

## Deed Of Distribution

*This Deed* made and entered into by William Alma Caton, Jr. and Joy Edmondson Caton, in their capacity as personal representatives of the **Estate of Alice R. Caton, Deceased** (herein referred to as "Grantor"), to **William A. Caton, Jr.** and wife, **Ann Smith Caton**, (herein referred to as "Grantees").

### RECITALS:

*Know All Men By These Presents; Whereas*, at the time of her death on March 12, 2008 Alice R. Caton was lawfully seized, in fee simple, of the below described real property situated in Shelby County, Alabama; and

*Whereas*, Alice R. Caton was the sole surviving grantee in that certain conveyance of the below described real property dated January 7, 1983 from The Harbert-Equitable Joint Venture and recorded in the Office of the Judge of Probate of Shelby County, Alabama at Book 344 Page 513 to W. A. Caton and wife, Alice R. Caton, as joint tenants with right of survivorship. Alice R. Caton survived her spouse, W. A. Caton (also known as William Alma Caton, Sr.), who died on March 2, 2006; and

*Whereas*, the *Last Will and Testament* of Alice R. Caton has been admitted to probate in the Probate Court of Shelby County, Alabama, with *Letters Testamentary* issued to the personal representatives, William Alma Caton, Jr. and Joy Edmondson Caton in **Case PR-2008-000221** on May 6, 2008; and

*Whereas*, Article VI of the *Last Will and Testament* of Alice R. Caton contains the appropriate power of sale provisions for private sale of real property without Court control or supervision; and

*Whereas*, the Grantor has determined that said real estate described herein and made the subject of this conveyance shall be distributed to the Grantees in partial satisfaction of the devise to Grantees under Article IV of Decedent's *Last Will and Testament* and claim in or to the real estate situated in Shelby County;

*Now, therefore*; the **Estate of Alice R. Caton, Deceased**, by and through the personal representatives, William Alma Caton, Jr. and Joy Edmondson Caton, do hereby grant, bargain, sell and convey unto **William A. Caton, Jr.** and wife, **Ann Smith Caton**, (herein referred to as "Grantees") for and during their joint lives and upon the death of either them, then to the survivor of them in fee simple, together with every contingent remainder and right of reversion, the following described real estate situated in Shelby County, Alabama, *to-wit*:

**Lot 11** according to **Riverchase West 3<sup>rd</sup> Addition Residential Subdivision**, as recorded in **Map Book 7 Page 139** in the Probate Office of Shelby County, Alabama. Subject to easements and restrictions of record.

*To Have and To Hold* to the said Grantees for and during their joint lives and upon the death of either of them, then to the survivor of them in fee simple and to the heirs and assigns of such survivor forever, together with every contingency remainder and right of reversion.

And the Decedent's estate does for itself and its executors and administrators covenant with the said Grantees, their heirs and assigns, that the estate is lawfully seized in fee simple of said real property; that it is free from all encumbrances, except as noted above; and that the estate has a good right to sell and convey the same as aforesaid; that it will and its executors and administrators shall warrant and defend the same to the said Grantees, their heirs and assigns forever, against the lawful claims of all persons.

In Witness Whereof, the estate has caused this conveyance to be executed by and through its personal representatives on this the 31<sup>st</sup> day of July, 2008.

**Estate of Alice R. Caton**

By:

William Alma Caton, Jr.  
William Alma Caton, Jr.,  
personal representative

Joy Edmondson Caton  
Joy Edmondson Caton,  
personal representative

State of Alabama)  
Jefferson County)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that **William Alma Caton, Jr.** and **Joy Edmondson Caton**, in their capacity as personal representatives of the Estate of Alice R. Caton, Deceased, whose names are signed to the foregoing conveyance, and who are known to me to be over nineteen (19) years of age and of sound mind, 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 as and for their free act and deed and as the personal representatives of said estate.

Given under my hand and official seal this 31 day of July, 2008.

Robert C. Boyce, III  
Notary Public  
My Commission Expires: 10-9-10

TITLE NOT EXAMINED

This Instrument Prepared By:  
Robert C. Boyce, III  
Alabama State Bar # BOY003  
1736 Oxmoor Road #204  
Homewood, AL 35209-3505  
879-6900

SEND TAX NOTICE TO:  
William A. Caton, Jr. & Ann Smith Caton  
2120 Partridge Berry Road  
Birmingham AL 35244-1115