


STATE OF ALABAMA  
COUNTY OF SHELBY

)  
)

  
20130702000270570 1/10 \$39.00  
Shelby Cnty Judge of Probate, AL  
07/02/2013 09:38:42 AM FILED/CERT

**AFFIDAVIT**


Before me, the undersigned authority, this day personally appeared Sara Lynn Alvarez, who is over the age of 19 years and a resident of Shelby County, Alabama who is known to me and who, being first by me duly sworn does depose and say as follows:

1. I am the Successor Trustee of the Declaration of the Claire E. Alvarez Trust Agreement dated September 29, 1993.
2. Attached hereto as Exhibit A is a true and correct copy of the Declaration of the Claire E. Alvarez Trust Agreement dated September 29, 1993, and all amendments thereto.
3. Affiant has personal knowledge of the facts set forth herein.

Further affiant saith not.

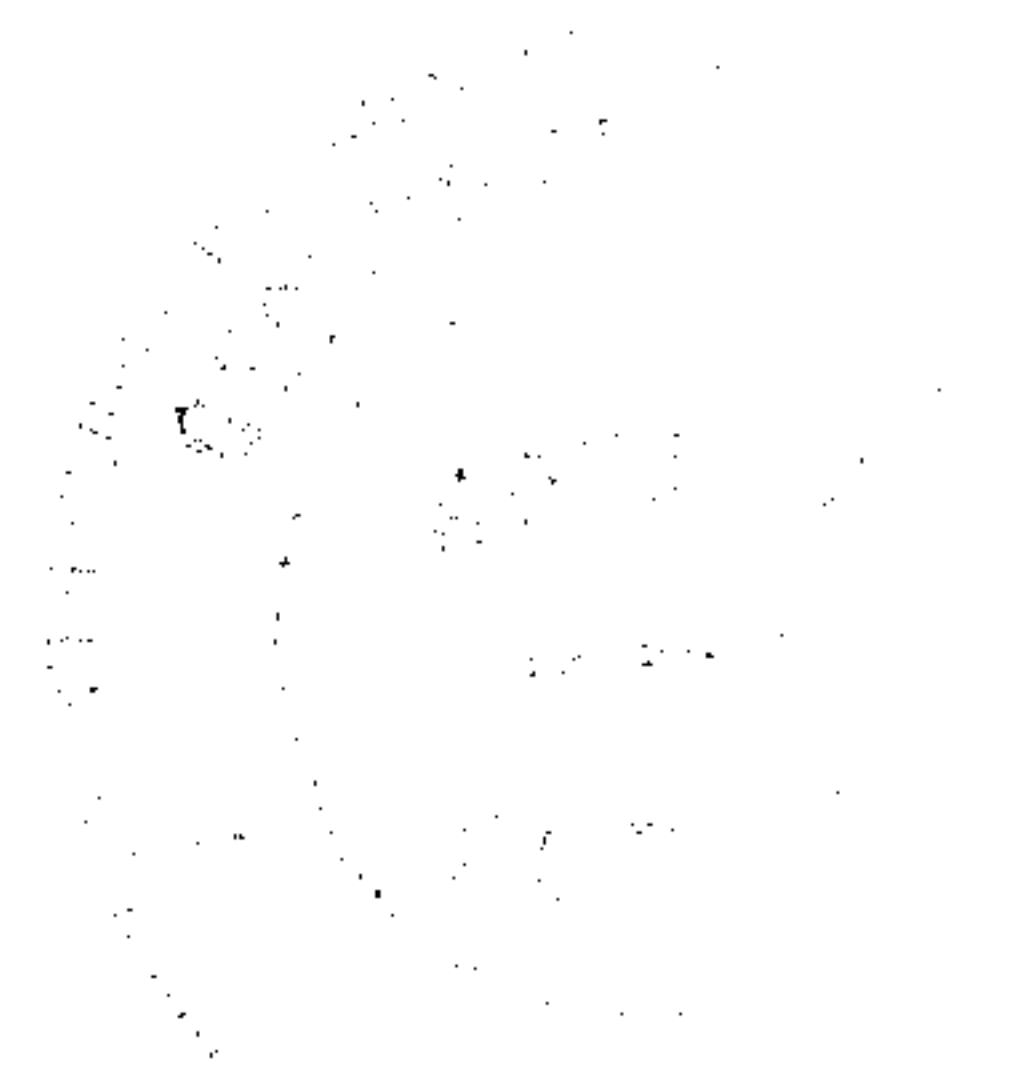
  
SARA LYNN ALVAREZ

Sworn to and subscribed before me by Sara Lynn Alvarez, on this the 21<sup>st</sup> day of June, 2013.

  
\_\_\_\_\_  
Notary Public

My commission expires: 9/27/14

This Instrument Prepared By:  
Weaver Tidmore, LLC  
300 Cahaba Park Circle Suite 200  
Birmingham, AL 35242  
(205) 980-6065



# EXHIBIT A

The Claire E. Alvarez Trust

## Declaration Of Trust

20130702000270570 2/10 \$39.00  
Shelby Cnty Judge of Probate, AL  
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1. I, Claire E. Alvarez  
of 2191 Texas Ave (PO Box 612167)  
City of So. Lake Tahoe, County of El Dorado, State of California  
referred to hereinafter as Grantor and/or Trustee, hereby declare that I am the Trustee of the property referred to in this Declaration of Trust agreement as the trust estate, which is fully set forth in the Schedule of Trust Estate Assets attached hereto and made a part hereof.

2. I hereby declare that I hold the trust estate created by this Declaration of Trust agreement and all right to, title to and interest in the trust estate in trust for the use and benefit of: Claire E. Alvarez  
of 2191 Texas Ave, So. Lake Tahoe, CA

3. Upon my death, the Successor Trustee is hereby directed forthwith to transfer the trust estate and all right to, title to and interest in the trust estate to Sarah Lynn Alvarez  
of 4935 Meadowbrook Road  
City of Birmingham, County of Shelby, State of Alabama  
absolutely and thereby terminate this trust. In the event such beneficiary is not living, the trustee shall apportion and distribute the principal thereof per stirpes among the then living lineal or legally adopted descendants of that person, and if there be none, then per stirpes among the then living lineal or adopted descendants of the Grantor.

4. In the event that the income to be received by any beneficiary from the trust estate or his or her share thereof, and from other sources known to the trustee, shall be considered at any time by the trustee to be insufficient for the health, support, maintenance and education of any such beneficiary or of any person being supported by any such beneficiary, the trustee shall pay to such beneficiary from time to time such amounts from the beneficiary's share of the trust estate as the trustee shall deem sufficient for such purposes.

5. The Grantor reserves the right during his life to amend, modify or revoke this Declaration of Trust agreement in whole or in part, without the consent of any beneficiary and without giving notice to any beneficiary hereunder, by a writing or writings signed and acknowledged by the Grantor, to be effective upon delivery to the Trustee.

6. Upon my death, I shall be succeeded as trustee of the trust estate created by this Declaration of Trust agreement by Sarah Lynn Alvarez of 4935 Meadowbrook Rd, B' HAM. The Successor Trustee shall serve all functions of the trustee that are set forth in the provisions of this Declaration of Trust agreement.

7. If the Successor Trustee is unable to serve as trustee for any reason, Adrienne C Hummel  
of 109 Bryce Way  
Vacaville, CA 95687 shall serve as Contingent Successor Trustee.

8. The Trustee of this Declaration of Trust has all of the discretionary powers necessary and appropriate to administer this Trust, including but not limited to, the power to sell, mortgage, encumber, pledge, hypothecate, lease, rent or improve, invest and reinvest the Trust estate property when such action is deemed to be in the best interest and furtherance of the Trust purposes.

The Trustee must distribute to the Grantor, during the Grantor's lifetime, so much of the income and principal as the grantor directs.

The Trustee may pay income or principal to the beneficiary or for his/her benefit, and shall have no obligation to confirm the use of such payments for the use and welfare of any beneficiary.

In the event of a physical or mental incapacity of the Grantor, the Trustee shall pay all of the health care, support and maintenance costs of the incapacitated grantor.

Any person serving as Trustee hereunder shall serve without bond.

9. No interest of a Beneficiary of this Trust can be alienated. No Beneficiary can assign, pledge, encumber or otherwise



transfer an interest in the Trust estate, nor shall such interest be garnished, attached, or levied upon or otherwise subjected to any proceedings whether at law or in equity.

10. The Trustee shall pay all estate, inheritance, succession and other death taxes that may be imposed upon the trust estate by any state or federal entity upon the death of the Grantor. The trustee is also authorized to pay all just and enforceable debts of the Grantor prior to distribution of the trust estate.

11. This Declaration of Trust agreement shall be administered and interpreted in accordance with the laws of the State of California.

12. This trust shall be known as "The Claire E. Alvarez Trust."

13. I hereby declare that this Declaration of Trust agreement fully and accurately sets forth the manner in which my trust estate shall be held, managed, disposed by the trustee.

Witnessed by:

Valerie A. Rynde Date: 9/29/93  
Witness

Signed by:

Claire E. Alvarez Date: 9/29/93  
Grantor/Trustee

Boyer T. Rynde Date: 9/29/93  
Witness

Claire E. Alvarez Date: 9/29/93  
Grantor/Trustee

County of El Dorado


City of So. Lake Tahoe

State of California

On \_\_\_\_\_, 19\_\_\_\_,  
Grantor/Trustee of the trust estate created by this Declaration of Trust agreement, came before me, a notary public in and for said county and state, and acknowledged that it was his/her free act and deed to execute this agreement.

Notary Seal:

\_\_\_\_\_  
Notary Public

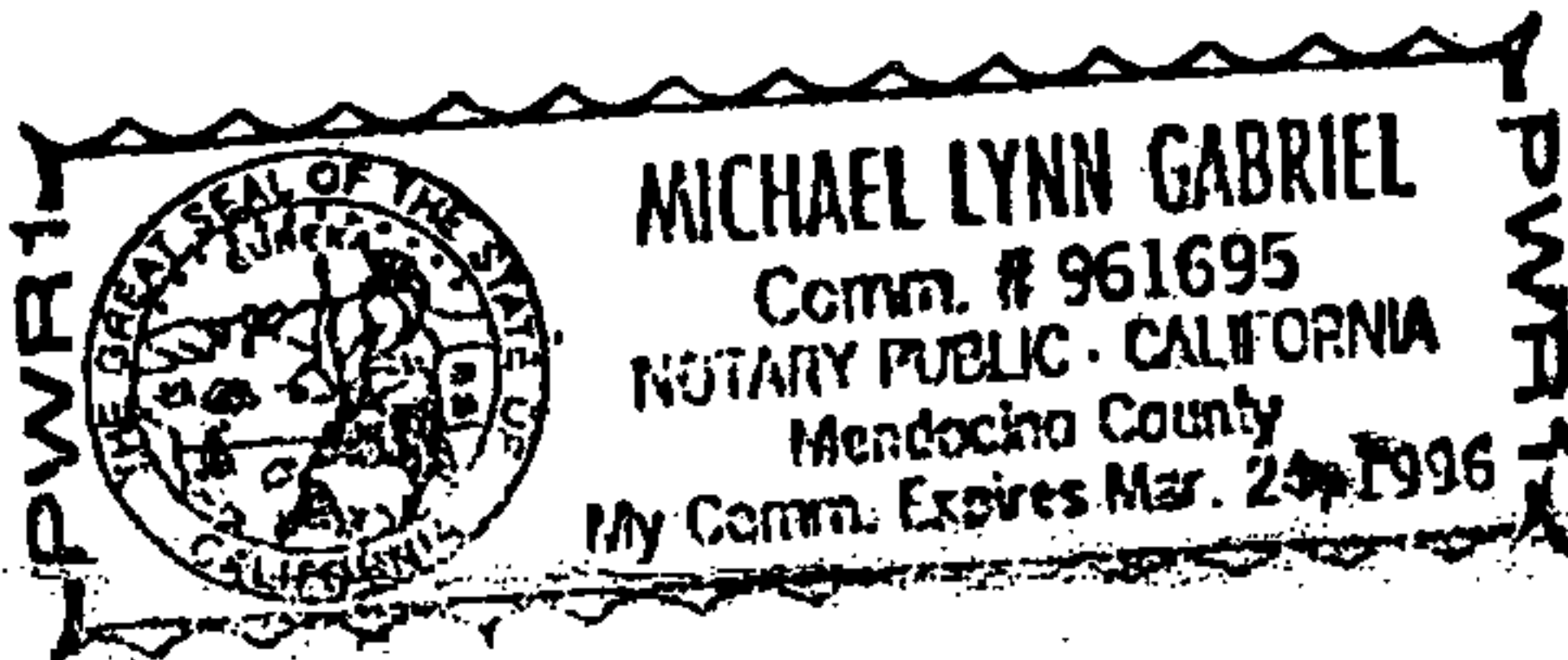
  
20130702000270570 3/10 \$39.00  
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STATE OF CALIFORNIA

COUNTY OF EL DORADO

On September 29, 1993, before MICHAEL LYNN GABRIEL, personally appeared CLAIRE E. ALVAREZ personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity and that by her signatures on the instrument the person or the entity upon behalf of which the person acted, executed the within instrument.

WITNESS MY HAND AND OFFICIAL SEAL.

Michael Lynn Gabriel

20130702000270570 4/10 \$39.00  
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# Amendment to Declaration of Trust

Pursuant to the powers reserved by the Declaration of Trust dated 9/11/93, which lists Claire E. Alvarez as Grantors (The Claire E Alvarez Trust), I hereby amend the trust to include the following provision:

In the event that two licensed physicians, not related by blood or marriage to either the Grantors or any beneficiary of the trust created by this Declaration of Trust agreement, certify that I have become legally incapacitated, the Successor Trustee shall become the acting trustee of this living trust. If the Successor Trustee should serve during the (life) the life of the surviving Joint Trustee (circled one), the Successor Trustee shall disburse from the trust estate such amounts as necessary for my complete care, health, support and maintenance.

In witness whereof, Claire E. Alvarez  
Grantor, have hereunto affixed my signature.

9/27/93  
Date

Claire E. Alvarez  
Grantors

The foregoing Amendment to the Declaration of Trust dated 9/27/93 which lists Claire E. Alvarez as Grantors (The Claire E Alvarez Trust), is hereby approved and accepted.

Witnessed by:  
Valerie A. Ryck Date: 9/29/93  
Witness

Signed by:  
Claire E. Alvarez Date: 9/29/93  
Grantor/Trustee

Ryan T. Ryck Date: 9/29/93  
Witness

The foregoing instrument was acknowledged before me, a notary public in and for said county and state, on \_\_\_\_\_, 19\_\_\_\_, by \_\_\_\_\_ as their free act and deed.

My Commission Expires: \_\_\_\_\_

Notary Public



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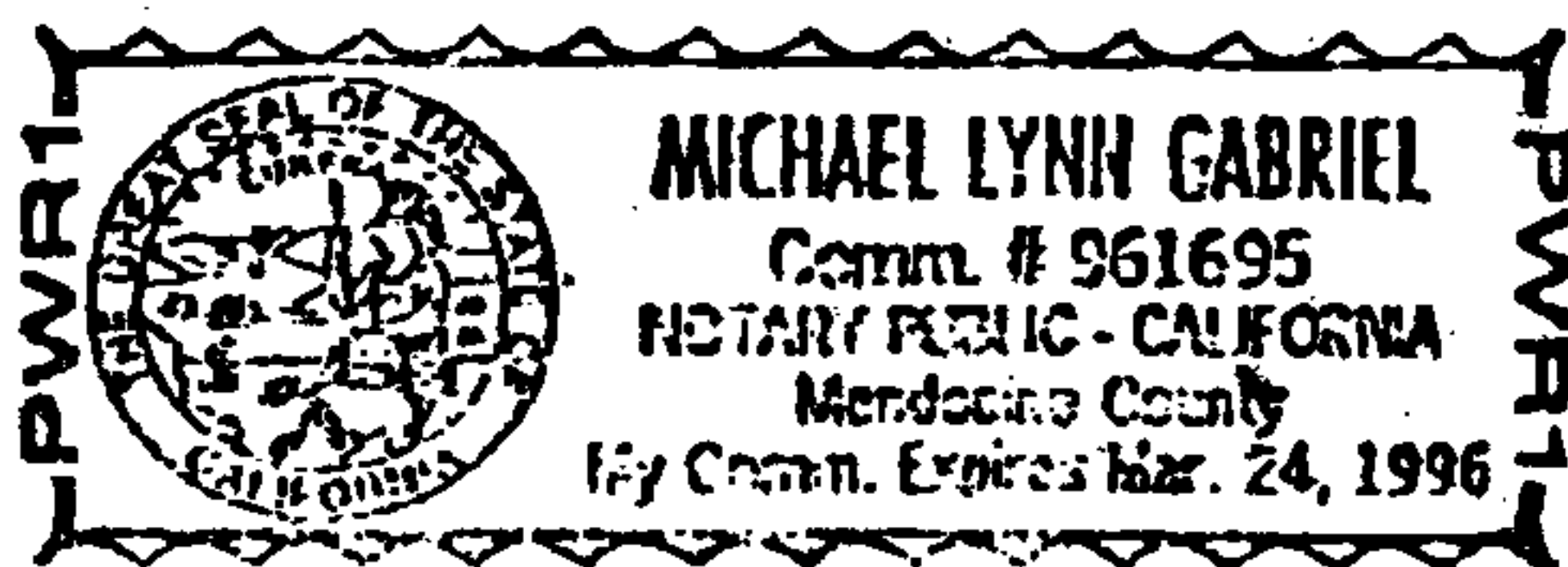


STATE OF CALIFORNIA

COUNTY OF EL DORADO

On September 29, 1993, before MICHAEL LYNN GABRIEL, personally appeared CLAIRE E. ALVAREZ personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity and that by her signatures on the instrument the person or the entity upon behalf of which the person acted, executed the within instrument.

WITNESS MY HAND AND OFFICIAL SEAL.

Michael Lynn Gabriel

20130702000270570 6/10 \$39.00  
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# Amendment to Declaration of Trust

Pursuant to the powers reserved by the Declaration of Trust dated 9/29/93,  
which lists Claire E. Alvarez as Grantor(s)  
(The Claire E. Alvarez Trust), I/we hereby amend the trust to include the following provision:

Correct the address of Claire E. Alvarez to 3238 Gold Ridge Tr.,  
Pollock Pines, CA. 95726 (PO Box 1058) Para. 1 and 2.  
Correct the address of Sarah L. Alvarez to 623 Aslan Forest  
Harpersville, AL. 35078. Para. 3 and 6.  
Delete the name of Adrienne C Hummel of 109 Bryce Way, Vacaville,  
CA 95687 from para. 7 and add the name of Roswell R. Pfister  
of 623 Aslan Forest, Harpersville, AL. 35078.

In witness whereof, Claire E Alvarez  
Grantor(s), have hereunto affixed my/our signature(s).

2/1/03

Date

Claire E Alvarez

Grantor(s)

The foregoing Amendment to the Declaration of Trust dated 9/29/93,  
which lists Claire E. Alvarez as Grantor(s)  
(The Claire E. Alvarez Trust), is hereby approved and accepted.

Witnessed by:

Barbara Hyatt Date: 1/29/03

Witness

Signed by:

Claire E Alvarez Date: 1/29/03

Grantor/Trustee

Rae Hyatt Date: 1-29-03

Witness

Grantor/Trustee

Date:  
20130702000270570 7/10 \$39.00  
Shelby Cnty Judge of Probate, AL  
07/02/2013 09:38:42 AM FILED/CERT

The foregoing instrument was acknowledged before me, a notary public ...  
county and state, on 1st of Feb, 2003, by Claire Alvarez  
as his/their free act and deed.



Shirley J Yancey  
Notary Public



# Amendment to Declaration of Trust

Pursuant to the powers reserved by the Declaration of Trust dated 9/29/93, which lists Claire E. Alvarez as Grantor(s) (The Claire E. Alvarez Trust), I/we hereby amend the trust to include the following provision:  
Correct the address of Claire E. Alvarez to 6181 Eagle Point Circle Birmingham, Al (PO Box 5) and this residence becomes a part of the Trust Estate assets.

In witness whereof, Claire E Alvarez  
Grantor(s), have hereunto affixed my/our signature(s).

\_\_\_\_\_  
Date

\_\_\_\_\_  
Grantor(s)

The foregoing Amendment to the Declaration of Trust dated 9/29/03, which lists Claire E Alvarez as Grantor(s) (The Claire E. Alvarez Trust), is hereby approved and accepted.

Witnessed by:

Signed by:

\_\_\_\_\_  
Date:  
Witness

\_\_\_\_\_  
Date:  
Grantor/Trustee

\_\_\_\_\_  
Date:  
Witness

\_\_\_\_\_  
Date:  
Grantor/Trustee

The foregoing instrument was acknowledged before me, a notary public in and for said county and state, on \_\_\_\_\_, 19\_\_\_\_, by \_\_\_\_\_ as his/their free act and deed.

Notary Seal:

Notary Public



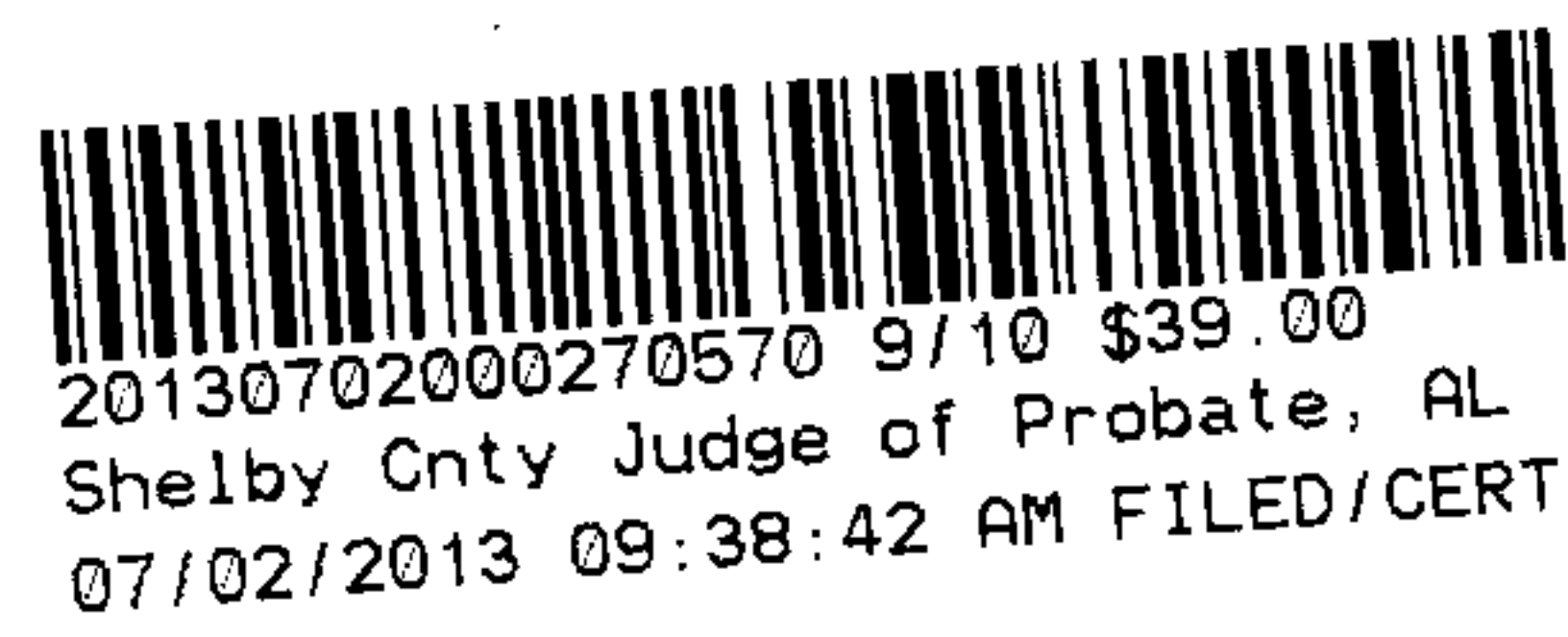
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## Declaration of the Claire E Alvarez Trust dated 9/29/03

## TRUST ESTATE ASSETS

1. Residence 6181 Eagle Point Circle, Birmingham, Al. 35242
2. All the furniture there in (1 above)
3. Personal items such as jewelry, clothing, musical instruments, coin collection auto Rav 4 2003. *Sold 8/11*
4. All other items --Hummel figurines etc etc

*Claire Alvarez**8/22/03*

The Claire E. Alvarez Trust

## Amendment to Declaration of Trust

Pursuant to the powers reserved by the Declaration of Trust dated 9/29/93 which lists Claire E. Alvarez as Grantor and/or trustee (The Claire E. Alvarez Trust), I hereby amend the trust to include the following provision:

I, Claire E. Alvarez hereby resign as trustee of the Claire E. Alvarez Trust and hereby designate Sara Lynn Alvarez of 623 Aslan Forest, City of Harpersville, County of Shelby, State of Alabama, successor trustee of the property referred to as the Trust Estate, to serve during my lifetime, to be in effect from 6/10/13.

In witness whereof, Claire E. Alvarez, Grantor, have hereunto affixed my signature.

June 20, 2013  
Date

Claire E. Alvarez

Grantor

The foregoing Amendment to the Declaration of Trust dated 9/29/93 which lists Claire E. Alvarez as Grantor (The Claire E. Alvarez Trust), is hereby approved and accepted.

Witnessed by:

Kristen M. 6/20/13  
Witness Date

Signed by:

Claire E. Alvarez 6/20/13  
Claire E. Alvarez Date

Witnessed by:

6/20/13  
Witness Date

Accepted by:

Sara Lynn Alvarez 6/20/13  
Sara Lynn Alvarez Date

The foregoing instrument was acknowledged before me, a notary public in and for said county and state, on June 20, 2013, 2013, by Claire E. Alvarez as her free act and deed.

Tabitha Batson Sharp  
Notary Public

Notary Seal:

