

20140102000000820 1/8 \$1456.50
Shelby Cnty Judge of Probate, AL
01/02/2014 12:34:01 PM FILED/CERT

This instrument was prepared by:

Margaret M. Jordan, Esq.
Kane Russell Coleman & Logan, P.C.
3700 Thanksgiving Tower
1601 Elm Street
Dallas, TX 75201

Send Tax Notice To:

James J. Stearns and Edna
Stearns, Co-Trustees
1546 Averill Park Drive
San Pedro, CA 90732

STATE OF ALABAMA)
COUNTY OF SHELBY)

STATUTORY WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) in hand paid to JAMES J. STEARNS, ALSO KNOWN AS JAMES JOHN STEARNS AND JACK STEARNS, AND EDNA H. STEARNS, ALSO KNOWN AS EDNA STEARNS, AS CO-TRUSTEES PURSUANT TO THAT CERTAIN DECLARATION OF THE JACK AND EDNA STEARNS 2004 FAMILY TRUST EXECUTED ON AUGUST 11, 2004, as same may have been amended or restated ("**Grantor**"), having an address of 1546 Averill Park Drive, San Pedro, California 90732, the receipt of which is hereby acknowledged, Grantor hereby grants, bargains, sells and conveys unto JAMES J. STEARNS, ALSO KNOWN AS JACK STEARNS AND EDNA STEARNS, EACH A TRUSTEE OF EACH OF THE FOLLOWING RESPECTIVE TRUSTS PURSUANT TO (i) THAT CERTAIN DECLARATION OF THE PAMELA BETH STEARNS-HEISLER FAMILY IRREVOCABLE DYNASTY TRUST DATED DECEMBER 31, 2008, as same may have been amended or restated, (ii) THAT CERTAIN DECLARATION OF THE HARTT JASON STEARNS IRREVOCABLE TRUST DATED DECEMBER 31, 2008, as same may have been amended or restated, (iii) THAT CERTAIN DECLARATION OF THE HEATHER SHAWN STEARNS IRREVOCABLE TRUST DATED DECEMBER 31, 2008, as same may have been amended or restated, and (iv) THAT CERTAIN DECLARATION OF THE GUY DAVID STEARNS FAMILY IRREVOCABLE DYNASTY TRUST DATED DECEMBER 31, 2008, as same may have been amended or restated, (collectively, "**Grantee**" or the "**Trusts**"), each of the Trusts having an address of 1546 Averill Park Drive, San Pedro, California 90732, an undivided five percent (5%) ownership interest in and to each of the respective Trusts, as tenants in common, totaling an aggregate twenty percent (20%) ownership interest being transferred, in the following described real and other property listed in clauses A through E below situated in the City of Hoover, Shelby County, Alabama:

A. Land. The fee simple estate interest in the land described in Exhibit "A", attached hereto and made a part hereof (the "**Land**"); together with

B. Improvements. All buildings, fixtures, structures and improvements located on the Land, if any, together with any and all facilities, amenities and other improvements located thereon, if any (collectively, the "**Improvements**"); together with

C. Easements. All easements, rights-of-way, rights of ingress and egress and other licenses benefiting all or any portion of the Land or Improvements, if any (collectively, the "Easements"); together with

D. Rights and Appurtenances: (i) All air rights, riparian rights, or other interests in or to any land, highway, street, road, avenue, strips and/or gores open or proposed, in, on, across, abutting or adjoining the Land, and (ii) all other rights, benefits, privileges, tenements, hereditaments, and appurtenances, if any, thereon or in any way appertaining to the Land, the Improvements and/or the Easements (collectively, the "Rights and Appurtenances"); together with;

E. Development Rights. Any and all licenses, permits, other governmental approvals, and all utility and development rights relating to any or all of the Land, Improvements, Easements, and Rights and Appurtenances (collectively, the "Development Rights"; and the Land, Improvements, Easements, Rights and Appurtenances and Development Rights are collectively referred to herein as the "Property").

The Real Estate Sales Validation Information is described in Exhibit "A".


SUBJECT, HOWEVER, to:

Taxes for 2013 and subsequent years, not yet delinquent, and any liens, encumbrances, documents or matters filed of record in the real property records where the Property is located, and any matters which would be shown on a current survey or the Property, and any recorded or unrecorded leases relating to the Property.

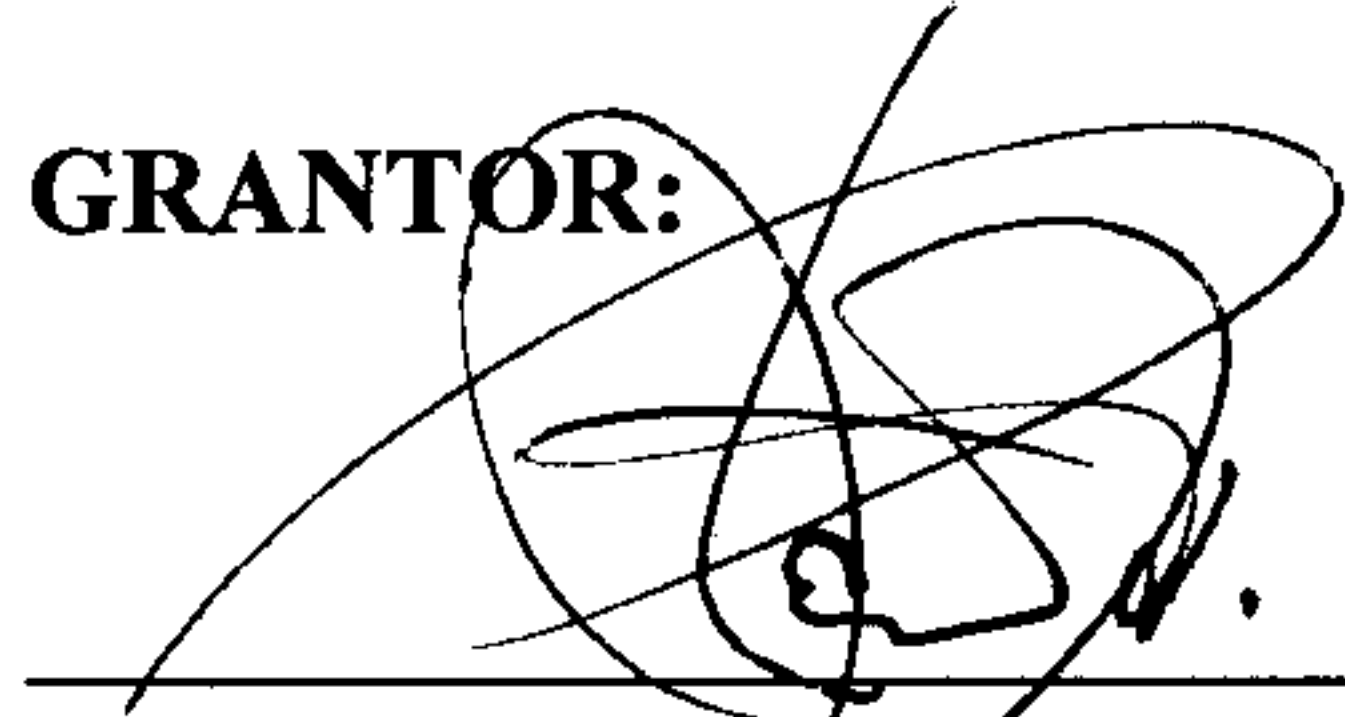
TO HAVE AND TO HOLD a five percent (5%) undivided interest each in the Property unto each of the respective Trusts, their successors and assigns forever, and Grantor does hereby bind itself and its successors and assigns, to **WARRANT AND FOREVER DEFEND**, all and singular the respective five percent (5%) ownership interest each in and to the Property unto each of the Trusts, their successors and assigns, against every person or entity lawfully claiming or to claim the same, or any part thereof, by, through or under Grantor, but not otherwise, but subject to the exceptions set forth herein; but with full substitution and subrogation of the Trusts, their successors and assigns, in and to all covenants of warranty by others heretofore given or made with respect to the rights, titles and interests herein conveyed, or any part thereof.

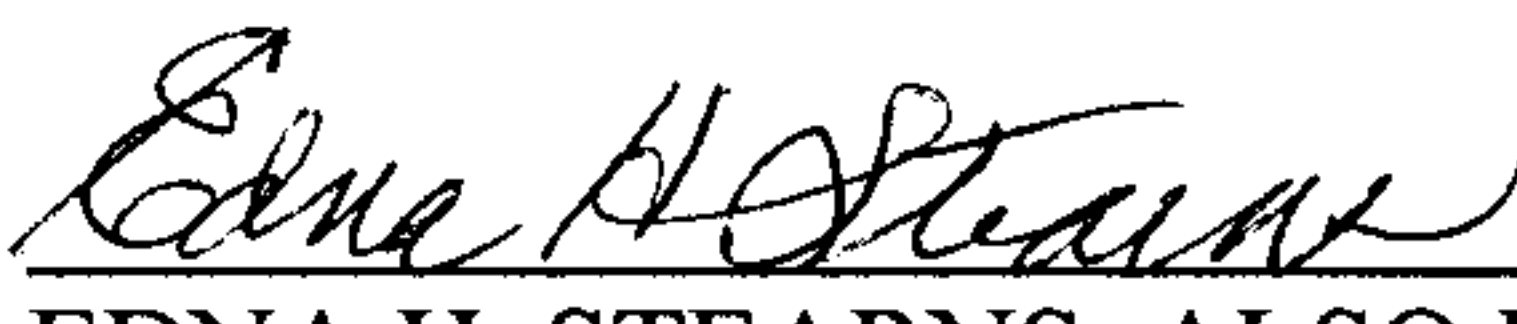
IN WITNESS WHEREOF, Grantor has hereunto caused this instrument to be executed as of the 31st day of December, 2012.

[SIGNATURES ON FOLLOWING PAGES]


20140102000000820 2/8 \$1456.50
Shelby Cnty Judge of Probate, AL
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GRANTOR:


JAMES J. STEARNS, ALSO KNOWN AS JAMES JOHN STEARNS AND JACK STEARNS, AS CO-TRUSTEE PURSUANT TO THAT CERTAIN DECLARATION OF THE JACK AND EDNA STEARNS 2004 FAMILY TRUST EXECUTED ON AUGUST 11, 2004, AS MAY HAVE BEEN AMENDED OR RESTATED


EDNA H. STEARNS, ALSO KNOWN AS EDNA STEARNS, AS CO-TRUSTEE PURSUANT TO THAT CERTAIN DECLARATION OF THE JACK AND EDNA STEARNS 2004 FAMILY TRUST EXECUTED ON AUGUST 11, 2004, AS MAY HAVE BEEN AMENDED OR RESTATED

STATE OF CALIFORNIA

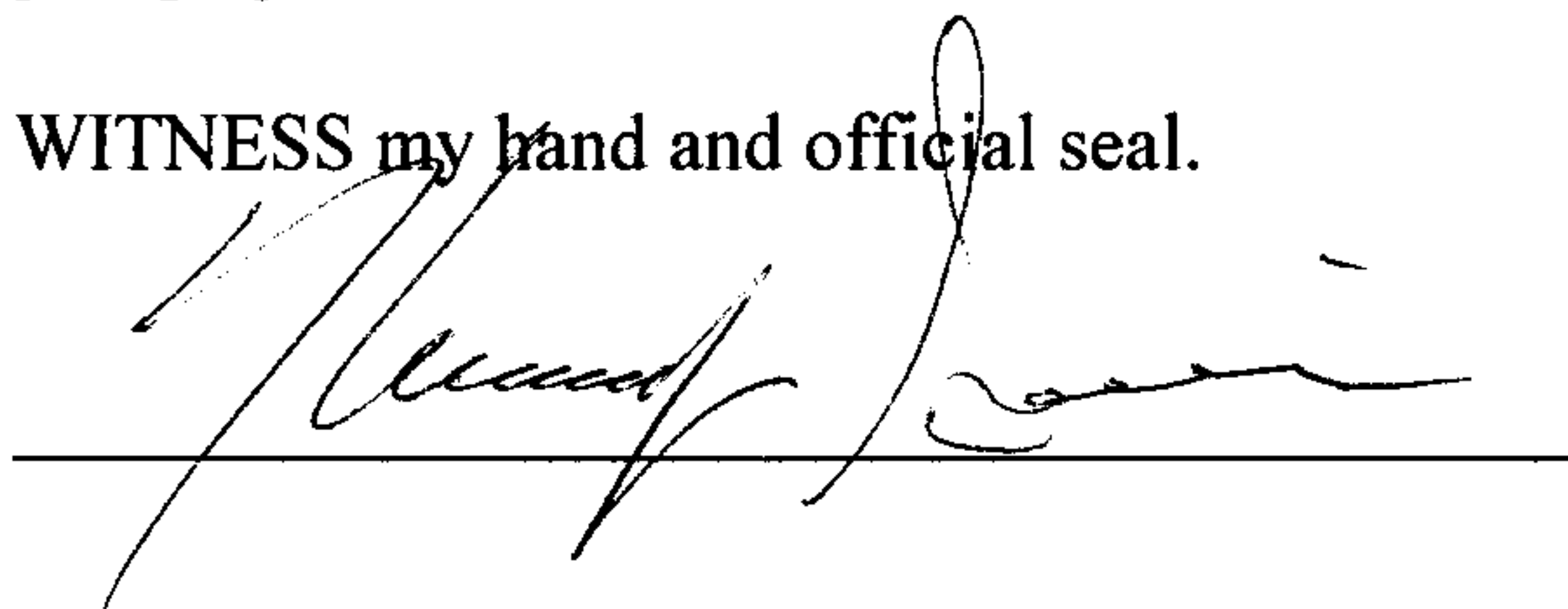
COUNTY OF LOS ANGELES

)
)
) ss.

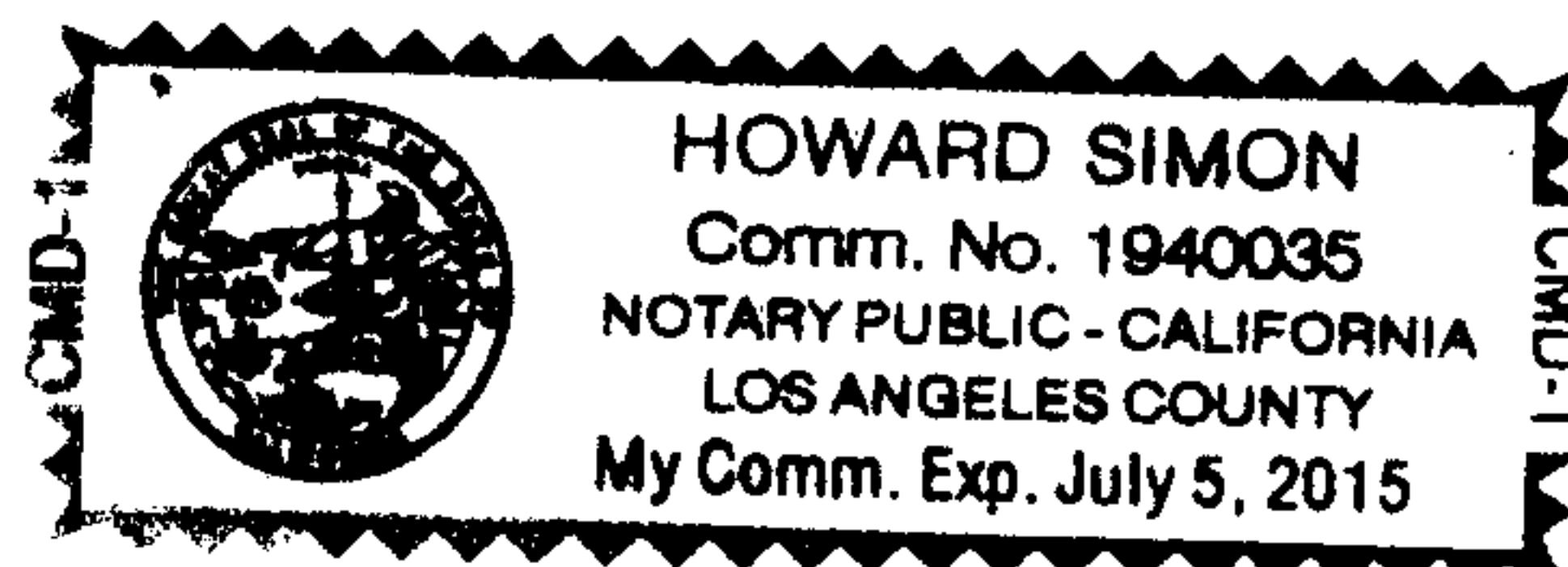
On December 31, 2012, before me, JAMES J. STEARNS personally appeared JAMES J. STEARNS, ALSO KNOWN AS JAMES JOHN STEARNS AND JACK STEARNS, AS CO-TRUSTEE PURSUANT TO THAT CERTAIN DECLARATION OF THE JACK AND EDNA STEARNS 2004 FAMILY TRUST EXECUTED ON AUGUST 11, 2004, AS MAY HAVE BEEN AMENDED OR RESTATED, 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 he executed the same in his authorized capacity, and that by his signature on the instrument, the person, or the entity upon behalf of which the person 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.



[Imprint seal]



2128949 v1 (45740.00001.000)

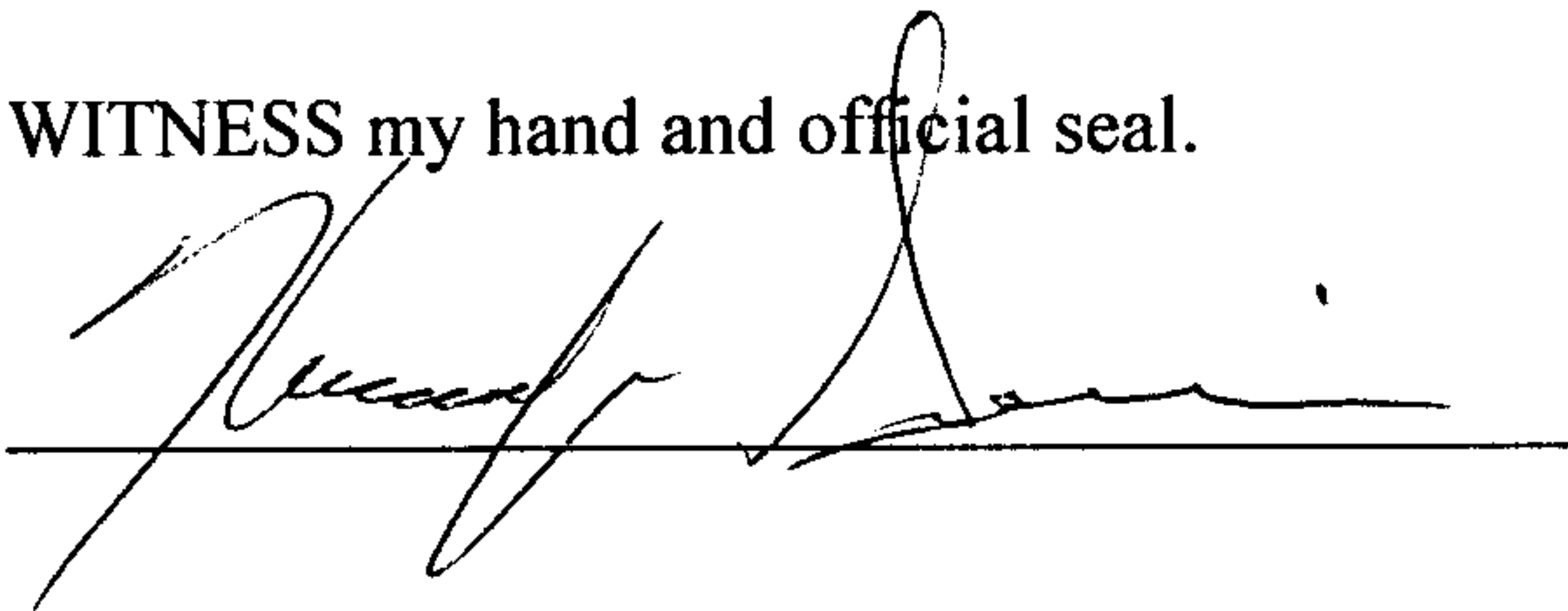

20140102000000820 3/8 \$1456.50
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STATE OF CALIFORNIA)
) ss.
COUNTY OF Los Angeles)

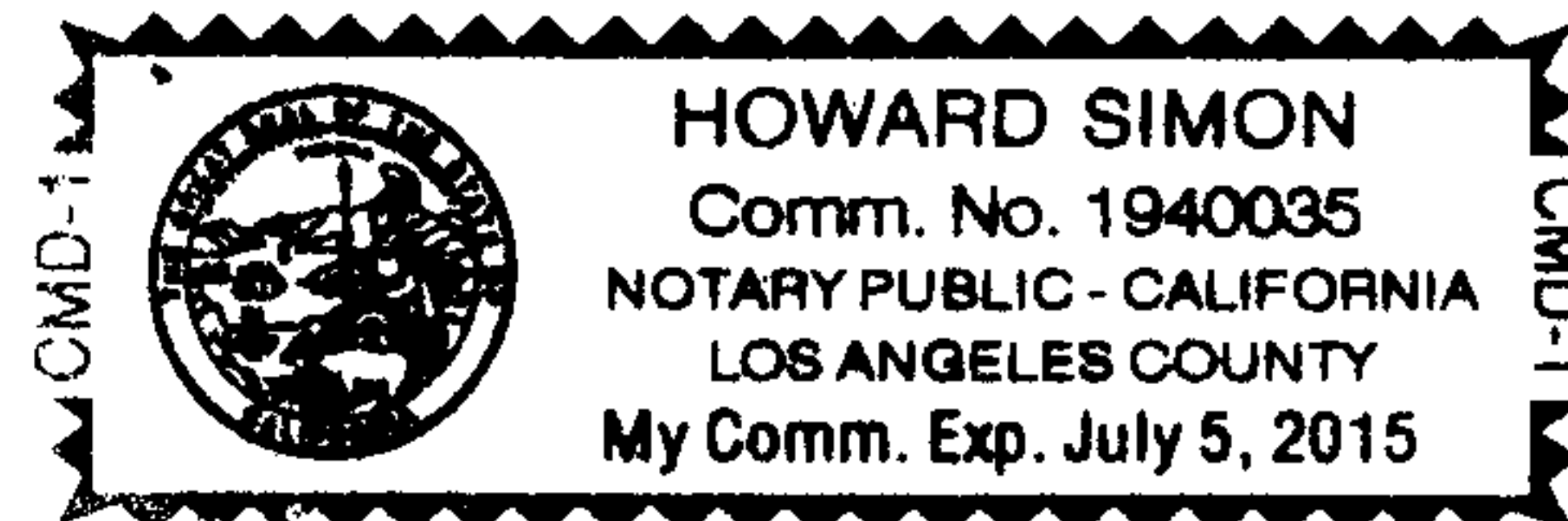
On December 31, 2012, before me, EDNA H. STEARNS personally appeared EDNA H. STEARNS, ALSO KNOWN AS EDNA STEARNS, AS CO-TRUSTEE PURSUANT TO THAT CERTAIN DECLARATION OF THE JACK AND EDNA STEARNS 2004 FAMILY TRUST EXECUTED ON AUGUST 11, 2004, AS MAY HAVE BEEN AMENDED OR RESTATED, proved to me on the basis 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 signature on the instrument, the person, or the entity upon behalf of which the person 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.



[Imprint seal]



2128949 v1 (45740.00001.000)

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EXHIBIT "A"

PROPERTY LEGAL DESCRIPTION

2696 John Hawkins Parkway, Hoover, Shelby County, Alabama 35244, according to the official thoroughfare of the City of Hoover, State of Alabama, and described as follows:

Lots 1 and 2, according to the Survey of Carmax Auto Super Store, as recorded in Map Book 30, page 140, in the Office of the Judge of Probate Shelby County, Alabama and in Map Book 37, page 59, in the Office of the Judge of Probate Jefferson County, Alabama, and being more particularly described as follows:

Lot 1:

Commence at the Southwest corner of the Northwest Quarter of the Northwest Quarter of Section 26, Township 19 South, Range 3 West, Huntsville Meridian, Shelby County, Alabama, thence run North 06°42'09" East, along the west boundary line of said quarter-quarter, for a distance of 325.89 feet to the Point of Beginning; thence continue North 06°42'09" East, along the west boundary line of said quarter-quarter, for a distance of 937.25 feet to a capped iron found on the southerly right-of-way line of Highway 150 (right-of-way width varies); thence run North 84°28'56" East, along said right-of-way, for a distance of 26.40 feet to a capped iron set (CA-00279) on the southwesterly right-of-way line of Alabama Highway 150 (right-of-way width 50 feet); thence, leaving said southwesterly right-of-way, run North 59°15'25" East, along said southerly right-of-way of Highway 150, for a distance of 55.71 feet to the northeasterly right-of-way line of Alabama Highway 150 (right-of-way width 50 feet); thence leaving said northeasterly right-of-way, run North 09°38'28" East, along said southerly right-of-way of Highway 150, for a distance of 48.22 feet; thence run North 59°00'28" East, along said southerly right-of-way of Highway 150, for a distance of 358.11 feet; thence run South 84°53'00" East, along said southerly right-of-way of Highway 150, for a distance of 59.43 feet to the southwesterly right-of-way line of Cahaba River Estates Drive (right-of-way width varies); thence run South 30°33'27" East, along said right-of-way, for a distance of 369.70 feet; thence run South 38°47'31" East, along said right-of-way, for a distance of 111.69 feet; thence run South 35°21'49" East, along said right-of-way, for a distance of 53.86 feet; thence run South 34°25'06" East, along said right-of-way, for a distance of 116.33 feet; thence run South 24°16'33" East, along said right-of-way, for a distance of 21.15 feet to the Point of Curvature of a curve to the left, having a radius of 230.50 feet, a central angle of 19°14'18", a chord length of 77.03 feet and a chord bearing of South 33°53'20" East; thence continue along the arc of said curve, and said right-of-way, for a distance of 77.40 feet to the Point of Tangency of said curve; thence, leaving said right-of-way, run South 60°08'55" West for a distance of 1123.26 feet to the Point of Beginning.

Lot 2:

Begin at the Southwest corner of the Northwest Quarter of the Northwest Quarter of Section 26, Township 19 South, Range 3 West, Huntsville Meridian, Shelby County, Alabama, thence run North 06°42'09" East, along the west boundary line of said quarter-quarter, for a distance of 325.89 feet; thence run North 60°08'55" East for a distance of 1123.26 feet to the westerly right-of-way line of Cahaba River Estates Drive (right-of-way width 50 feet); said point also being the Point of Curvature of a curve to the left, having a radius of 230.50 feet, a central angle of 22°29'23", a chord length of 89.90 feet and a chord bearing of South 54°45'10" East; thence continue along the arc of said curve, and said right-of-way, for a distance of 90.48 feet to the Point of Tangency of said curve; thence run South 70°44'05" East for a distance of 100.25 feet; thence, leaving said right-of-way, run South 49°48'24" West for a distance of 1271.62 feet to the south boundary line of the Northwest Quarter of the Northwest Quarter of Section 26, Township 19 South, Range 3 West, Huntsville Meridian, Shelby County, Alabama; thence run North 83°45'28" West, along said south line, for a distance of 210.24 feet to the Point of Beginning.

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No sale is involved in this conveyance. The real property described above contains improvements. The twenty percent (20%) of the undivided interest in the Property conveyed under this Deed, including improvements, has a total appraised value of ONE MILLION FOUR HUNDRED EIGHTY THREE THOUSAND SEVEN HUNDRED AND EIGHTY EIGHT AND 00/100 DOLLARS (\$1,483,788.00). The total appraised value of the Property can be verified in the real property records of the Shelby County Alabama Property Tax Commissioner, Parcel Nos. 11726-007-002 and 11726-001-007-003.

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Real Estate Sales Validation Form

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

Grantor's Name *See Addendum
Mailing Address 1546 Averill Park Drive
San Pedro, CA 90732

Grantee's Name **See Addendum
Mailing Address 1546 Averill Park Drive
San Pedro, CA 90732

Property Address 2696 John Hawkins Pkwy
Hoover
Shelby County
Alabama 35244

Date of Sale N/A
Total Purchase Price \$ N/A
or
Actual Value \$ N/A
or
Assessor's Market Value \$ 1,412,260.00 (2013)(20%)

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 Shelby County, AL Property Tax Commissioner
☐ 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 Dec 20, 2013

☐ Unattested

(verified by)

Print ***See Addendum

Sign

(Grantor/Grantee/Owner/Agent) circle one

Form RT-1


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**ADDENDUM
TO
REAL ESTATE SALES VALIDATION FORM
(ALBAMA FORM RT-1)**

*Grantor's Name: JAMES J. STEARNS, ALSO KNOWN AS JAMES JOHN STEARNS AND JACK STEARNS, AND EDNA H. STEARNS, ALSO KNOWN AS EDNA STEARNS, AS CO-TRUSTEES PURSUANT TO THAT CERTAIN DECLARATION OF THE JACK AND EDNA STEARNS 2004 FAMILY TRUST EXECUTED ON AUGUST 11, 2004, as same may have been amended or restated.

**Grantee's Name: JAMES J. STEARNS, ALSO KNOWN AS JACK STEARNS AND EDNA STEARNS, EACH A TRUSTEE OF EACH OF THE FOLLOWING RESPECTIVE TRUSTS PURSUANT TO (i) THAT CERTAIN DECLARATION OF THE PAMELA BETH STEARNS-HEISLER FAMILY IRREVOCABLE DYNASTY TRUST DATED DECEMBER 31, 2008, as same may have been amended or restated, (ii) THAT CERTAIN DECLARATION OF THE HARTT JASON STEARNS IRREVOCABLE TRUST DATED DECEMBER 31, 2008, as same may have been amended or restated, (iii) THAT CERTAIN DECLARATION OF THE HEATHER SHAWN STEARNS IRREVOCABLE TRUST DATED DECEMBER 31, 2008, as same may have been amended or restated, and (iv) THAT CERTAIN DECLARATION OF THE GUY DAVID STEARNS FAMILY IRREVOCABLE DYNASTY TRUST DATED DECEMBER 31, 2008, as same may have been amended or restated, (collectively, "Grantee").

***Signatory: James V. Smith, as attorney-in-fact and agent for JAMES J. STEARNS, INDIVIDUALLY, ALSO KNOWN AS JAMES JOHN STEARNS AND JACK STEARNS, AND FOR EDNA H. STEARNS, INDIVIDUALLY, ALSO KNOWN AS EDNA STEARNS, AS CO-TRUSTEES PURSUANT TO THAT CERTAIN DECLARATION OF THE Jack AND EDNA STEARNS 2004 FAMILY TRUST EXECUTED ON AUGUST 11, 2004, as same may have been amended or restated.


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