

**THIS INSTRUMENT IS BEING EXECUTED TO COMPLY WITH THE PROVISIONS OF, AND
TO MAKE A DISTRIBUTION PURSUANT TO, SUBPARAGRAPH (C)(3) OF ITEM VII OF
THE LAST WILL AND TESTAMENT OF EMILY PRUITT JONES, DECEASED,
ADMITTED TO PROBATE IN THE
PROBATE COURT OF SHELBY COUNTY, ALABAMA CASE NO. PR-2014-000706.**

**THIS DEED WAS PREPARED WITHOUT BENEFIT OF A TITLE SEARCH OR SURVEY
AND WITH LEGAL DESCRIPTION PROVIDED BY GRANTOR.
NO REPRESENTATIONS CONCERNING TITLE OR THE ACCURACY OF THE LEGAL
DESCRIPTION ARE MADE BY THE PREPARER OF THIS INSTRUMENT.**

**STATE OF ALABAMA)
)
COUNTY OF SHELBY)**

Send Tax Notice to:
Emily Jones Rushing
P.O. Box 531335
Birmingham, Alabama 35253

TRUSTEE'S DISTRIBUTION DEED

KNOW ALL MEN BY THESE PRESENTS, that for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration to

**EMILY JONES RUSHING, AS SUCCESSOR TRUSTEE
OF THE EMILY PRUITT JONES RESIDUARY TRUST
UNDER THE WILL OF EMILY PRUITT JONES,
whose mailing address is P.O. Box 531335, Birmingham, Alabama 35253,**

(hereinafter referred to as the "Grantor"), in hand paid by

**EMILY JONES RUSHING, a married woman,
whose mailing address is P.O. Box 531335, Birmingham, Alabama 35253,**

(hereinafter referred to as "Grantee"), the receipt and sufficiency of which are hereby acknowledged, the said Grantor does by these presents **GRANT, BARGAIN, SELL and CONVEY** unto the said Grantee the following described real property situated in Shelby County, Alabama [herein referred to as the "Property"; said Property having a **property address of 3190 Indian Crest Drive, Pelham, Alabama 35124**, and an **Assessor's Market Value of \$2,956,090.00**, as can be verified by the records of the Shelby County, Alabama Property Tax Commissioner (Parcel No. 10 5 15 0 002 053.000)], to-wit:

See Exhibit "A," attached hereto and made a part hereof, for the legal description of the Property.

TOGETHER WITH ALL AND SINGULAR the rights, members, privileges, improvements, hereditaments, tenements and appurtenances thereto belonging or in anywise appertaining and all right, title and interest of Grantor in and to any and all roads, alleys and ways bounding said premises.

This conveyance is made subject to the following:

1. Ad valorem taxes and assessments for the current and subsequent years not yet due and payable.

2. Any and all previous reservations or conveyances, if any, of oil, gas and other minerals in, on and under said Property, together with all rights in connection therewith; all recorded encumbrances, if any; recorded or unrecorded easements, liens, restrictions, covenants, declarations, reservations, limitations, conditions, uses, agreements, dedications, set-back lines, rights-of-way, subdivision and other regulations, utilities and other matters of record in the Probate Office of Shelby County, Alabama, and to all applicable zoning ordinances and/or restrictions, prohibitions and/or other requirements imposed by governmental authorities, if any; any rights of parties in possession; all recorded or unrecorded leases affecting said Property, if any; and any encroachments, overhangs, deficiencies in quantity of land, discrepancies as to boundary lines, overlaps, etc., which would be disclosed by a true and accurate survey of said Property.

TO HAVE AND TO HOLD unto the said Grantee, Grantee's heirs and assigns, in fee simple forever.

NOTE: The Grantor acquired title to the Property being conveyed hereby pursuant to deed from Emily Jones Rushing, as Personal Representative of the Estate of Emily Pruitt Jones, Deceased, Probate Court of Shelby County, Alabama, Case No. PR-2014-000706, dated August 31, 2015, and filed for record on September 3, 2015, as Instrument Number 20150903000308540, in the Probate Office of Shelby County, Alabama.

NOTE: Pursuant to the terms of the Last Will and Testament of Emily Pruitt Jones (the "Decedent") dated July 17, 2003 (the "Decedent's Will"), and duly admitted to probate in the Probate Court of Shelby County, Alabama, in Case No. PR-2014-000706 (the "Decedent's Probate Case"), the Emily Pruitt Jones Residuary Trust (the "Residuary Trust") was created under the Decedent's Will for the benefit of the Decedent's spouse, Saunders Jones, II (the "Decedent's Spouse"), and the Decedent's Will appointed the Decedent's Spouse to serve as Trustee thereof. However, pursuant to that certain instrument entitled "Renunciation of Trustee, Renunciation of Successor Co-Trustee and Appointment of New Successor Trustee" dated May 14, 2015, and filed in the Decedent's Probate Case on July 12, 2016, the Decedent's Spouse renounced his appointment as Trustee of all trusts created under the Decedent's Will, including the Residuary Trust, the Decedent's son, Saunders Jones, Jr., renounced his appointment as successor Co-Trustee of certain trusts created under the Decedent's Will, including the Residuary Trust, and the Decedent's daughter, Emily Jones Rushing, was appointed to serve as sole successor Trustee of certain trusts created under the Decedent's Will, including the Residuary Trust. The Decedent's daughter, Emily Jones Rushing, continues to serve as successor Trustee of the Residuary Trust at the time of execution of this Deed.

NOTE: The Decedent's Spouse, Saunders Jones, II, who is one and the same person as Saunders Jones, died on or about May 20, 2016, as evidenced by the attached copy of his death certificate. The terms of Subparagraph (c)(3) of Item VII of the Decedent's Will provide that, upon the death of the Decedent's Spouse, the Property shall be distributed to the Decedent's daughter, Emily Jones Rushing, the Grantee herein. This Deed is being executed for the purpose of conveying the Property to the Grantee in accordance with the terms of Subparagraph (c)(3) of Item VII of the Decedent's Will.

NOTE: This instrument is being executed by the undersigned Grantor solely in the fiduciary capacity named herein, and neither this instrument nor anything herein contained shall be construed as creating any indebtedness or obligation on the part of the undersigned Grantor in her individual capacity, and the undersigned Grantor expressly limits her liability hereunder solely to the property now or hereafter held by her as the successor Trustee of the Residuary Trust.

IN WITNESS WHEREOF, the said Grantor has hereunto set Grantor's hand and seal this 4th
day of August, 2016.

GRANTOR:

Emily Jones Rushing
EMILY JONES RUSHING, as Successor Trustee of the
Emily Pruitt Jones Residuary Trust under the Will of
Emily Pruitt Jones

STATE OF ALABAMA)
)
COUNTY OF JEFFERSON)

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that Emily Jones Rushing, whose name as Successor Trustee of the Emily Pruitt Jones Residuary Trust under the Will of Emily Pruitt Jones, is signed to the foregoing Trustee's Distribution Deed, and who is known to me, acknowledged before me on this day that, being informed of the contents of said conveyance, she, in her capacity as such Successor Trustee and with full authority, executed the same voluntarily for and as the act of said trust on the day the same bears date.

Given under my hand and official seal this 4th day of August, 2016.

{ SEAL }

Craig M. Stephens
Notary Public

My Commission Expires: **MY COMMISSION EXPIRES 08/24/2016**

This instrument prepared by:
Craig M. Stephens, Esq.
Sirote & Permutt, P.C.
2311 Highland Avenue South (35205)
P.O. Box 55727
Birmingham, Alabama 35255-5727


20160810000285320 3/5 \$29.00
Shelby Cnty Judge of Probate, AL
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EXHIBIT "A"

LEGAL DESCRIPTION OF PROPERTY

Part of the SE $\frac{1}{4}$ of SE $\frac{1}{4}$, part of the W $\frac{1}{2}$ of SE $\frac{1}{4}$, and part of the E $\frac{1}{2}$ of SW $\frac{1}{4}$, all in Section 15, Township 19 South, Range 2 West, Shelby County, Alabama, said parts being more particularly described as follows:

From the Southeast corner of the SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of said Section 15, run North along the East line of said SW $\frac{1}{4}$ of SE $\frac{1}{4}$, for 341.21 ft., thence right 90°11' and East for 227.67 feet to a point in the center of the old Birmingham-Columbiana Road, said point being the point of beginning of the land herein conveyed:

Thence from said point of beginning turn an angle of 180° and run West for 2546.66 feet, to the center of a road, thence right 85°06' and Northerly along said road for 230.4 feet, thence right 21°25' and Northerly along said road for 617.31 feet to an intersection with Indian Crest Drive, thence right 41°34' and Northeasterly along Indian Crest Drive for 249.09 feet, thence left 9°45' and Northeasterly for 167.92 feet to the point of curve of a curve to the left, said curve having a central angle of 33°23' and a radius of 318.23 feet, thence along the arc of said curve for 185.39 feet, thence Northeasterly along a line tangent to said curve for 183.64 feet to the point of curve of a curve to the right, said curve having a central angle of 31°42' and a radius of 151.81 feet, thence along the arc of said curve to the right for 83.99 feet, thence Northeasterly along a line tangent to said curve for 260.06 feet to the point of curve of a curve to the right, said curve having a central angle of 24°33' and a radius of 470.17 feet, thence along the arc of said curve to the right for 201.63 feet, thence Northeasterly along a line tangent to said curve for 145.2 feet, thence left 18°24' and Northeasterly for 104.4 feet to the centerline of the Caldwell Mill Road, thence right 90° and Southeasterly along the center line of the Caldwell Mill Road for 1925.7 feet to the point of curve of a curve to the right, said curve having a radius of 1432.7 feet, thence along the arc of said curve (said arc being the centerline of Caldwell Mill Road) for 255 feet to an intersection with the centerline of the old Birmingham-Columbiana Road, thence right and South along the centerline of said old Birmingham-Columbiana Road for 111.4 feet to the point of beginning. Containing 66.4 acres, more or less, subject to the existing road right of way.

Subject to and excepting minerals underlying that portion of subject property that lies within the E $\frac{1}{2}$ of SW $\frac{1}{4}$ and NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 15, Township 19 South, Range 2 West, with mining rights and privileges thereto belonging; and

Subject to right of way to Shelby County recorded in Deed Book 216, Page 9, in Probate Office of Shelby County, Ala.

Situated in Shelby County, Alabama.



20160810000285320 4/5 \$29.00
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TYPE IN PERMANENT
BLACK INK. DO NOT
USE GREEN, RED, OR
BLUE INK.ALABAMA
CERTIFICATE OF DEATH

State File Number 101

County
File
Number

3.	1. DECEASED—NAME First Middle Last (Type last name all capitals)	2. DATE OF DEATH (Month, Day, Year)	3. COUNTY OF DEATH
6.	Saunders JONES	May 20, 2016	Jefferson
19.	4. CITY, TOWN, OR LOCATION OF DEATH AND ZIP CODE	5. INSIDE CITY LIMITS (Specify Yes or No)	6. PLACE OF DEATH—HOSPITAL OR OTHER INSTITUTION—(If not in either, give street and number)
20.	Birmingham 35205	Yes	2831 Highland Avenue South (Greenbriar) Apt# 340
26.	7. IF HOSPITAL (Specify Inpatient, ER or Outpatient, DOA)	8. OF HISPANIC ORIGIN (Specify Yes or No) If Yes, Specify Cuban, Mexican, Puerto Rican, etc.	9. RACE—(Specify American Indian, Black, White, etc.)
27.		No	White
34.	11. AGE	12. UNDER 1 YEAR	13. DATE OF BIRTH (Month, Day, Year)
	90 YRS.		October 19, 1925
	15. EDUCATION (Specify ONLY highest grade completed below)	16. MARITAL STATUS (Specify Married, Never Married, Widowed, Divorced)	17. SURVIVING SPOUSE (If wife, give maiden name)
	Elementary or High School (0-12)	Widowed	
	18. Was Decedent ever in Armed Forces (Specify Yes or No)		
	Yes		
	19. STATE OF BIRTH (If not in USA, name country)	20. RESIDENCE—STATE	21. COUNTY
	Georgia	Alabama	Jefferson
	22. CITY, TOWN, OR LOCATION AND ZIP CODE		
	Birmingham 35222		
	23. INSIDE CITY LIMITS (Specify Yes or No)	24. STREET AND NUMBER	25. INFORMANT—Name and Address
	Yes	3838 10th Avenue South	Emily Jones Rushing
	26. USUAL OCCUPATION (Give kind of work done during most of working life even if retired)	27. KIND OF BUSINESS OR INDUSTRY	
	Manager	Birmingham Stove and Range	
	28. FATHER—NAME First Middle Last	29. MAIDEN NAME OF MOTHER—First Middle Last	
	Bolling Henry Jones	Dorothy Charlton Hodgson	
	30. DISPOSITION OF BODY (Specify Burial, Cremation, Medical Donation, Hospital Disposal, Other)	31. DATE OF DISPOSITION (Month, Day, Year)	32. CEMETERY OR CREMATORY—Name
	Cremation	May 21, 2016	Johns-Ridout's
	33. LOCATION—(City or Town—State)		
	Birmingham, AL		
	34. FUNERAL HOME—Name and Address	35. FUNERAL DIRECTOR—Signature	36. DATE SIGNED BY FUNERAL DIRECTOR
	Johns-Ridout's	2116 Univ. Blvd B'ham, AL 35233	May 31, 2016
	37. Certifying Physician (Physician certifying cause of death) "To the best of my knowledge death occurred at the time and date, and due to the cause(s) and manner stated"	38. DATE SIGNED (Month, Day, Year)	
	Medical Examiner	5/25/16	
	Signature: [Signature]		
	39. TIME AND DATE OF DEATH	40. DATE AND TIME PRONOUNCED DEAD (For Coroner/M.E. use only)	41. NAME AND TITLE OF PERSON WHO COMPLETED CAUSE OF DEATH (Item 46)
	0210 5/20/16		A.E. Thomas, MD
	42. ADDRESS OF PERSON WHO COMPLETED CAUSE OF DEATH (Item 46)	43. CERTIFIER LICENSE NUMBER	
	1430 Gadsden Highway B'ham, AL 35235	15172	
	44. REGISTRAR—Signature	45. DATE FILED (Month, Day, Year)	
	Rosued Jukes	June 1, 2016	

MEDICAL CERTIFICATION

46. PART I Enter the diseases, injuries, or complications that caused the death. Do not enter the mode of dying, such as cardiac or respiratory arrest, shock, or heart failure. LIST ONLY ONE CAUSE ON EACH LINE.	APPROXIMATE INTERVAL BETWEEN ONSET AND DEATH
IMMEDIATE CAUSE (Final disease or condition resulting in death) → a. DUE TO (OR AS A CONSEQUENCE OF)	
b. DUE TO (OR AS A CONSEQUENCE OF)	
c. DUE TO (OR AS A CONSEQUENCE OF)	
d. DUE TO (OR AS A CONSEQUENCE OF)	
47. PART II Other significant conditions contributing to death but not resulting in the underlying cause given in Part I	48. WAS THERE A PREGNANCY IN LAST 42 DAYS? (Specify Yes, No, or Unknown)
49. MANNER OF DEATH (Specify—Accident, Homicide, Suicide, Undetermined Circumstances, Pending Investigation, Natural Cause)	50. AUTOPSY (Specify Yes or No)
Natural	No
51. If yes, were findings considered in determining cause of death? (Specify Yes or No)	
52. HOW INJURY OCCURRED (Enter nature of injury in Item 46, Part I or Item 47, Part II)	53. DATE OF INJURY (Month, Day, Year)
54. HOUR OF INJURY	
55. INJURY AT WORK (Specify Yes or No)	56. PLACE OF INJURY—(Specify at home, farm, street, factory, office building, etc.)
57. LOCATION OF INJURY (Street or R.F.D. No., City or Town, State)	

This is a legal record and must be filed within five (5) days after death.

ADPH HS 2/Rev 11-93

This is a true and exact copy of the record on file with
The Jefferson County Department of Health

Signature of Local or Deputy Registrar

Date of Issue

June 1 2016

20160810000285320 5/5 \$29.00
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