

THIS INSTRUMENT IS BEING EXECUTED TO COMPLY WITH THE PROVISIONS OF, AND TO MAKE DISTRIBUTION PURSUANT TO, SECTION 4 OF THE LAST WILL AND TESTAMENT OF PATRICIA GRACE FLOYD, DECEASED, ADMITTED TO PROBATE IN THE PROBATE COURT OF SHELBY COUNTY, ALABAMA, CASE NO. PR-2018-000268.

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 )	Send Tax Notice to
	Grady O. Floyd, Trustee
COUNTY OF SHELBY	The Floyd Family Trust U/A/D April 4, 2013
	536 Crest Drive
	Encinatas, CA 92024

## PERSONAL REPRESENTATIVE'S DEED

KNOW ALL MEN BY THESE PRESENTS, that, effective as of the 16th day of January, 2019, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration to the undersigned,

GRADY OBERRY FLOYD,
AS PERSONAL REPRESENTATIVE OF THE
ESTATE OF PATRICIA GRACE FLOYD, DECEASED,
PROBATE COURT OF SHELBY COUNTY, ALABAMA, CASE NO. PR-2018-000268
whose mailing address is 536 Crest Drive, Encinatas, California 92024

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

GRADY O. FLOYD, OR ANY SUCCESSOR(S), AS TRUSTEE OF THE FLOYD FAMILY TRUST U/A/D APRIL 4, 2013, whose mailing address is 536 Crest Drive, Encinatas, California 92024

(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 undivided one-half (1/2) interest owned by the Decedent (as hereinafter defined) at the time of her death (the "**Property Interest**"), in and to the following described real property situated in Shelby County, Alabama [the "**Property**"; the Property **having a property address of 808 Crown Circle, Birmingham**, **Alabama 35242**; and the Decedent's Property Interest having an **Assessor's Market Value of \$339,300.00** (being 1/2 of \$678,600.00), as can be verified by the records of the Shelby County, Alabama Property Tax Commissioner, the Property being identified as Parcel No. 03 6 14 3 002 029.000], to-wit:

Lot 611-A, according to the Resurvey of Lots 611 and 612, Greystone Legacy 6th Sector, as recorded in Map Book 36, Page 140, in the Probate Office of Shelby County, Alabama.

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. Taxes and assessments for the current and subsequent years not yet due and payable.
- 2. Mortgage in the original principal amount of \$271,800.00 from Grady Floyd and Patricia Floyd, husband and wife, to Wells Fargo Bank, N.A., dated November 24, 2014, and filed for record on December 1, 2014, in Instrument No. 20141201000376790 in the Probate Office of Shelby County, Alabama (the "2014 Mortgage").
- Line of Credit Mortgage in the maximum principal amount of \$150,000.00 from Grady Floyd and Patricia Floyd, husband and wife, to Wells Fargo Bank, N.A., dated February 15, 2008, and filed for record on February 25, 2008, in Instrument No. 20080225000075510 in the Probate Office of Shelby County, Alabama, and which mortgage was subordinated to the 2014 Mortgage pursuant to that certain Subordination Agreement for Line of Credit Mortgage dated November 6, 2014, and filed for record on December 1, 2014, in Instrument No. 20141201000376800 in the Probate Office of Shelby County, Alabama.
- 4. Any and all previous reservations or conveyances, together with release of damages, of minerals of every kind and character, including, but not limited to, oil, gas, sand and gravel, in, on and under the Property, or any part thereof, together with all rights in connection therewith (however, minerals are conveyed as a part of the Property to the extent owned by Grantor); any and all additional recorded mortgages, if any, all recorded encumbrances, if any; recorded or unrecorded easements, liens, dedications, restrictions, covenants, declarations, reservations, limitations, conditions, uses, agreements, set-back lines, rights-of-way, subdivision and other regulations, utilities, flood easements, flood zones, 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, if any, affecting the Property; and any encroachments, overlangs, deficiencies in quantity of land, discrepancies as to boundary lines, overlaps, etc., which would be disclosed by a true and accurate survey of the Property.

TO HAVE AND TO HOLD to the said Grantee, and to the successors and assigns of the Grantee, in fee simple forever.

### NOTES:

1. Patricia Grace Floyd (the "Decedent"), who is one and the same person as Patricia Floyd, died, a married woman, on or about December 27, 2017, and, at the time of her death, was the owner of the undivided one-half (1/2) Property Interest, the Property having been conveyed to the Decedent and her husband, Grady Floyd (who is one and the same person as Grady O. Floyd and Grady Oberry Floyd), as tenants in common, by Warranty Deed from Steven A. Wilson and Michell K. Wilson, by and through attorney-in-fact, Max Bahos, as Grantor, dated July 10, 2006, and filed for record on July 14, 2016, at Instrument No. 20060714000341270, in the Probate Office of Shelby County, Alabama (the "Recording Office"), and said deed having been corrected to provide the marital status of the grantors thereunder by

Scrivener's Affidavit of S. Kent Stewart executed on or about January 10, 2007, and filed for record on January 18, 2007, in Instrument No. 20070118000027090 in the Recording Office, and further corrected to provide the correct legal description of the Property conveyed by said deed by Scrivener's Affidavit of S. Kent Stewart executed on or about April 18, 2007, and filed for record on June 18, 2007, in Instrument No. 20070618000283970 in the Recording Office.

- Following the death of the Decedent, her Last Will and Testament dated April 4, 2013 (the "Decedent's Will"), was duly admitted to Probate in the Probate Court of Shelby County, Alabama, in Case No. PR-2018-000268, and pursuant to Letters Testamentary issued in said case on June 13, 2018, the Decedent's surviving spouse, Grady Oberry Floyd, was appointed as Personal Representative of the estate of the Decedent (the "Decedent's Estate") and continues to serve as such Personal Representative as of the date of this conveyance.
- On or about April 4, 2013, a trust (hereinafter, the "Family Trust") was validly established pursuant to that certain revocable trust agreement entitled "The Floyd Family Trust" entered into on said date by Grady O. Floyd and Patricia G. Floyd (who is one and the same person as the Decedent herein), as both "Trustors" and Trustees" (together with any and all amendments thereto at any time made, the "Trust Agreement"). Pursuant to the terms of the Trust Agreement, upon the death of the Decedent, Grady O. Floyd became the sole Surviving Trustor and the sole Trustee serving under the Trust Agreement and of the Trust created thereunder, and the said Grady O. Floyd continues to serve in said capacities as of the date of this conveyance.
- Pursuant to the terms of Article Four of the Decedent's Will, all of the residuary estate of the Decedent, of which the Property Interest being conveyed hereby forms a part, was devised to the Trustee serving under the Trust Agreement at the time of the Decedent's death, such Trustee being Grady O. Floyd, and this Deed is being executed to evidence and complete the distribution of the Property Interest being conveyed hereby to the beneficiary thereof pursuant to the terms of Article Four of the Decedent's Will.
- The Property Interest conveyed hereby to the Grantee is specifically conveyed to the Grantee in the Grantee's fiduciary capacity as described herein, to have, hold, maintain and distribute in strict accordance with the terms of the Trust Agreement relating to, and as a part of, the Trust held thereunder for the benefit of the beneficiary(ies) thereof as provided therein.
- This instrument is being executed by the undersigned solely in the fiduciary capacity as set forth herein, and neither this instrument nor anything herein contained shall be construed as creating any indebtedness or obligation on the part of the undersigned in his individual capacity, and the undersigned expressly limits his liability hereunder solely to the property now or hereafter held by him as the Personal Representative of the Decedent's Estate.
- The Property was not the homestead of the Decedent or the Decedent's spouse at the time of the Decedent's death, and is not currently the homestead of the Decedent's surviving spouse, who is an unremarried man.

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> 20190128000028100 3/5 \$28.00 Shelby Cnty Judge of Probate, AL

01/28/2019 10:19:15 AM FILED/CERT

IN WITNESS WHEREOF, the said Grantor has hereto set Grantor's hand and seal effective as of the date first above written.

GRANTOR:

GRADY OBERRY FLOYD, as Personal Representative

of the Estate of Patricia Grace Floyd, Deceased

Date of Execution:

20190128000028100 4/5 \$28.00

Shelby Cnty Judge of Probate, AL 01/28/2019 10:19:15 AM FILED/CERT

#### ACKNOWLEDGMENT

STATE OF CALIFORNIA )		
COUNTY OF		
On	before me,	, personally
appeared GRADY OBERRY FL	OYD, as Personal Representative	e of the Estate of Patricia Grace Floyd,
subscribed to the within instrume	ent and acknowledged to me that re on the instrument the person,	ence to be the person whose name is he executed the same in his authorized or the entity upon behalf of which the
I certify under PENALTY OF Paragraph is true and correct.	ERJURY under the laws of the	State of California that the foregoing
WITNESS my hand and official s	seal.	
[SEAL]		MTTACHED  Signature
		MISIAUUM V

## This document prepared by:

W. Wesley Hill, Esq.
Sirote & Permutt, P.C.
2311 Highland Avenue South (35205)
P. O. Box 55727
Birmingham, Alabama 35255-5727
Telephone (205) 930-5100

# CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

	COCCOCCOCCOCCOCCCCCCCCCCCCCCCCCCCCCCCC
STATE OF CALIFORNIA	A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.
County of San Diego	
On JAO 16, 2019 before me, <u>A Va</u>	svani Notary Public
Date	Here Insert Name and Title of the Officer
personally appeared <u>GRADY</u> Of	ACRY FIRM
personally appeared	Name(s) of Signer(s)
A. VASVANI  COMM. # 2160339  NOTARY PUBLIC-CALIFORNIA  COUNTY OF SAN DIEGO  MY COMM. EXP. AUG. 16, 2020	who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/stre/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.  I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true
	and correct.  Witness my hand and official seal.
	Signature
Place Notary Seal Above	Signature of Notary Public
and could prevent fraudulent remova  Description of Attached Document	y law, it may prove valuable to persons relying on the document all and reattachment of this form to another document.
Title or Type of Document:	
Document Date:	Number of Pages:
Signer(s) Other Than Named Above:	
Capacity(ies) Claimed by Signer(s)	
Signer's Name:   Individual   Corporate Officer — Title(s):   Partner —   Limited   General   Attorney in Fact   Trustee   Guardian or Conservator   Other:   Other:   Signer Is Representing:	☐ Trustee ☐ Trustee

Shelby Cnty Judge of Probate, AL 01/28/2019 10:19:15 AM FILED/CERT