


THIS INSTRUMENT PREPARED BY:
William L. Cunningham, Jr.
2233 Second Avenue North
Birmingham, Alabama 35203

SEND TAX NOTICE TO:
233 S. Patterson
Springfield, Missouri 65802

WARRANTY DEED


20131203000468770 1/7 \$816.50
Shelby Cnty Judge of Probate, AL
12/03/2013 02:06:00 PM FILED/CERT

STATE OF ALABAMA

COUNTY OF SHELBY

KNOW ALL MEN BY THESE PRESENTS, that for and in consideration of the sum of SEVEN HUNDRED EIGHTY TWO THOUSAND ELEVEN AND NO/100 DOLLARS (\$782,011.00) and other good and valuable consideration to Diane J. Fitzgerald, as to an undivided $\frac{1}{4}$ interest; Serene M. Johnson, as to an undivided $\frac{1}{4}$ interest; Betty B. Johnson, as to an undivided $\frac{1}{4}$ interest; and Lynn M. Johnson, as to an undivided $\frac{1}{4}$ interest (the "GRANTORS"), in hand paid by O'REILLY AUTOMOTIVE STORES, INC., a Missouri corporation, (the "GRANTEE"), the receipt whereof is hereby acknowledged, GRANTORS do GRANT, BARGAIN, SELL AND CONVEY unto GRANTEE, the following described real estate, situated in Shelby County, Alabama, being more fully described on Exhibit A attached hereto and incorporated herein by reference.

DIANE J. FITZGERALD IS THE SURVIVING GRANTEE UNDER DEED RECORDED AT DEED BOOK 56, PAGE 18. DAVID M. FITZGERALD DIED ON OR ABOUT DECEMBER 4, 2012.

THE PROPERTY CONVEYED HEREBY IS NOT A PART OF THE HOMESTEAD OF ANY OF THE GRANTORS OR GRANTORS' SPOUSES.

TOGETHER with all and singular, the rights, tenements, appurtenances, and hereditaments thereunto belonging or in any ways appertaining unto the GRANTEE, and its successors and assigns forever, in fee simple, free and clear of all liens and encumbrances unless otherwise set forth herein on Exhibit B attached hereto and incorporated herein by reference.

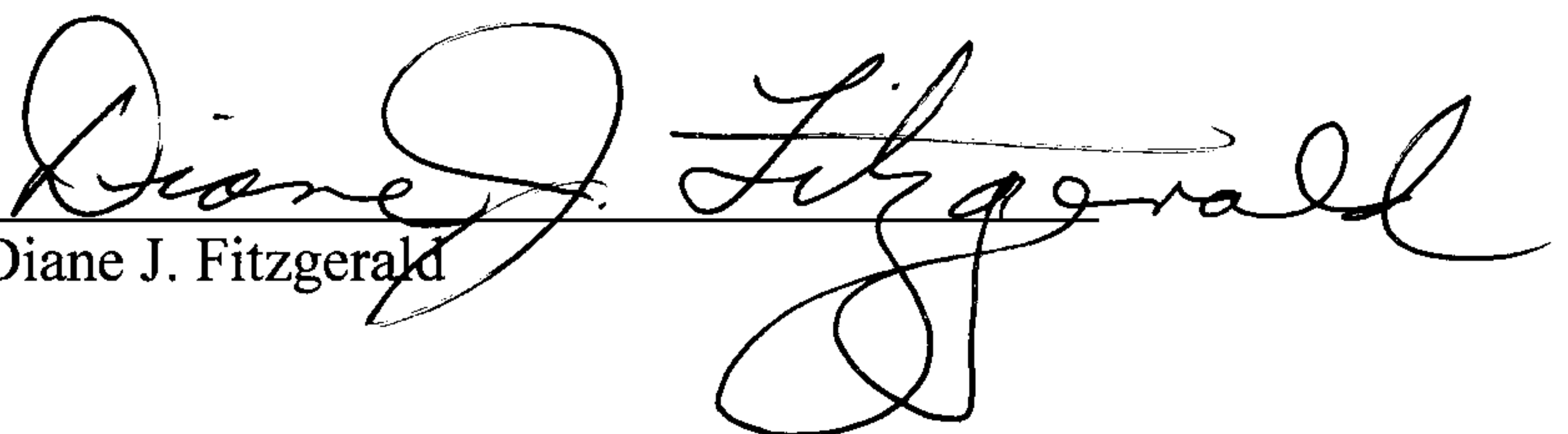
TO HAVE AND TO HOLD unto to the said GRANTEE, its successors and assigns forever.

Shelby County, AL 12/03/2013
State of Alabama
Deed Tax: \$782.50

And GRANTORS do for themselves and their heirs and legal assigns, covenant with the said GRANTEE, its successors and assigns, that GRANTORS are lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that GRANTORS have a good right to sell and convey the same as aforesaid; that GRANTORS will, and their heirs and legal assigns shall warrant and defend the same to the said GRANTEE, its successors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, we have hereunto set our hands and seals as of the 2nd day of December, 2013.

GRANTORS


Diane J. Fitzgerald

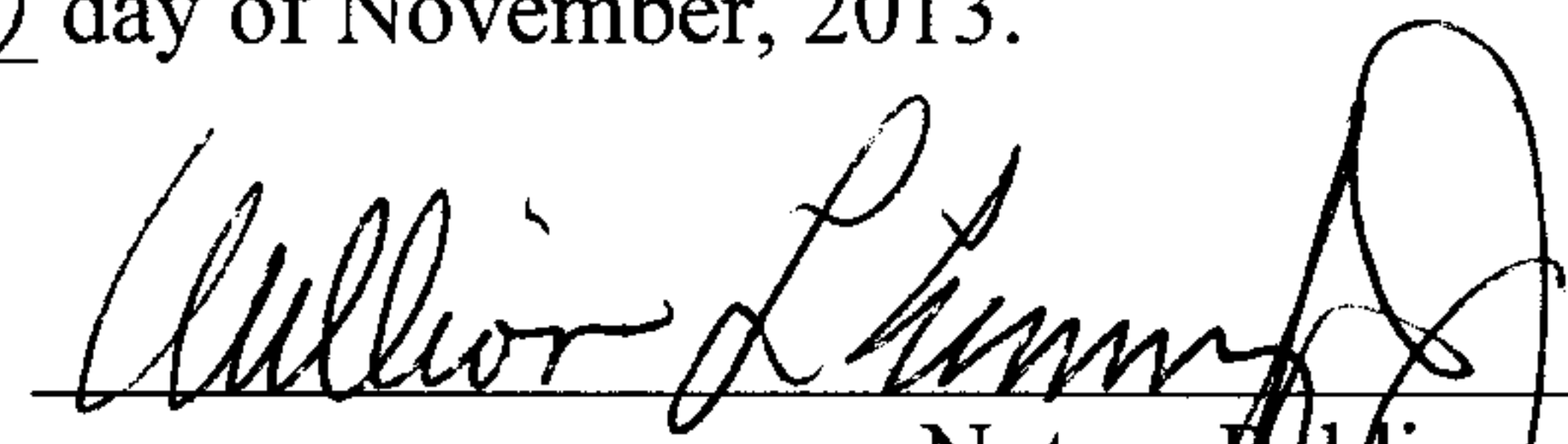
STATE OF ALABAMA)

SHELBY COUNTY)

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Diane J. Fitzgerald, whose name is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the said instrument, she executed the same voluntarily on the day the same bears date.

GIVEN under my hand and seal, this 2ND day of November, 2013.

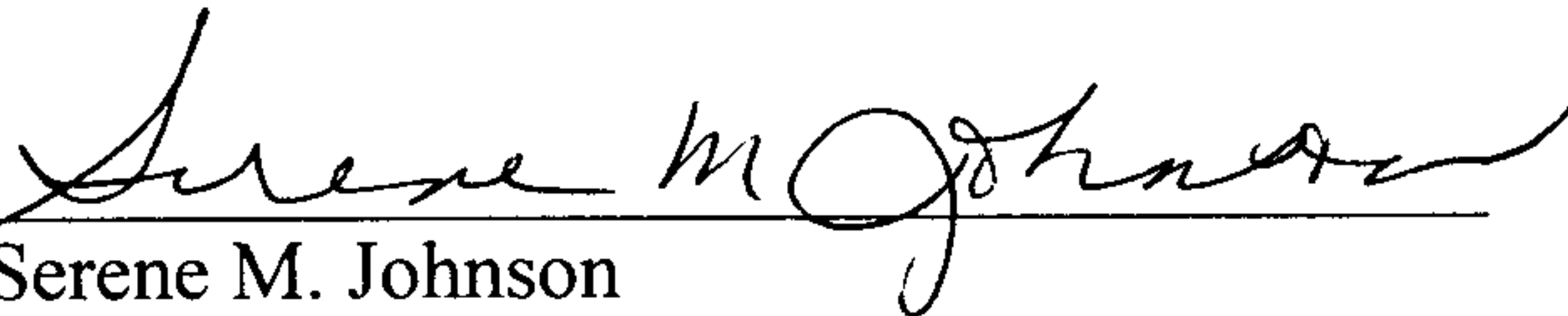
[NOTARIAL SEAL]


Notary Public

My Commission Expires: 8/16/16



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Serene M. Johnson

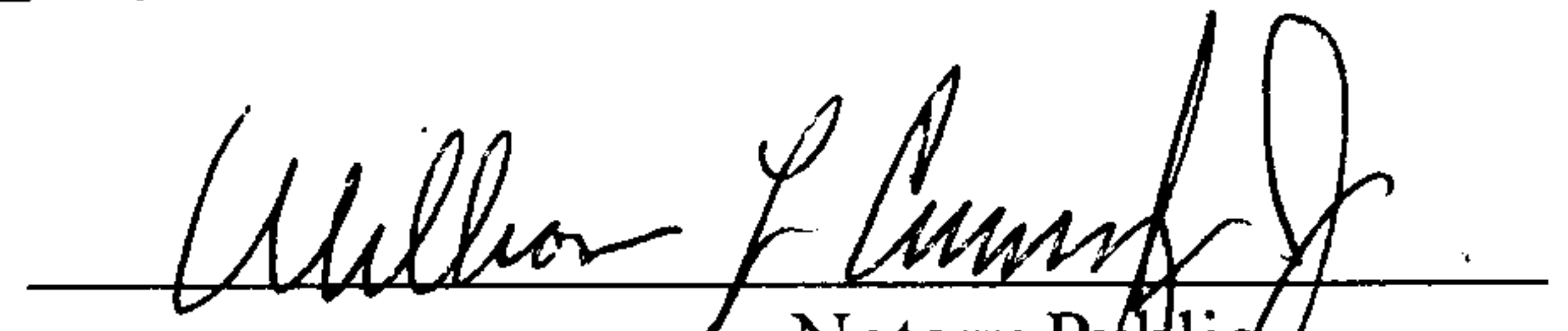
STATE OF ALABAMA)

SHELBY COUNTY)

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Serene M. Johnson, whose name is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the said instrument, she executed the same voluntarily on the day the same bears date.

GIVEN under my hand and seal, this 7th day of November, 2013.

[NOTARIAL SEAL]


Notary Public
My Commission Expires: 8/16/16


Betty B. Johnson


STATE OF ALABAMA)

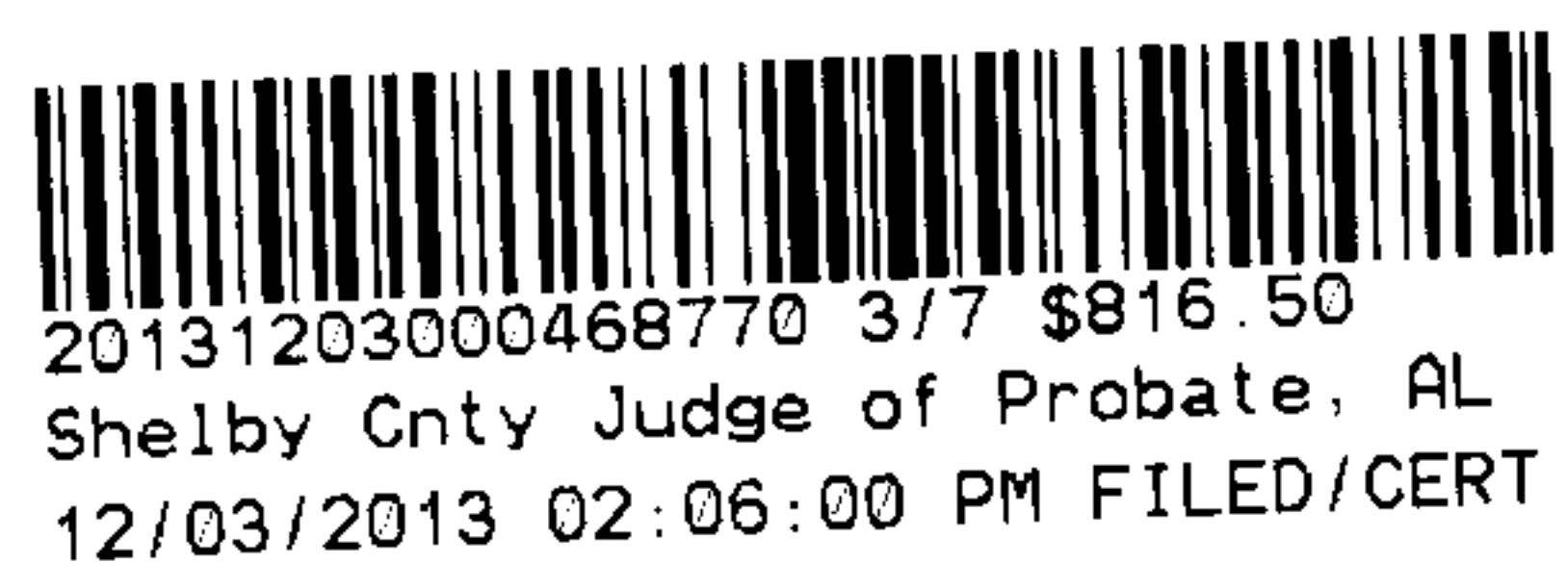
SHELBY COUNTY)

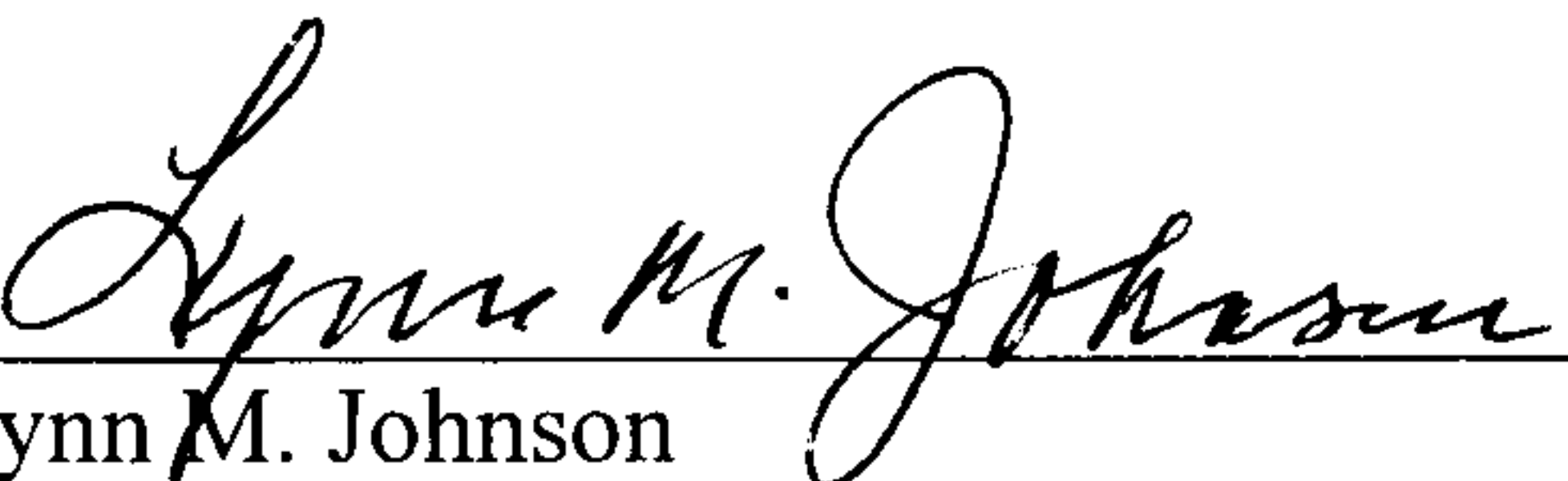
I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Betty B. Johnson, whose name is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the said instrument, she executed the same voluntarily on the day the same bears date.

GIVEN under my hand and seal, this 7th day of November, 2013.

[NOTARIAL SEAL]


Notary Public
My Commission Expires: 8/16/16



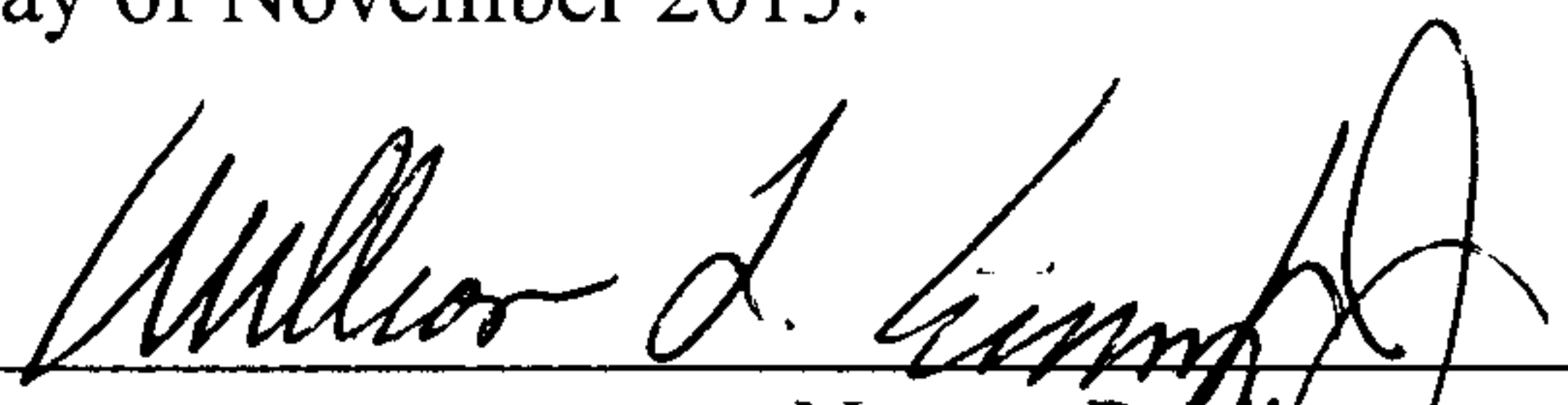

Lynn M. Johnson

STATE OF ALABAMA)
 :
SHELBY COUNTY)

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Lynn M. Johnson, whose name is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the said instrument, he executed the same voluntarily on the day the same bears date.

GIVEN under my hand and seal, this 22nd day of November 2013.

[NOTARIAL SEAL]


Notary Public

My Commission Expires: 8/16/16



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EXHIBIT A
Legal Description

LEGAL DESCRIPTION

A tract of land situated in the NW ¼ of the NE ¼ and the NE ¼ of the NW ¼ of Section 26, Township 21 South, Range 1 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the SW corner of the NW ¼ of the NE ¼, Section 26, Township 21 South, Range 1 West; thence run North along the West line of said NW ¼ of the NE ¼ a distance of 289.39 feet to a point on the Northern 30 feet right of way line of State Highway No. 70; thence turn an angle of 90 degrees 32 minutes 33 seconds to the left and run Westerly along said right of way line a distance of 30.33 feet to a concrete right of way monument on the Eastern right of way line of State Highway No. 25 (Columbiana By-Pass); thence turn an angle of 57 degrees 24 minutes 40 seconds to the right and run Northwesterly along the said right of way line a distance of 102.42 feet to a concrete right of way monument; thence turn an angle of 58 degrees 05 minutes 38 seconds to the right and run Northeasterly along said right of way line a distance of 147.24 feet to point; thence turn an angle of 65 degrees 11 minutes 00 seconds to the right and leaving said right of way line run easterly a distance of 364.14 feet to a point on the centerline of an open ditch; thence turn an angle of 127 degrees 04 minutes 23 seconds to the right and run Southwesterly along said ditch line a distance of 271.73 feet to a point on the North 30 foot right of way line of State Highway No. 70; thence turn an angle of 52 degrees 14 minutes 19 seconds to the right and run Westerly along said right of way line a distance of 175.61 feet to the Point of Beginning.

Also described as:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN SECTION 26, TOWNSHIP 21 SOUTH, RANGE 1 WEST, SHELBY COUNTY, CITY OF COLUMBIANA, ALABAMA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT A 1/2" REBAR AND CAP LOCATED AT THE SOUTHEAST MITER CORNER OF THE NORTHERN RIGHT OF WAY LINE OF WEST COLLEGE STREET AND THE EASTERN RIGHT OF WAY LINE OF ALABAMA HWY 25; THENCE ALONG SAID MITER N33°09'37"W 102.40' TO A 1/2" REBAR AND CAP LOCATED ON THE EASTERN RIGHT OF WAY LINE OF ALABAMA HWY 25; THENCE ALONG SAID RIGHT OF WAY N24°54'09" E 147.09' TO A 3/4" REBAR; THENCE LEAVING SAID RIGHT OF WAY S89°51'15" E 364.14' TO A POINT; THENCE S37°09'18"W 271.73' TO A POINT ON THE NORTHERN RIGHT OF WAY LINE OF WEST COLLEGE STREET; THENCE ALONG SAID RIGHT OF WAY LINE S89°32'34"W 205.95' TO A 1/2" REBAR AND CAP AND THE POINT OF BEGINNING.


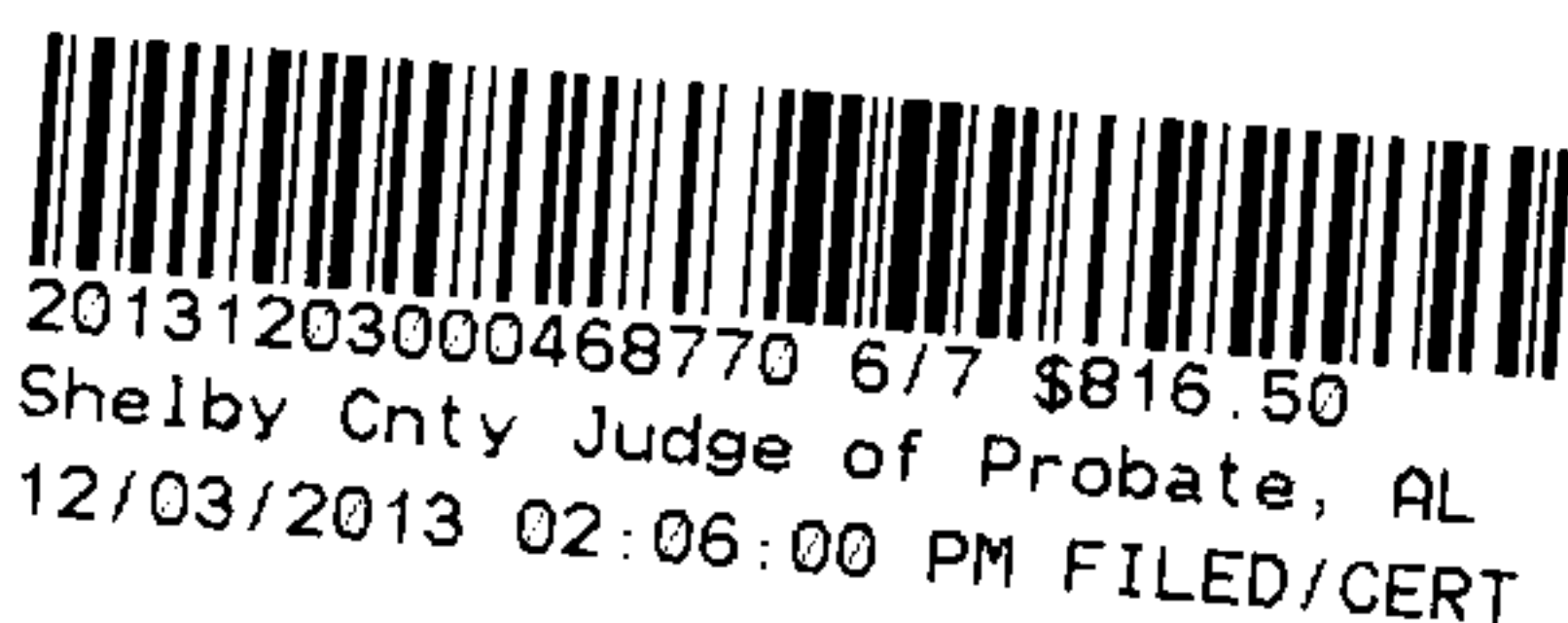

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EXHIBIT B
Encumbrances

1. Taxes and assessments for the year 2014 and subsequent years and not yet due and payable.
2. Any prior reservation or conveyance, together with release of damages, of minerals of every kind and character, including, but not limited to oil, gas, sand, limestone, and gravel in, on, and under subject property.
3. Transmission Line Permits granted to Alabama Power Company as recorded in Deed Book 119, page 108 and Deed Book 162, page 323.
4. The following matters shown on Survey by Donaldson, Garrett & Associates, Inc. dated 9/30/2013:
 - a. Pylon Sign in Southwest corner;
 - b. 4" High Pressure Steel Gas Main;
 - c. Overhead Telephone Line;
 - d. Overhead Power Line
 - e. 20 foot Building Setback Lines;
 - f. Utility Poles;
 - g. Storm Sewer Manholes;
 - h. Sanitary Sewer Lines;
 - i. Shed and Lift inside Building Setback Line on North side;
 - j. Ditch on Eastern side;
 - k. Headwall at Southeast corner;
 - l. Storm Sewer Lines;
 - m. 6" High Pressure Steel Gas Main;
 - n. Overhead Guy in Southeast corner



Real Estate Sales Validation Form

This Document must be filed in accordance with Code of Alabama 1975, Section 40-22-1

Grantor's Name Donald D. Fitzgerald Grantee's Name O'Reilly Automotive Stores
Mailing Address Sherene M. Betty B. & Lynn M. Johnson Mailing Address 233 S. Patterson
4211 Mountain Top Road Springfield Missouri
Birmingham 35242 65802

Property Address _____

Date of Sale 12-2-13
Total Purchase Price \$ 782,011.00
or
Actual Value \$ _____
or
Assessor's Market Value \$ _____

The purchase price or actual value claimed on this form can be verified in the following documentary evidence: (check one) (Recordation of documentary evidence is not required)

☐ Bill of Sale ☐ Appraisal
☒ Sales Contract ☐ Other
☒ Closing Statement

If the conveyance document presented for recordation contains all of the required information referenced above, the filing of this form is not required.

Instructions

Grantor's name and mailing address - provide the name of the person or persons conveying interest to property and their current mailing address.

Grantee's name and mailing address - provide the name of the person or persons to whom interest to property is being conveyed.

Property address - the physical address of the property being conveyed, if available.

Date of Sale - the date on which interest to the property was conveyed.

Total purchase price - the total amount paid for the purchase of the property, both real and personal, being conveyed by the instrument offered for record.

Actual value - if the property is not being sold, the true value of the property, both real and personal, being conveyed by the instrument offered for record. This may be evidenced by an appraisal conducted by a licensed appraiser or the assessor's current market value.

If no proof is provided and the value must be determined, the current estimate of fair market value, excluding current use valuation, of the property as determined by the local official charged with the responsibility of valuing property for property tax purposes will be used and the taxpayer will be penalized pursuant to Code of Alabama 1975 § 40-22-1 (h).

I attest, to the best of my knowledge and belief that the information contained in this document is true and accurate. I further understand that any false statements claimed on this form may result in the imposition of the penalty indicated in Code of Alabama 1975 § 40-22-1 (h).

Date 12-2-13

Print William L. Cunningham, Jr.

Unattested

Sign [Signature]
(Grantor/Grantee/Owner/Agent) circle one

(verified by)

Form RT-1



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