

1779 Highway 32

20171011000370260 1/6 \$2782 00  
Shelby Cnty Judge of Probate, AL  
10/11/2017 02:33:39 PM FILED/CERT

Shelby County, AL 10/11/2017  
State of Alabama  
Deed Tax: \$2750.00

# QUITCLAIM DEED

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, as a result of the acquisition, John owned an undivided thirteen percent (13%) interest in the Property, John, Jr. owned an undivided forty-three and one-half percent (43.5%) interest in the Property, and Cathy owned an undivided forty-three and one-half percent (43.5% interest) in the Property; and

WHEREAS, John, John, Jr. and Cathy purportedly conveyed the Property to Cahaba Valley Shopping Center, LLP on the 25<sup>th</sup> day of September, 2012 by that certain quitclaim deed recorded as Instrument # 20140630000197260 (the "Quitclaim Deed") in the Office of the Judge of Probate of Shelby County, Alabama (the "2012 Conveyance"); and

WHEREAS, John, John, Jr. and Cathy signed Articles of Organization for Cahaba Plaza Shopping Center, LLC in January of 2005, intending to form said LLC as of such date, but such Articles of Organization were never recorded; and

WHEREAS, John, John, Jr. and Cathy intended for the 2012 Conveyance to convey the Property to the Cahaba Valley Shopping Center, LLC ; and

WHEREAS, Cahaba Valley Shopping Center, LLP was incorrectly listed as Grantee on the Quitclaim Deed; and

WHEREAS, John, Jr. died on or about November 25, 2016, and his Last Will and Testament dated September 16, 2016 (the "Will") was admitted to probate in the Jefferson County Probate Court as Case Number 2016-229775 (the "Estate"); and

WHEREAS, Nan Lee Ellis Galbreath was appointed as Personal Representative of the Estate by Letters Testamentary issued December 2, 2016; and

WHEREAS, it is the intent of the Grantors (as hereinafter defined) to correct the 2012 Conveyance, and to correctly convey the Property to Cahaba Plaza Partners, LLC.

NOW THEREFORE, that in consideration of One and NO/100 Dollar (\$1.00) and other good and valuable consideration to the undersigned John L. Galbreath, Sr., a married person, Nan Galbreath, as Personal Representative for the Estate of John L. Galbreath, Jr., and Cathy Ann Galbreath, a married person (hereinafter referred to collectively as "Grantors"), in hand paid by Cahaba Plaza Partners, LLC, an Alabama Limited Liability Company (hereinafter referred to as "Grantee"), the receipt whereof is acknowledged, Grantors do hereby grant, bargain, quitclaim, sell and convey unto Grantee, all of the following described real estate situated in Shelby County, Alabama, to-wit:

A parcel of land situated in the NE 1/4 of the NW 1/4 and the NW 1/4 of the NW 14 of Section 36, Township 18 South, Range 2 West, Shelby County, Alabama, being more particularly described as follows: Commence at the Southwest corner of the NE 1/4 of the NW 1/4 of said Section 36, and run 129.37 feet Easterly along the South line thereof and the Southerly right-of-way of U.S. Highway 280 to the point of beginning; thence turn 144 deg. 16 min. 05 sec. to the left and run 303.96 feet Northwesterly along the Northeasterly right-of-way line of U.S. Highway 280 to a point; thence turn 90 deg. 02 min. 43 sec. to the right and run 211.26 feet Northeasterly to a point; thence turn 90 deg. 01 min. 01 sec. to the right and run 596.61 feet Southeasterly to a point on the South line of said NE 1/4 of the NW 1/4; thence turn 144 deg. 14 min. 34 sec. to the right and run 360.68 feet Westerly along the South line of said NE 1/4 of the NW 1/4 to the point of beginning; being situated in Shelby County, Alabama.

SOURCE OF TITLE: Instrument # 1995-27580

This conveyance is made subject to the following:

1. The lien for ad valorem taxes due in the current year or any subsequent year but not yet payable.
2. Rights of tenant(s) in possession, as tenant(s) only, under any recorded or unrecorded lease(s).
3. Restriction and covenants recorded at Real Vol. 94, page 366.
4. Right of way to Alabama Power Company recorded at Vol. 103, page 39; Vol. 182, page 328; Vol. 285, page 292;
5. Agreement recorded in Misc. Vol. 48, page 732 and Real Vol. 269, page 961, all in the office of the Probate Court of Shelby County, Alabama.
6. All other easements, liens, encumbrances, restrictions, rights-of-way, any reservations of mineral rights, and other matters of record in the Probate Office of Shelby County, Alabama, together with any deficiencies in quantity of land, easements, discrepancies as to boundary lines, overlaps, etc., which would be disclosed by a true and accurate survey of the property conveyed herein.

TO HAVE AND TO HOLD to said Grantee, its successors and assigns forever.

The above property does not constitute the homestead of the Grantors.

[remainder of page left intentionally blank]

IN WITNESS WHEREOF, the Grantors has hereunto set their hand and seal on  
9/28/17, 2017.

John L. Galbreath Sr.  
John L. Galbreath, Sr.

I, the undersigned authority, a Notary Public in and for the State of Alabama at Large, hereby certify that John L. Galbreath, Sr., a married person, whose name is signed to the foregoing conveyance and who is known to me, acknowledged before me on this day that being informed of the contents of the conveyance, he executed the same voluntarily on the day the same bears date.


Given under my hand on Sept. 28, 2017.


[Signature]  
Notary Public

Brian H. DUNNAN  
Printed Name

(NOTARY SEAL)

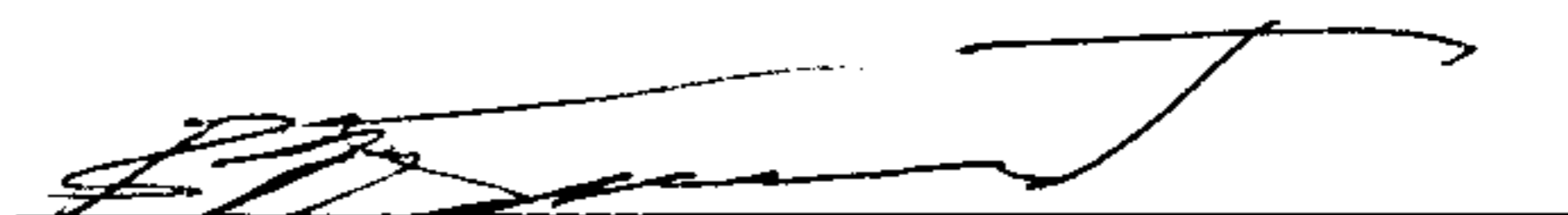
My Commission Expires: 4-19-2019

  
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Nan Lee Ellis Galbreath, as Personal  
Representative for the Estate of John L.  
Galbreath, Jr.

I, the undersigned authority, a Notary Public in and for the State of Alabama at Large, hereby certify that Nan Galbreath, as Personal Representative for the Estate of John L. Galbreath, Jr., whose name is signed to the foregoing conveyance and who is known to me, acknowledged before me on this day that being informed of the contents of the conveyance, she executed the same voluntarily on the day the same bears date.


Given under my hand on Sept 28, 2017.


  
Notary Public

Brian H. Dunn  
Printed Name

(NOTARY SEAL)

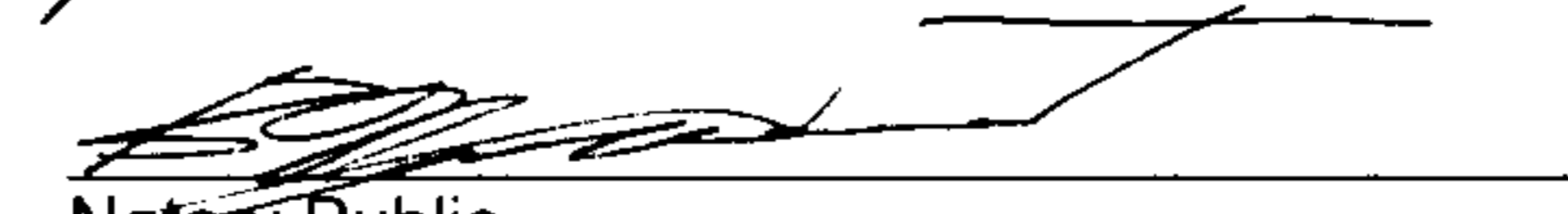
My Commission Expires: 4-19-2019

  
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Cathy Ann Galbreath, a/k/a Cathy Buzbee

I, the undersigned authority, a Notary Public in and for the State of Alabama at Large, hereby certify that Cathy Ann Galbreath, a married person, whose name is signed to the foregoing conveyance and who is known to me, acknowledged before me on this day that being informed of the contents of the conveyance, he executed the same voluntarily on the day the same bears date.


Given under my hand on Sept 28, 2017.

  
Notary Public

Brian H. Durnant  
Printed Name

(NOTARY SEAL)

My Commission Expires: 4-19-2019

  
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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 Cathy Buzbee  
Mailing Address 416 So 28th St.  
Birmingham, AL 68566

Grantee's Name Cahaba Plaza Partners, LLC  
Mailing Address 1779 Highway 32  
Columbiana, AL 35051

Property Address 02-7-36-0-001-005.001  
4643 Highway 280  
BIRMINGHAM, AL 35242

Date of Sale 9/28/17

Total Purchase Price \$

or

Actual Value \$

or

Assessor's Market Value \$ 2,749,740

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  
☐ Sales Contract  
☐ Closing Statement

- ☐ Appraisal  
☐ Other

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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 9/28/17

Print Cathy Ann Galbreath

Sign [Signature]

Unattested

(verified by)

(Grantor/Grantee/Owner/Agent) circle one

Print Form

Form RT-1