions, stock transfer agents, brokerage houses, insurance companies, and others, without disclosing all of the provisions of the Trust, which is a private and confidential document.

2. Creation of the Trust. CECIL GENE ESTILL and CHARLOTTE S. ESTILL, husband and wife, having an address at 35 The Oaks Circle, Hoover, AL 35244, as Grantors, created the Trust, known as the ESTILL FAMILY LIVING TRUST dated May 10, 2004, by executing a Living Trust, dated May 10, 2004 (the "Living Trust"). The Trust continues in existence.

3. Trust Revocable. The Trust is REVOCABLE. The Grantors reserved the right to revoke, amend or modify the Living Trust during their lives. The Trust has not been revoked, modified or amended in any manner that would cause the representations contained in this Memorandum of Trust to be incorrect.

4. The Trustee. The Living Trust names CECIL GENE ESTILL and CHARLOTTE S. ESTILL, having an address as aforesaid, as co-trustees (collectively referred to as the "Trustee"). The Living Trust names WILLIAM ANDREW ESTILL, having an address at 113 Stephen Hill Circle, Birmingham, AL 35244, and ALICE E. BURKE, having an address at 510 West Arlington Place, Chicago, IL 60614, as successor trustees (each being referred to as a "successor Trustee").

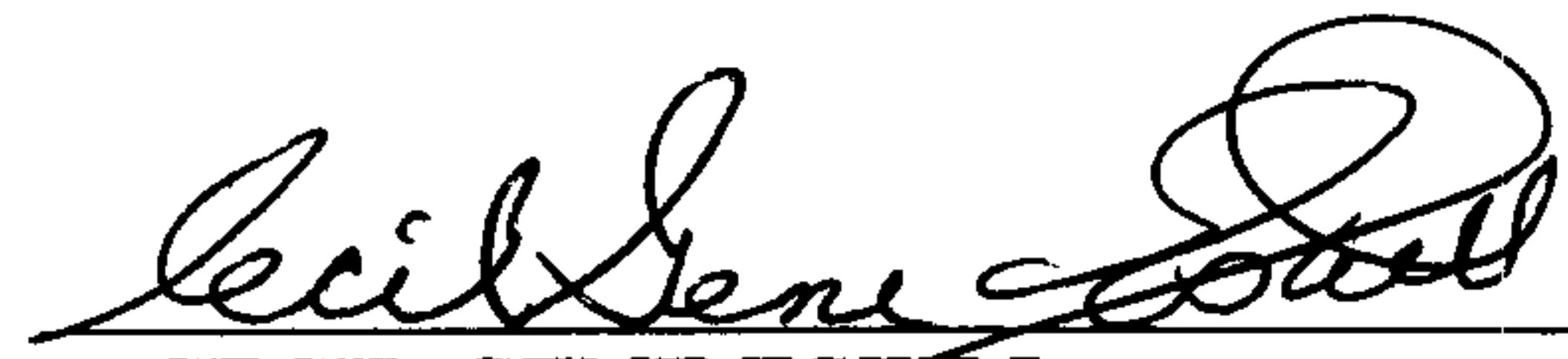
5. Signature Authority. Either Co-Trustee may sign all documents exercising the powers of the Trustee. Under the Living Trust no other person is required or needed to sign such documents for them to be effective as to the Trust.

6. Reliance by Third Parties. This Memorandum of Trust is executed as evidence of the existence of the foregoing Living Trust. Any person may rely upon this Memorandum of Trust as evidence of the existence of said Living Trust, and is relieved of any obligation to verify that any transaction entered into by a Trustee or successor Trustee thereunder is consistent with the terms and conditions of said Living Trust.

7. Short Name of the Trust. The Trust and the Living Trust may be referred to by the name: "**ESTILL FAMILY LIVING TRUST dated May 10, 2004**". Any transfers to the Living Trust or any trust thereunder may refer to the aforesaid name or to "CECIL GENE ESTILL and CHARLOTTE S. ESTILL as Co-Trustees under ESTILL FAMILY LIVING

TRUST dated May 10, 2004", with or without specifying any change in Trustee or any amendment to the Living Trust.

IN WITNESS WHEREOF, the Grantors have executed this Memorandum of Trust as of this 10<sup>th</sup> day of May, 2004.

  
\_\_\_\_\_  
CECIL GENE ESTILL  
Grantor/Trustee

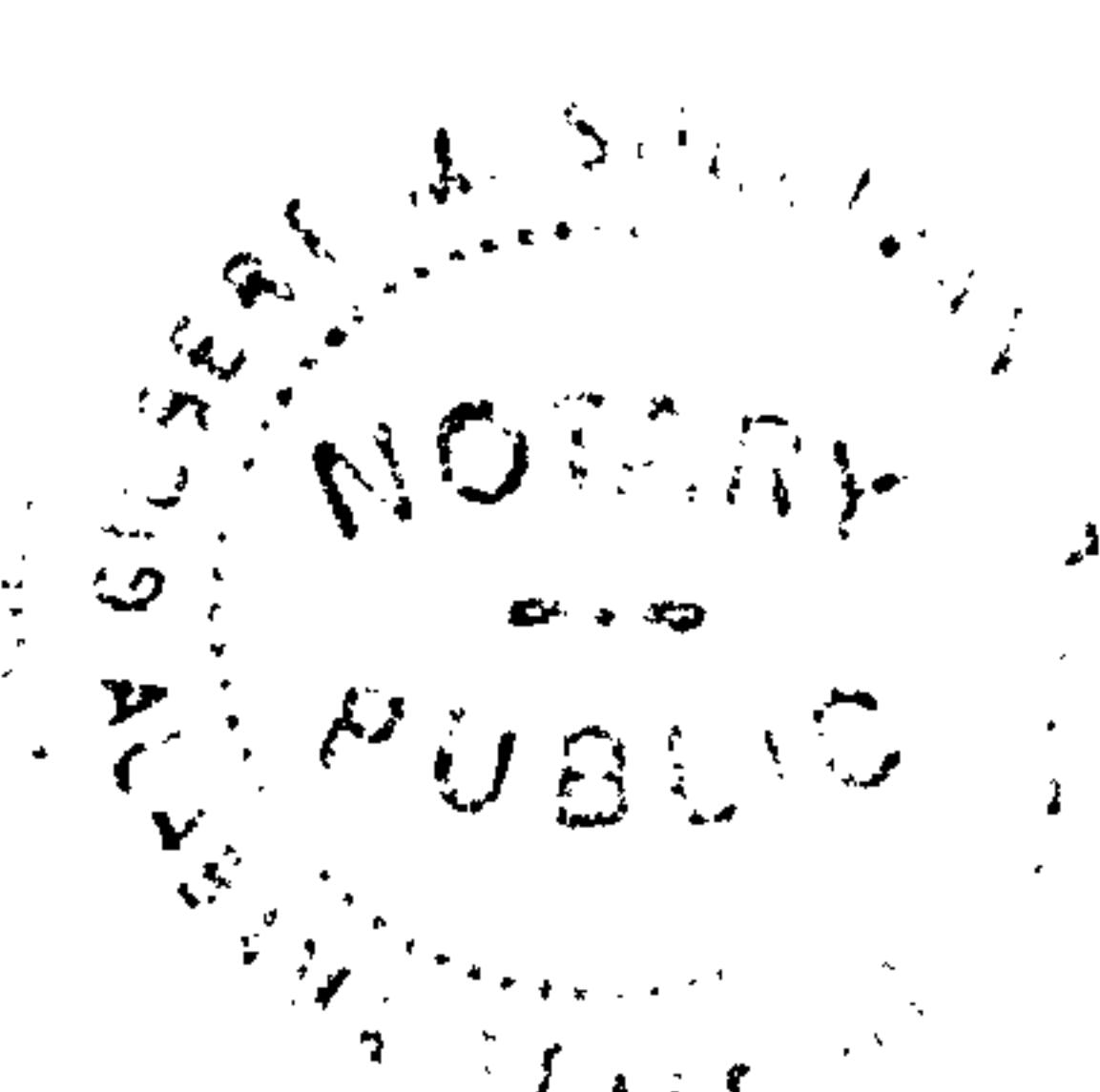
  
\_\_\_\_\_  
CHARLOTTE S. ESTILL  
Grantor/Trustee

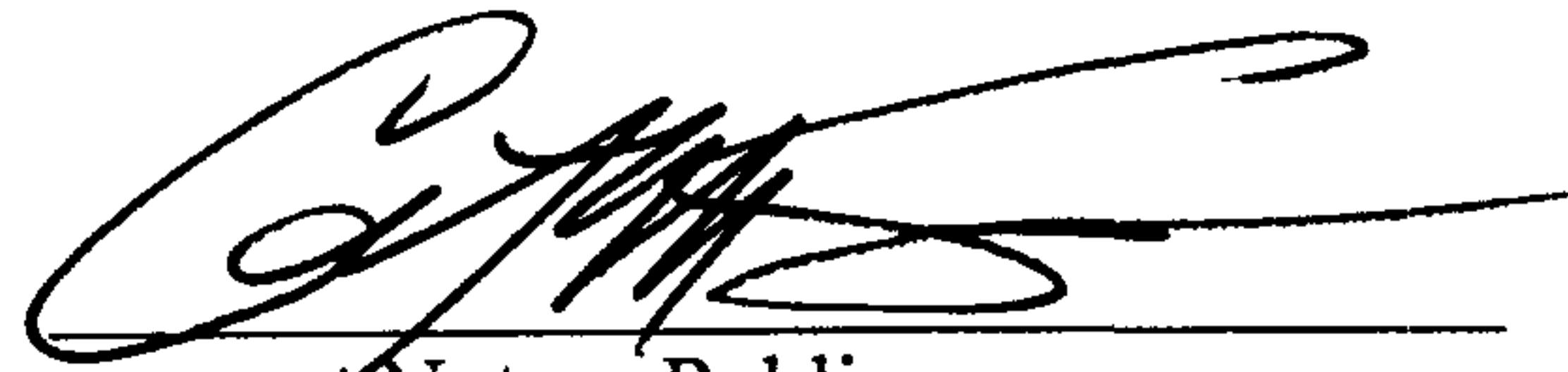
This Instrument was prepared by:  
Gilbert M. Sullivan, Jr., Esq.  
Gilbert M. Sullivan, Jr. PC  
2100-C Rocky Ridge Road  
Birmingham, Alabama 35216

STATE OF ALABAMA  
COUNTY OF SHELBY

I, the undersigned, a notary public, hereby certify that CECIL GENE ESTILL, whose name is signed to the foregoing Memorandum of Trust, and who is known to me, acknowledged before me on this day that, being informed of the contents of said Memorandum of Trust, he executed the same voluntarily on this 10<sup>th</sup> day of May, 2004.

Given under my hand and official seal this 10<sup>th</sup> day of May, 2004.



  
Notary Public

My commission expires on

NOTARY PUBLIC STATE OF ALABAMA AT LARGE  
MY COMMISSION EXPIRES: Jan 31, 2005  
BONDED THRU NOTARY PUBLIC UNDERWRITERS

STATE OF ALABAMA  
COUNTY OF SHELBY

I, the undersigned, a notary public, hereby certify that CHARLOTTE S. ESTILL, whose name is signed to the foregoing Memorandum of Trust, and who is known to me, acknowledged before me on this day that, being informed of the contents of said Memorandum of Trust, she executed the same voluntarily on this 10<sup>th</sup> day of May, 2004.

Given under my hand and official seal this 10<sup>th</sup> day of May, 2004.



  
Notary Public

My commission expires on

NOTARY PUBLIC STATE OF ALABAMA AT LARGE  
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