

47.500
9.47

20060425000191570 1/9 \$82.50
Shelby Cnty Judge of Probate, AL
04/25/2006 08:27:38AM FILED/CERT

This instrument prepared by:

Joseph H. Worischeck, Esq.
3110 South Rural Rd #103
Tempe, Arizona 85282
480-446-7877

Send tax notice to:

Gerald C. Helmstadter
Ronda A. Moffit
4240 North Fanning Drive
Flagstaff, Arizona 86004-2215

#####

STATE OF ARIZONA)
) §
County of Maricopa)

WARRANTY DEED
(Title not Examined)

Know all men by these presents, that for and in consideration of the sum of one (\$1.00) dollar and other good and valuable consideration; to wit, the establishment of the FIRST AMENDED HELMSTADTER-MOFFIT TRUST dated March 29, 1977, as heretofore established under the laws of the State of Arizona and as shown by that certain *Certificate of Trust*, which pursuant to §19-3-64 and §35-4-257, Code of Alabama, 1975, is attached and incorporated by reference herein to this instrument as **Exhibit "A"**, the receipt and sufficiency of which are hereby acknowledge, that We, GERALD C. HELMSTADTER and RONDA A. MOFFIT, husband and wife, hereinafter referred to as the "GRANTORS", do hereby grant, bargain, sell and convey unto GERALD C. HELMSTADTER and RONDA A. MOFFIT, Trustees, or Successor Trustees, of the FIRST AMENDED HELMSTADTER-MOFFIT TRUST dated March 29, 1977, hereinafter referred to as the "GRANTEE", in fee simple, together with every contingent remainder and right of reversion, the following described real estate, situated in Section 31, Township 21 South, Range 2 West, Shelby County, Alabama, and more particularly described as follows:

Commence at the S.W. corner of the S.W. $\frac{1}{4}$, Section 31, Township 21 South, Range 2 West, said point being the point of beginning; thence run north $4^{\circ} 42' 58''$ west and along the quarter ($\frac{1}{4}$) line of said quarter ($\frac{1}{4}$) for a distance of 1091.51 feet to an iron pin; thence run north $88^{\circ} 30' 44''$ east for a distance of 616.64 feet to an iron pin; thence run south $5^{\circ} 20' 25''$ east for a distance of 150.0 feet to an iron pin, said point being the centerline of a 60.0 feet easement; thence continue along the last described course and along the centerline of said easement for a distance of 1371.75 feet to an iron pin; thence run south $89^{\circ} 24' 00''$ west and leaving said easement for a distance of 374.68 feet; thence run north $4^{\circ} 50' 04''$ west for a distance of 419.44 feet to an iron pin; thence run south $89^{\circ} 24' 00''$ west for a distance of 260.0 feet to the point of beginning. Containing 19.21 acres more or less and denoted as PARCEL 3 according to the survey dated November 21, 1991, of James R. Boatright, Sr., Register Land Surveyor, #17826, a copy of which is attached hereto as **Exhibit "B"**, which is a portion of the land as shown in that certain deed executed on July 7, 1950, and filed on December 26, 1959, and duly recorded at **DEED BOOK 143, PAGE 313**, and in that certain Deed of Distribution executed on March 28, 1988, and filed on September 1, 1988, and duly recorded in **BOOK 202, PAGE 452**, in the Office of the Probate Judge of Shelby County, Alabama.

SUBJECT TO: Ad valorem taxes for the current tax year, easements and restrictions of record. Access for ingress and egress to the property devised in this conveyance from Shelby County Highway 107 to said property is established in this instrument and three (3) separate Deeds of Distribution to Judith Albright Jones, John Douglas Albright and Sarah Elizabeth Pendergast from said Estate.

To have and to hold to said GRANTEE in fee simple forever, together with every contingent remainder and right of reversion.

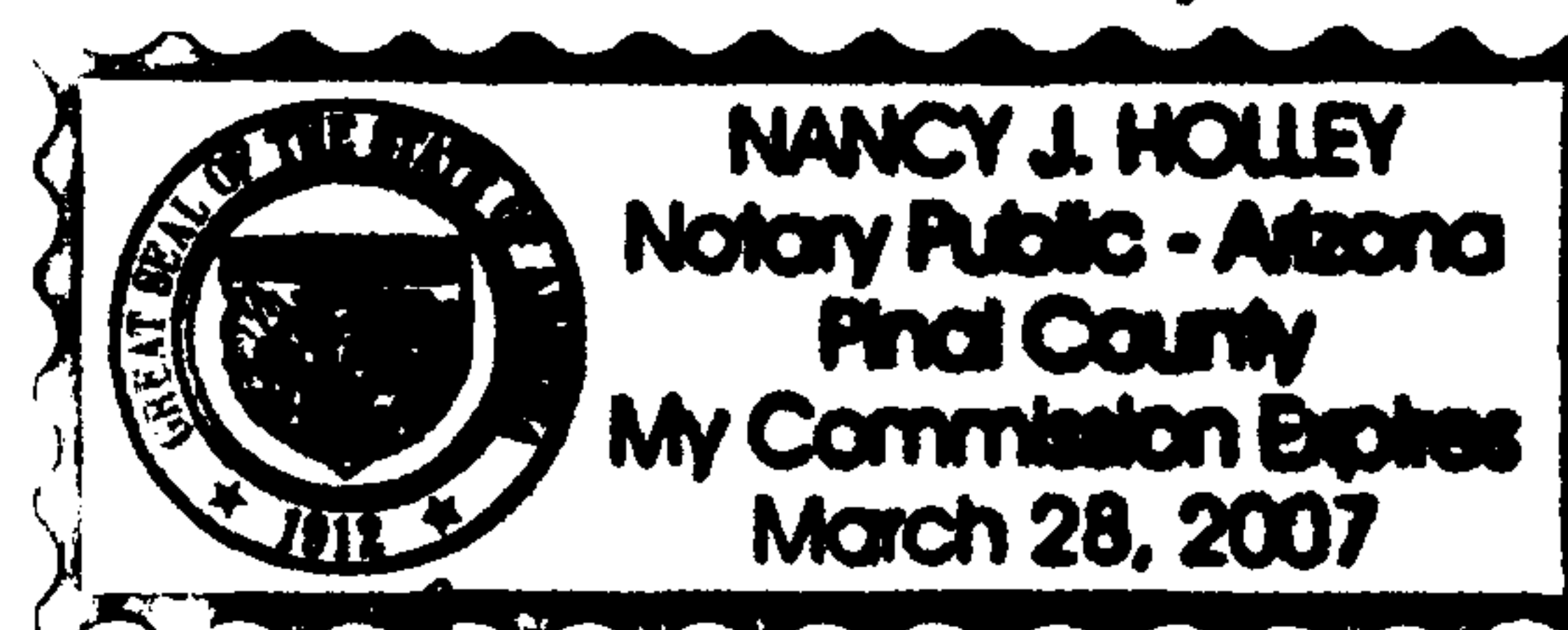
The GRANTORS do individually and for the heirs, executors and administrators of GRANTORS covenant with the GRANTEE and its Trustee(s), Successor Trustee(s) and an beneficiary of or distributee of said trust or the heirs and assign of the GRANTEE that the GRANTORS are lawfully seized in fee simple of said premises; that the premises are free from all encumbrances, unless otherwise noted above; that the GRANTORS have a good right to sell and convey the said premises; that the GRANTORS shall warrant and defend the same to the GRANTEE, its Trustee(s), Successor Trustee(s) and any beneficiary of or distributee of said trust or its heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, We, GERALD C. HELMSTADTER and RONDA A. MOFFIT, husband and wife, as GRANTORS, have executed this conveyance by hereunto setting their hands and seals this 20th day of April 2006.


Gerald C. Helmstadter


Ronda A. Moffit

STATE OF ARIZONA)
County of ~~Maricopa~~ Pinal) §



On this the 20th day of April 2006, before me, the undersigned officer, personally appeared Gerald C. Helmstadter and Ronda A. Moffit, known to me to be the persons whose name subscribed to the within instrument and acknowledge that they executed the same for the purpose therein contained.

In witness whereof I hereunto set my hand and official seal

My commission expires: 3-28-07


Notary Public

20060425000191570 4/9 \$82.50
Shelby Cnty Judge of Probate, AL
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EXHIBIT A



20060425000191570 5/9 \$82.50
Shelby Cnty Judge of Probate, AL
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Return to:

Joseph H. Worischeck, Esq
3110 South Rural RD #103
Tempe Arizona 85282
480446-7877

Notice of Trustees:

Gerald C. Helmstadter, Trustee
Ronda A. Moffit, Trustee
FIRST AMENDED HELMSTADTER-MOFFIT
TRUST dated March 29, 1977
4240 North Fanning Drive
Flagstaff, Arizona 86004-2215

**NOTICE OF TRUST PURSUANT TO §19-3-64 and
§35-4-257, CODE OF ALABAMA, 1975**

CERTIFICATE OF TRUST

STATE OF ARIZONA)
) §
County of Maricopa)

The undersigned Grantors hereby certify the following:

1. This *Certificate of Trust* relates to the FIRST AMENDED HELMSTADTER-MOFFIT TRUST dated March 29, 1997 (the "Trust") created by trust agreement (the "Trust Agreement") executed by GERALD C. HELMSTADTER and RONDA A. MOFFIT.
2. The names of the Grantors are GERALD C. HELMSTADTER and RONDA A. MOFFIT.
3. The names of each original Trustee: GERALD C. HELMSTADTER and RONDA A. MOFFIT. As long as both of us are alive, either of both of us may exercise dominion and control over any and all of the trust assets. Upon the death of one of us, the survivor shall continue to act as the primary Trustee of this Trust agreement, with full power and authority to deal with any and all of the assets of the trust in any manner that said survivor see fit, except as hereinafter limited as to assets placed in a secondary trust within this Trust Agreement. During the existence of this Trust Agreement, each Trustor shall have the right to partition, enabling each Trustor to restrict, transfer, or withdraw a minimum of one-half (1/2) of the assets in this trust.

4. The name and address of each Trustee empowered to as under the Trust Agreement at the time of the execution of this *Certificate of Trust* are:

Primary: GERALD C. HELMSTADTER and RONDA A. MOFFIT
4240 North Fanning Drive, Flagstaff, Arizona 86004

Successor Co-Trustees:
PAMELA GAIL HELMSTADTER POWER
1001 Bridgeway #154
Sausalito California 94965

LYNDA D. HELMSTADTER BARBER
11490 Bellagio Road
Los Angeles California 90049

Alternate Co-Trustees:
PAMELA GAIL HELMSTADTER POWER
1001 Bridgeway #154
Sausalito California 94965

LYNDA D. HELMSTADTER BARBER
11490 Bellagio Road
Los Angeles California 90049

5. The Trustee(s) are authorized by the Trust Agreement to sell, convey, pledge, mortgage, lease, manage, operate, control, transfer title, divide, convert or allot the trust property, including real and personal property, and to sell upon deferred payments, except as limited by the following (if non, so indicate):

NONE

6. The Trust Agreement has not be revoked.

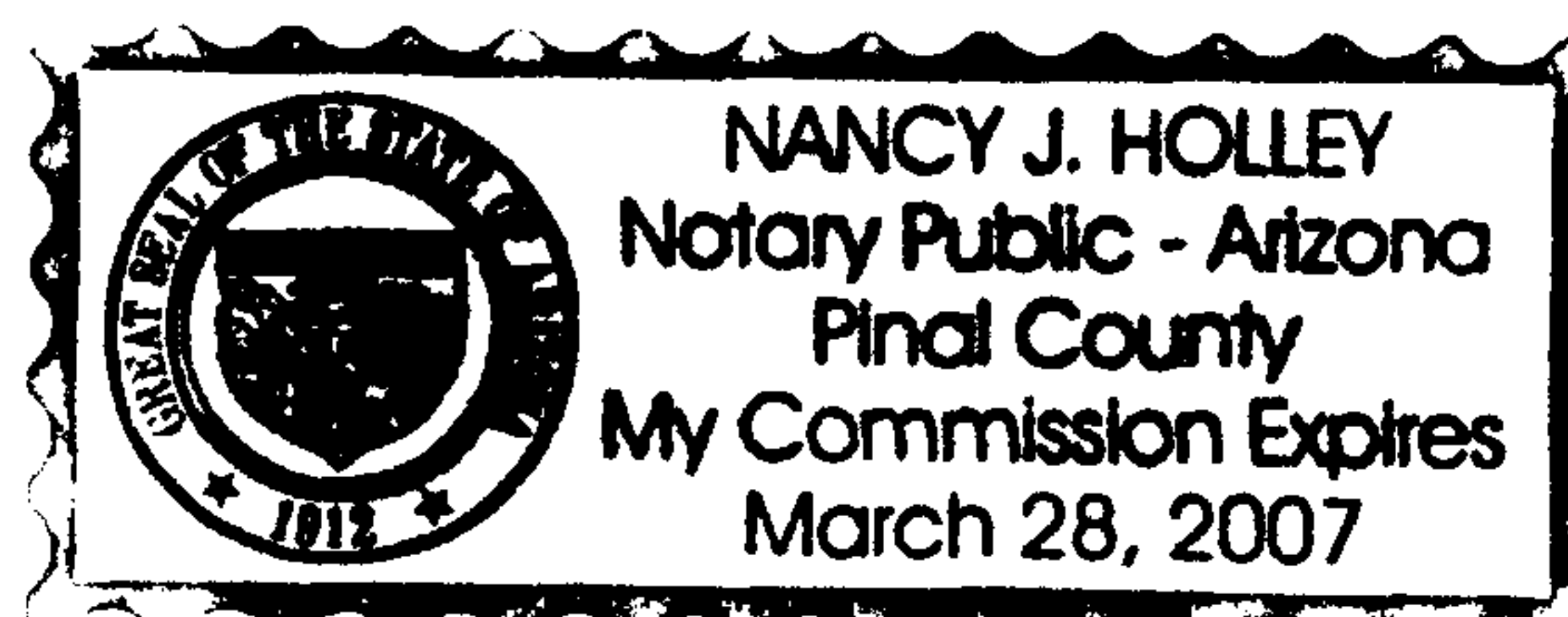
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The undersigned hereby represent that the statement contained in the *Certificate of Trust* are true and correct, and that there are no other provisions in the Trust Agreement or amendments to it that limit the powers of the Trustee(s) to sell, convey, pledge, mortgage, lease, manage, operate, control, transfer title, divide, convert, allot or sell upon deferred payments trust property, including real and personal property.


Gerald C. Helmstadter


Ronda A. Moffit

STATE OF ARIZONA)
County of ~~Maricopa~~ *Pinal*) §

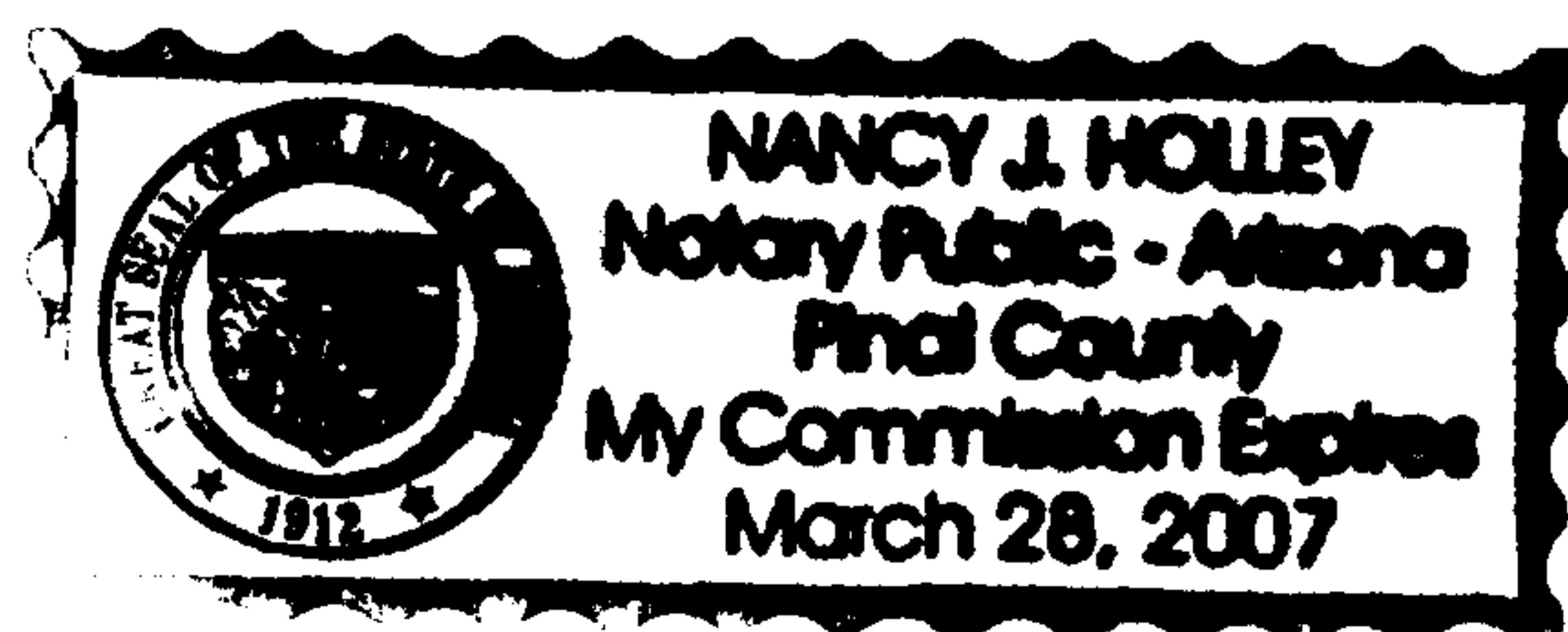


On this the 20th day of April 2006, before me, the undersigned officer, personally appeared Gerald C. Helmstadter and Ronda A. Moffit, known to me to be the persons whose name subscribed to this *Certificate of Trust* and acknowledge that they executed the same for the purpose therein contained.

In witness whereof I hereunto set my hand and official seal

My commission expires: 3-28-07


Notary Public





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EXHIBIT B

EXISTING IRON

N 56° 22' 41" E - 619.11'

56'

S 50° 20' 25" E
150.0'

SET

PARCEL #3

REAL PROPERTY ESTATE OF ALBRIGHT
TO
RONDA ALBRIGHT MOFFIT &
GERALD C. GELMSTADTER, JTWS
SUBJECT TO 30' FOOT EASEMENT
RUNNING WITH THE LAND

WEST,
ALABAMA.

SOUTH,
TO AN
124' 00" E
BERLINE
BERLINE
W AND
AN IRON
NT FOR
ECTION
WAY OF
STERLY
ON PIN;
SAID
E RUN
STANT
ASMENT
FOR A
STANCE
THREE
TO ITS
THENCE
CE RUN
CREEK;
CREEK
BERLINE
BERLINE
POINT
E LAST
124' 00" FEET
TO AN
POINT
HIT ANY

N 42° 55' W ~ 1091.51'



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PARCEL 3
19.21 ACRES

Shelby County, AL 04/25/2006
State of Alabama

Deed Tax: \$47.50

EXISTING R.M.
(FUTURE RAIL)

36

31

1

6

N 189° 21' 02" E 14.00'

N 42° 55' W ~ 1091.51'

1110'

SET

PARCEL 2
2.50 ACRES

N 4° 50' 04" W ~ 413.44'

S 42° 55' W ~ 1091.51'

EXISTING IRON

S 50° 20' 25" E - 150.0'