

This instrument was prepared by:
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Send tax notice to:
Allison Cowen Bergert
130 Hackberry Circle
Chelsea, AL 35043-5232

STATE OF ALABAMA

SHELBY COUNTY

PERSONAL REPRESENTATIVES' QUITCLAIM DEED

THIS PERSONAL REPRESENTATIVES' QUITCLAIM DEED is executed and delivered this 9th day of April, 2009, by Allison Cowen Bergert and William Bryan Cowen, as Personal Representatives of the Estate of Bennett H. Gilbert, Deceased, Shelby County, Alabama Probate Case No. _____ (hereinafter referred to as "Grantors"), to Allison Cowen Bergert and William Bryan Cowen, as Trustees of each of the Allison Cowen Bergert Family Trust and the William Bryan Cowen Family Trust, both such trusts arising under the Bennett H. Gilbert Management Trust dated November 7, 2006 (hereinafter referred to as "Grantees").

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, Bennett H. Gilbert ("Decedent") died on August 16, 2008;

WHEREAS, Decedent's Estate is currently being administered in Shelby County, Alabama, Probate Case No. PR-2008-000647 ;

WHEREAS, Decedent's children Allison Bergert Cowen and William Bryan Cowen were duly appointed as the Personal Representatives of Decedent's Estate;

WHEREAS, by deed dated July 15, 1994, recorded at Instrument No. 1994-22647 in the Office of the Judge of Probate, Shelby County, Alabama, certain real property in Shelby County, Alabama, more particularly described below (the "Property"), was transferred to Decedent and to his spouse, Elizabeth M. Gilbert, jointly with right of survivorship;

WHEREAS, Elizabeth M. Gilbert predeceased Decedent, so that, by operation of law, such Property was owned by Decedent at his death;

WHEREAS, under the terms of the Last Will and Testament of Decedent, such Property is given and devised to the Trustee of the Bennett H. Gilbert Management Trust dated November 7, 2006, whereupon and whereunder such Property, among other property comprising the trust estate, is to be apportioned and distributed into equal shares, each comprising the trust estate of separate and distinct Family Trusts for Decedent's children;

WHEREAS, Decedent's children living as of the date of these presents, namely Allison Cowen Bergert and William Bryan Cowen, are all of the children defined under the Last Will and Testament of Decedent and under the Bennett H. Gilbert Management Trust dated November 7, 2006; and

WHEREAS, by their execution of this deed, Grantors hereby desire to remise, release, quitclaim and convey unto Grantees any right, title, interest and claim, if any, in and to the Property;

NOW, THEREFORE, in consideration of the premises, and for good and valuable consideration paid to Grantors, receipt of which is hereby acknowledged, the undersigned Grantors do hereby remise, release, quitclaim and convey unto Allison Cowen Bergert and William Bryan Cowen, as Trustees of each of the Allison Cowen Bergert Family Trust and the William Bryan Cowen Family Trust, both such trusts arising under the Bennett H. Gilbert Management Trust dated November 7, 2006, and each such trust to have and to hold equal interests as tenants in common (whether by the foregoing Trustees or their survivor or successors), all of Grantors' right, title, interest and claim in and to the following described real estate situated in Shelby County, Alabama, to-wit:

Lot 218, according to the Map and Survey of Eagle Point, 2nd Sector, Phase I, as recorded in Map Book 18, Page 2 in the Office of the Judge of Probate of Shelby County, Alabama; being situated in Shelby County, Alabama;

TOGETHER WITH all improvements and appurtenances belonging or in anywise appertaining thereto and all right, title and interest of Grantors in and to any and all roads, alleys and ways bounding such property.

THIS CONVEYANCE is subject to the following:

1. Ad valorem taxes for the current year and any subsequent years; and
2. All other easements, reservations and restrictions, conditions and other matters of record.

Grantors intend by execution and delivery of this conveyance to vest title in and to the Property in Grantees.

This instrument is executed by Allison Cowen Bergert and William Bryan Cowen in their capacity as Personal Representative, and neither this instrument nor anything herein contained shall be construed as creating any personal obligation or liability on the part of the undersigned in his/her individual capacity, and the undersigned expressly limits his/her individual liability hereunder to the assets he/she receives and holds in his/her capacity as Personal Representative as aforesaid.

IN WITNESS WHEREOF, Grantors have executed this Personal Representatives' Quitclaim Deed this 9th day of April, 2009.

GRANTORS:

Allison Cowen Bergert
Allison Cowen Bergert, as Personal Representative
of the Estate of Bennett H. Gilbert, Deceased,
Shelby County, Alabama Probate Case No.
PR-2008-000647

William Bryan Cowen
William Bryan Cowen, as Personal Representative
of the Estate of Bennett H. Gilbert, Deceased,
Shelby County, Alabama Probate Case No.
PR-2008-000647

STATE OF ALABAMA

COUNTY OF Shelby

I, Walter E Thomas, a Notary, in and for said County in said State, hereby certify that Allison Cowen Bergert and William Bryan Cowen, whose names as Personal Representative of the Estate of Bennett H. Gilbert, Deceased, 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, each of them, in his/her capacity as such Personal Representative, executed the same voluntarily on the day the same bears date.

Given under my hand and seal this the 9th day of April, 2009.

{NOTARIAL SEAL}

Walter E Thomas
Notary Public

My commission expires: 5/23/2012