

TIM R. HORTON
FAMILY IRREVOCABLE TRUST AGREEMENT

This Irrevocable Trust Agreement is made this the 4th day of Dec., 2012, between **Tim R. Horton** of 954 Highway 77, Columbiana, Alabama 35051, herein referred to as the "Grantor," and **Sharon Horton** of 954 Highway 77, Columbiana, Alabama 35051, herein referred to as "Trustee."

In consideration of the mutual covenants and promises set forth herein, Grantor and Trustee agree as follows:

1. Transfer of Trust. Grantor herewith assigns, transfers, and conveys to Trustee the property described in Exhibit "A" and Exhibit "B" attached hereto and made a part hereof by this reference, and receipt of such property is hereby acknowledged by Trustee. Such property, hereafter designated the "Trust Estate," shall be held by Trustee in Trust for the uses and purposes and on the terms and conditions set forth herein.
2. Disposition of Principal and Income. Trustee shall administer and manage the Trust Estate, collect the income therefrom and, after payment of all taxes and assessments thereon and all charges incident to the management thereof, apply and dispose of the net income and the principal of the Trust Estate, as follows:

Sharon Horton
954 Highway 77
Columbiana, AL 35051
3. Addition to Trust. Grantor and any other person shall have the right at any time to add property acceptable to Trustee to this Trust. Such property, when received and accepted by Trustee, shall become part of the Trust Estate.
4. Irrevocability of Trust. This trust shall be irrevocable and shall not be revoked or terminated by Grantor or any other person, nor shall it be amended or altered by Grantor or any other person.

IN WITNESS WHEREOF, Grantor and Trustee have executed this Agreement on the date above written.

Tim R. Horton
TIM R. HORTON
Grantor

Sharon Horton
SHARON HORTON
Trustee, Tim R. Horton Family
Irrevocable Trust

STATE OF ALABAMA)

Shelby COUNTY)

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that **Tim R. Horton**, whose name is signed to the foregoing Tim R. Horton Family Irrevocable Trust Agreement, and who is known to me, acknowledged before me on this day that, being informed of the contents of the Tim R. Horton Family Irrevocable Trust Agreement, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 4th day of December, 2012.

Jessaw. Ray
Notary Public
My Commission Expires _____

NO NOTARY PUBLIC EXPIRATION DATE:
JANUARY 6, 2014

STATE OF ALABAMA)

Shelby COUNTY)

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that **Sharon Horton**, Trustee, Tim R. Horton Family Irrevocable Trust, whose name is signed to the foregoing Tim R. Horton Family Irrevocable Trust Agreement, and who is known to me, acknowledged before me on this day that, being informed of the contents of the Tim R. Horton Family Irrevocable Trust Agreement, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 4th day of December, 2012.

Jessaw. Ray
Notary Public
My Commission Expires _____

NOTARY PUBLIC EXPIRATION DATE:
JANUARY 6, 2014

EXHIBIT "A"
To the Tim R. Horton Family Irrevocable Trust Agreement

Lot 1, according to the survey of Brooke Lane Family Subdivision, as recorded in Map Book 36, Page 72, Probate Office of Shelby County, Alabama.

Subject to restrictions, easements and rights of way of record.

EXHIBIT "B"
To the Tim R. Horton Family Irrevocable Trust Agreement

Begin at the SW corner of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 4, Township 22 South, Range 1 East; thence run North 0 degrees 12 minutes 59 seconds West for 516.85 feet to a found PK nail on the westerly right of way line of Shelby County Hwy. No. 77; thence run South 22 degrees 47 minutes 22 seconds East, along said right of way line for 156.35 feet to the point of beginning of a curve to the left, having a central angle of 37 degrees 28 minutes 53 seconds and a radius of 600.00 feet; thence run along the arc of said curve for 392.50 feet to the end of said curve; thence run South 60 degrees 16 minutes 15 seconds East, along said right of way for 162.98 feet to a found rebar corner on the South line of $\frac{1}{4}$ - $\frac{1}{4}$; thence run South 89 degrees 35 minutes 25 seconds West for 455.77 feet to the point of beginning. Situated in Shelby County, Alabama.

Less and Except the following described property. Begin at the West line of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ Section 4 and the Westerly right of way line for Shelby County Highway 77; thence run South 22-47-22 East along said right of way for 110 feet more or less to the center of a dirt drive; thence run Southwesterly along the center of said dirt drive to the West line of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ Section 4; thence run Northerly along the West line of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ Section 4 133 feet more or less to a point of beginning of the exception. Situated in Shelby County, Alabama.

According to the Survey of S.M. Allen, PLS No. 12944, dated June 5, 2006.