


THIS INSTRUMENT PREPARED BY:
Robert T. Gardner, Esq.
Baker, Donelson, Bearman, Caldwell
& Berkowitz, P.C.
420 20th Street North, Suite 1600
Birmingham, AL 35203

SEND TAX NOTICE TO:
Barbara Whiting, Trustee
1027 8th Avenue S.W.
Alabaster, AL 35007

THIS INSTRUMENT HAS BEEN PREPARED IN ACCORDANCE WITH THE INFORMATION SUPPLIED BY THE PARTIES HERETO. NO TITLE EXAMINATION AND/OR OPINION WAS REQUESTED OF BAKER, DONELSON, BEARMAN, CALDWELL & BERKOWITZ, P.C., BY GRANTORS OR GRANTEES, AND NONE WAS CONDUCTED AND/OR RENDERED.

QUITCLAIM DEED

STATE OF ALABAMA)
SHELBY COUNTY)


20100601000171340 1/10 \$42.00
Shelby Cnty Judge of Probate, AL
06/01/2010 10:57:36 AM FILED/CERT

WHEREAS, a one-half (½) interest in the property described as **Parcel 1** on **Exhibit A** attached hereto was conveyed to Robert E. Lee (also known as R. E. Lee) by that certain Warranty Deed dated November 7, 1988, as recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Book 215, Page 290, and the property described as **Parcel 2** on **Exhibit A** attached hereto was conveyed to Robert E. Lee by that certain Foreclosure Deed dated February 5, 1991, as recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Book 328, Page 216; and

WHEREAS, said Robert E. Lee (a/k/a R. E. Lee) died on February 21, 2004, leaving a self-proving Last Will and Testament dated April 27, 1999 (the "Will"), a certified copy of which Will is attached hereto as **Exhibit B** and is made a part hereof as if fully set forth herein (said Will was probated under Case No. 2004123 in the Probate Court of Chilton County, Alabama); and

WHEREAS, under the Will, all of the assets of the rest, residue, and remainder ("Residuary Assets") of the estate of Robert E. Lee, Deceased (the "Estate") were to be distributed to (i) a Family Trust (under Item Five of the Will) (the "Family Trust"), and (ii) if the assets of the Estate were more than the applicable credit amount pursuant to § 2001 of the United States Code (the "Code"), to Marital Trusts A and B (under Items Two, Three and Four of the Will) (the "Marital Trusts"); and

WHEREAS, the Residuary Assets of the Estate were less than the applicable credit amount pursuant to the Code; therefore, the Marital Trusts were not funded and all Residuary Assets of the Estate were to be distributed to the Family Trust; and

WHEREAS, Sarah N. Lee, the surviving spouse of Robert E. Lee, died on or about February 20, 2008, and because the Marital Trusts were not funded, the power of appointment identified in Item Four of the Will was never exercised; and

WHEREAS, Patricia Nell Cottrell, Thomas Wayne Lee, and Barbara Whiting are all of the trustees under the Family Trust (the "Trustees"); and

WHEREAS, separate trusts ("Generation Skipping Trusts") for the benefit of each of Patricia Nell Cottrell, Thomas Wayne Lee, and Barbara Whiting (under Item Six of the Will) are the beneficiaries of the Family Trust upon the death of Sarah N. Lee, and Patricia Nell Cottrell, Thomas Wayne Lee, and Barbara Whiting are designated as co-trustees of each Generation Skipping Trust; and

WHEREAS, Patricia Nell Cottrell and Thomas Wayne Lee have renounced their appointment as co-trustees of the Generation Skipping Trust for the benefit of Barbara Whiting as indicated by the Renunciation of Nominated Trustees attached hereto as Exhibit C and is made a part hereof as if fully set forth herein, thus leaving Barbara Whiting as the sole trustee of the Generation Skipping Trust for the benefit of Barbara Whiting; and

WHEREAS, legal title to the property identified herein was never transferred from the Personal Representative of the Estate to the Trustees of the Family Trust although the Family Trust possesses equitable title by reason of § 43-2-830 Code of Alabama (1975); and

WHEREAS, the Personal Representative of the Estate and the Trustees now desire to grant, convey and quitclaim all interest in the property identified herein to the Generation Skipping Trust for the benefit of Barbara Whiting.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS: That in consideration of (i) One Dollar (\$1.00), (ii) the terms of the Will, and (iii) other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, **PATRICIA NELL COTTRELL, as Personal Representative of the Estate** ("Personal Representative"), **PATRICIA NELL COTTRELL, THOMAS WAYNE LEE and BARBARA WHITING, Trustees of the Family Trust** (collectively the "Trustees") (the Personal Representative and the Trustees collectively herein the "Grantors"), do grant, convey and quitclaim unto **BARBARA WHITING, as Trustee of the Barbara Whiting Generation Skipping Trust pursuant to Item Six of the Will** ("Grantee"), an undivided one-third (1/3) interest in and to all of the right, title and interest of the Estate and the Family Trust in and to the following described real estate (together with all improvements located thereon and all appurtenances thereto belonging or in anywise appertaining) situated in Shelby County, Alabama, to-wit:

See Exhibit A attached hereto and made a part hereof by reference and incorporation.

This conveyance is subject to the following:

1. Taxes and assessments due in the current year and all subsequent years.
2. Unrecorded easements, discrepancies or conflicts in boundary lines, shortages in area and encroachments which an accurate and complete survey would disclose.
3. Mineral and mining rights and rights incident thereto.
4. All easements, reservations, restrictions, covenants, conditions and other matters of record.

This instrument is executed by the Personal Representative solely in her capacity as Personal Representative of the Estate, and by the Trustees solely in their capacities as Trustees under the Family Trust, and neither this instrument nor anything herein contained shall be construed as creating any obligation or liability on the part of the Personal Representative or any of the Trustees in their individual capacities, and the Personal Representative and each of the Trustees expressly limit their individual liability hereunder to the assets each receives and holds in their capacities as aforesaid.

TO HAVE AND TO HOLD to the said Grantee, his/her successors and assigns, forever.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this 30th day of March, 2009.


Patricia Nell Cottrell
Patricia Nell Cottrell, Personal Representative of
the Estate of Robert E. Lee, Deceased

Patricia Nell Cottrell
Patricia Nell Cottrell, Trustee of the Family Trust
under the Last Will and Testament of Robert E. Lee,
Deceased

Thomas Wayne Lee
Thomas Wayne Lee, Trustee of the Family Trust
under the Last Will and Testament of Robert E. Lee,
Deceased

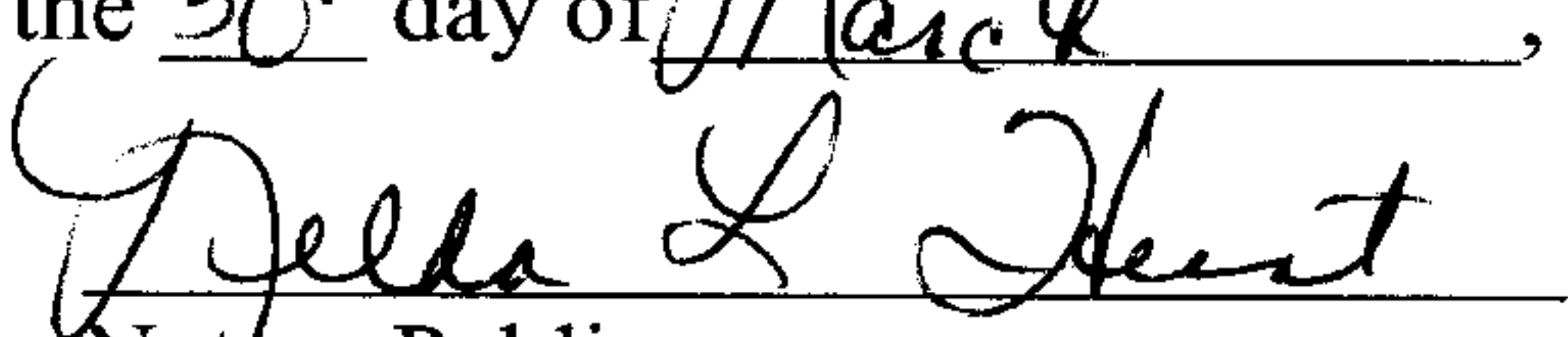
Barbara Whiting
Barbara Whiting, Trustee of the Family Trust under
the Last Will and Testament of Robert E. Lee,
Deceased

STATE OF ALABAMA)
 :
SHELBY COUNTY)


20100601000171340 4/10 \$42.00
Shelby Cnty Judge of Probate, AL
06/01/2010 10:57:36 AM FILED/CERT

NOTARY ACKNOWLEDGMENT

I, the undersigned Notary Public in and for said County in said State, hereby certify that **PATRICIA NELL COTTRELL**, whose name as Personal Representative of the Estate of Robert E. Lee, 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 capacity as such Personal Representative, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 30th day of March, 200¹⁰9.

Notary Public


[AFFIX NOTARY SEAL]

My Commission Expires: 12-19-10

STATE OF ALABAMA)
 :
SHELBY COUNTY)

NOTARY ACKNOWLEDGMENT

I, the undersigned Notary Public in and for said County in said State, hereby certify that **PATRICIA NELL COTTRELL**, whose name as Trustee of the Family Trust under the Last Will and Testament of Robert E. Lee, 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 capacity as such Trustee, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 30th day of March, 200¹⁰9.

Notary Public

[AFFIX NOTARY SEAL]

My Commission Expires: 12-19-10



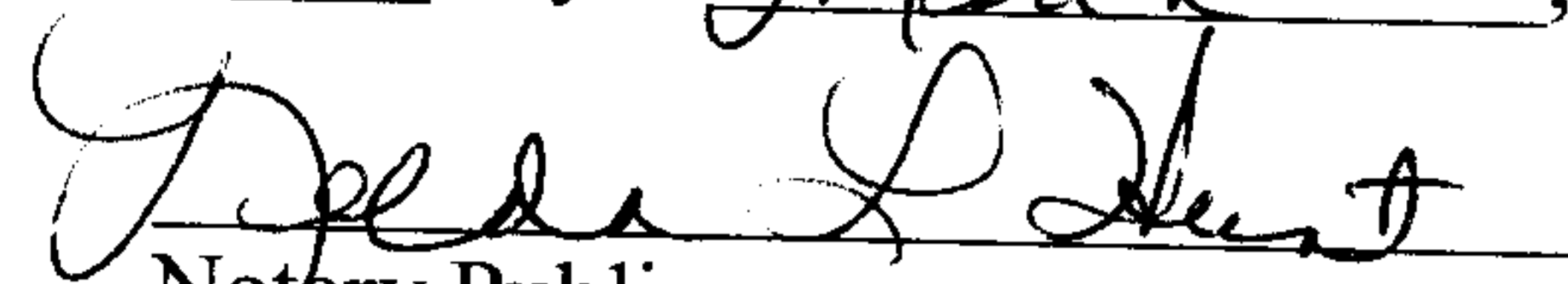
20100601000171340 5/10 \$42.00
Shelby Cnty Judge of Probate, AL
06/01/2010 10:57:36 AM FILED/CERT

STATE OF ALABAMA)
 :
SHELBY COUNTY)

NOTARY ACKNOWLEDGMENT

I, the undersigned Notary Public in and for said County in said State, hereby certify that **THOMAS WAYNE LEE**, whose name as Trustee of the Family Trust under the Last Will and Testament of Robert E. Lee, 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, he, in his capacity as such Trustee, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 30th day of March, 2010.


Notary Public

[AFFIX NOTARY SEAL]

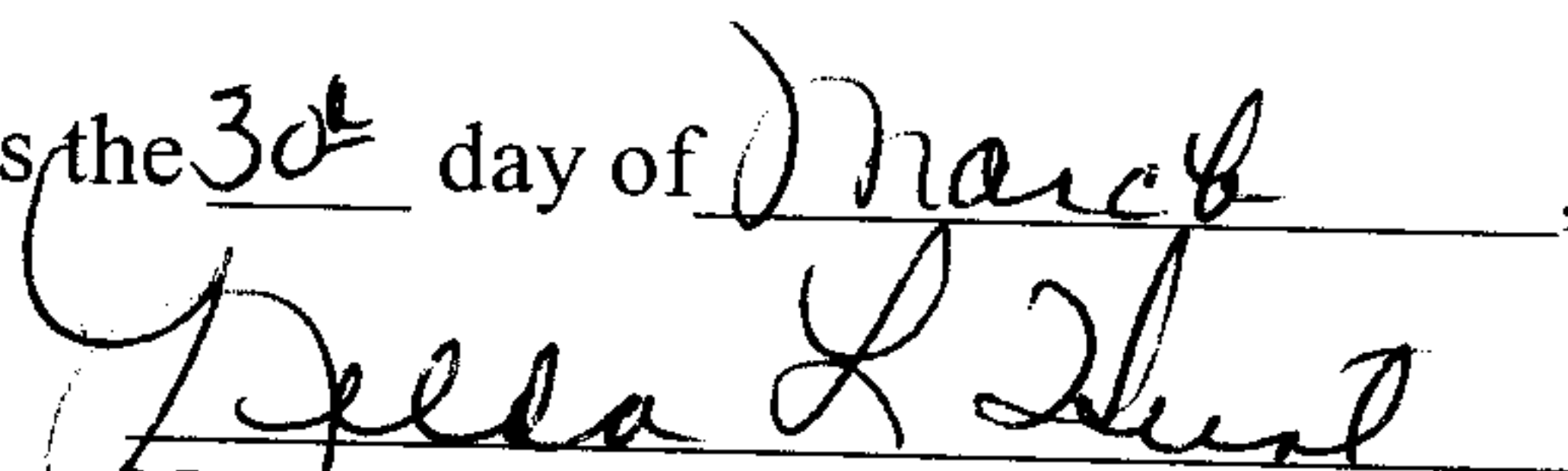
My Commission Expires: 12-19-10

STATE OF ALABAMA)
 :
CHILTON COUNTY)

NOTARY ACKNOWLEDGMENT

I, the undersigned Notary Public in and for said County in said State, hereby certify that **BARBARA WHITING**, whose name as Trustee of the Family Trust under the Last Will and Testament of Robert E. Lee, 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 capacity as such Trustee, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 30th day of March, 2010.


Notary Public

[AFFIX NOTARY SEAL]

My Commission Expires: 12-19-10

Exhibit A

20100601000171340 6/10 \$42.00
Shelby Cnty Judge of Probate, AL
06/01/2010 10:57:36 AM FILED/CERT

Parcel 1: (Only a one-third (1/3) interest in the one-half (1/2) interest is conveyed by the Quitclaim Deed to which this Exhibit A is attached)

Begin at the SW corner of the NE $\frac{1}{4}$ - SW $\frac{1}{4}$ of Section 12, Township 20 South, Range 3 West; then east along the South line of said $\frac{1}{4}$ - $\frac{1}{4}$ for 893.36 feet to the West right of way of U.S. Highway #31; thence turn left and run Northeasterly along the said West right of way for 706.5 feet to the South right of way of the Belle Vista Road; thence turn left and run Westerly along said South right of way for 376.0 feet to the Eastmost line of the Belle Vista Mobile Home Park; thence turn left and run Southwesterly along said Eastmost line for 213.8 feet; thence turn right and run Southwesterly for 721.4 feet to a point on the West line of the NE $\frac{1}{4}$ - SW $\frac{1}{4}$ of said Section 12; then turn left and run Southerly along said West line for 397.4 feet to the SW corner of said $\frac{1}{4}$ - $\frac{1}{4}$ and the point of beginning. Containing 11.26 acres, more or less.

LESS AND EXCEPT a 60-foot wide right of way lying North of the South line of said NE $\frac{1}{4}$ - SW $\frac{1}{4}$ and more particularly described as follows: Commence at the SW corner of said $\frac{1}{4}$ - $\frac{1}{4}$; thence run Eastward along said South line for 481.9 feet to the West line of the Old Highway 31 and the point of beginning of said right of way lying 60 feet North of the following line; continue Eastward along said South line for 411.46 feet to the West line of U.S. Highway #31.

ALSO SUBJECT TO a 15-foot wide easement for utilities along the West line of the above description and a Power Transmission Easement along the Northeast corner of the above description.

ALSO LESS AND EXCEPT the following described property: Commence at the SW corner of the NE $\frac{1}{4}$ - SW $\frac{1}{4}$ of Section 12, Township 20 South, Range 3 West, Shelby County, Alabama; thence Easterly along the South line of said $\frac{1}{4}$ - $\frac{1}{4}$ for 381.9 feet to the point of beginning of the tract herein described; thence continue Easterly along said South line for 50.0 feet; then turn left 90° and run Northerly for 422.02 feet, more or less, to the South line of the Belle Vista Park; then turn left 93° 11' 58" and run Southwesterly along said South line for 120.19 feet; thence turn left 86° 48' 02" and run Southerly for 315.31 feet, more or less, to a point 100.0 feet North of the South line of said NE $\frac{1}{4}$ - SW $\frac{1}{4}$; then turn left 90° and run Easterly for 70.0 feet; thence turn right 90° and run 100.0 feet to the point of beginning. Containing 43,281 sq. ft. more or less.

Parcel 2:

Part of the SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 36, Township 19 South, Range 3 West, more particularly described as follows: Commence at the Southwest corner of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 36, Township 19 South, Range 3 West, and run North along the West line of the Amended Map of Wildewood Village, Third Addition (Map Book 8, Page 182), a distance of 41.79 feet to the point of beginning; thence turn an angle of 32° 50' 05" right and continue along the Northwest line of the Amended Map of Wildewood Village Third Addition a distance of 716.77 feet to an iron pin; thence turn an angle of 121° 18' 26" left and run Westerly a distance of 388.78 feet to an iron pin; thence turn an angle of 91° 31' 39" left and run South a distance of 612.62 feet to the point of beginning, being situated in Shelby County, Alabama.


Exhibit B



20100601000171340 7/10 \$42.00
Shelby Cnty Judge of Probate, AL
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(See Certified Copy of Will attached)

Exhibit C



20100601000171340 8/10 \$42.00
Shelby Cnty Judge of Probate, AL
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(See Original Executed Renunciation attached)

RENUNCIATION OF NOMINATED TRUSTEES

OF

BARBARA WHITING GENERATION SKIPPING TRUST


20100601000171340 9/10 \$42.00
Shelby Cnty Judge of Probate, AL
06/01/2010 10:57:36 AM FILED/CERT

This Renunciation of Nominated Trustees is made by **Patricia Nell Cottrell** and **Thomas Wayne Lee** as of the 30th day of March, 2009.

WHEREAS, the undersigned are designated under the Will of Robert E. Lee to serve as co-trustees with **Barbara Whiting** of the Barbara Whiting Generation Skipping Trust ("Trust") under the Will of Robert E. Lee; and


WHEREAS, the undersigned each desire to reject and renounce their nomination as trustee of the Trust; and

WHEREAS, following this Renunciation of Nominated Trustees, **Barbara Whiting** will be the sole trustee of the Trust.

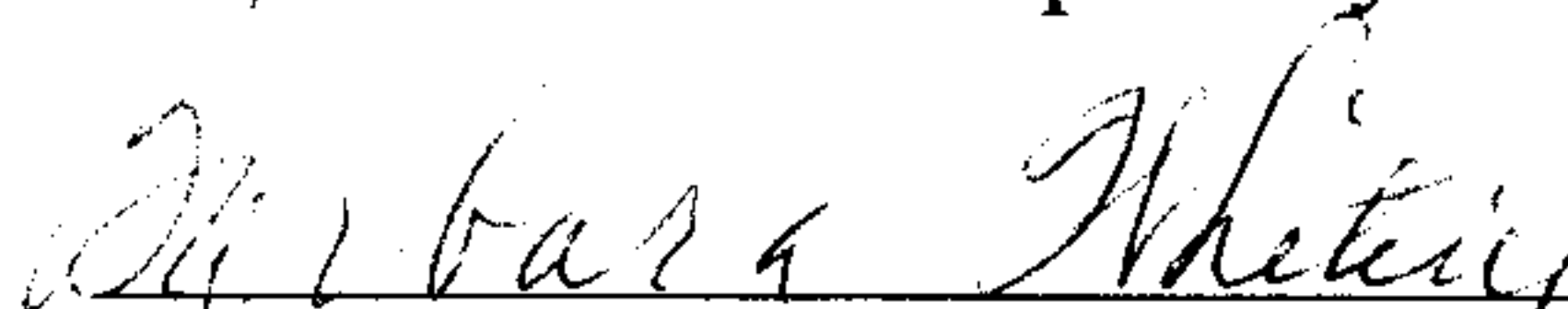
NOW THEREFORE, the undersigned state as follows:

1. The undersigned, **Patricia Nell Cottrell** and **Thomas Wayne Lee**, each hereby forever renounce, decline, and reject any trusteeship as nominated trustee of the Trust.
2. The undersigned have taken no action nor exercised any power that would constitute an acceptance of trusteeship of the Trust as provided in Alabama Code §19-3B-701.


Patricia Nell Cottrell


Thomas Wayne Lee

Received and Accepted by


Barbara Whiting, Trustee of the Trust
This 30th day of March, 2009.

VERIFICATIONS

STATE OF ALABAMA)
 **COUNTY**)

I, a notary public in and for said county in said state, hereby certify that **Patricia Nell Cottrell**, whose name is signed to the foregoing instrument, being first duly sworn, makes oath that she has read

the foregoing, and knows the contents thereof, and executed the same voluntarily.

20100601000171340 10/10 \$42.00
Shelby Cnty Judge of Probate, AL
06/01/2010 10:57:36 AM FILED/CERT

Subscribed and sworn to before me this the 30th day of March, 2009.

Della L Hunt
Notary Public
My Commission Expires: 12-19-10

STATE OF ALABAMA)
Shelby COUNTY)

I, a notary public in and for said county in said state, hereby certify that **Thomas Wayne Lee**, whose name is signed to the foregoing instrument, being first duly sworn, makes oath that he has read the foregoing, and knows the contents thereof, and executed the same voluntarily.

Subscribed and sworn to before me this the 30th day of March, 200¹⁰~~9~~.

Della L Hunt
Notary Public
My Commission Expires: 12-19-10