

STATE OF ALABAMA)
SHELBY COUNTY)

FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS, THAT:

WHEREAS, default was made in the payment of the indebtedness secured by those certain mortgages executed on the 27th day of July, 1977 and the 9th day of February, 1978, respectively by River Oaks Dev., Inc. to Birmingham Trust National Bank, a national banking association of Birmingham, Jefferson County, Alabama, and that certain mortgage executed on the 14th day of June, 1978, as corrected by that certain mortgage executed on the 27th day of September, 1979, respectively by Acres, Inc. to Birmingham Trust National Bank, recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Book 367, Page 825, Book 374, Page 507, Book 379, Page 725 and Book 396, Page 730, respectively, so that by the terms of said mortgages, the same became subject to foreclosure; and

WHEREAS, after such default and acting under the powers of sale contained in said mortgages, Birmingham Trust National Bank caused to be published in the Shelby County Reporter, a newspaper published in Shelby County, Alabama, a notice setting forth that it would, at 12:00 o'clock noon on the 20th day of October, 1981, sell the hereinafter described land conveyed by said mortgages to the highest bidder for cash in front of the main entrance of the Shelby County, Alabama, Courthouse located in the City of Columbiana, Alabama, which notice was published in the issues of said paper on September 24, October 1 and 8, 1981; and

WHEREAS, at said Courthouse door at 12:00 o'clock noon on the 20th day of October, 1981, said Birmingham Trust National Bank did proceed to sell the hereinafter described

land in strict compliance with the terms of the powers of sale and pursuant to said notice, at which said Birmingham Trust National Bank, a national banking association did bid for said land the sum of One Hundred Seventy-Seven Thousand, Seven Hundred Sixty and no/100 Dollars (\$177,760.00) which was the highest and best bid therefor; whereupon said land was sold to Birmingham Trust National Bank.

NOW, THEREFORE, in consideration of the premises and of the payment of said bid, said Birmingham Trust National Bank as Mortgagee, does grant, bargain, sell and convey unto Birmingham Trust National Bank, a national banking association, all of its right, title and interest in and to the following described lots or parcels of land situated in Shelby County, Alabama to-wit:

BOOK
335
PAGE 918

That certain real estate located in Shelby County, Alabama, as described in Exhibit A attached hereto and incorporated herein by reference and made a part hereof.

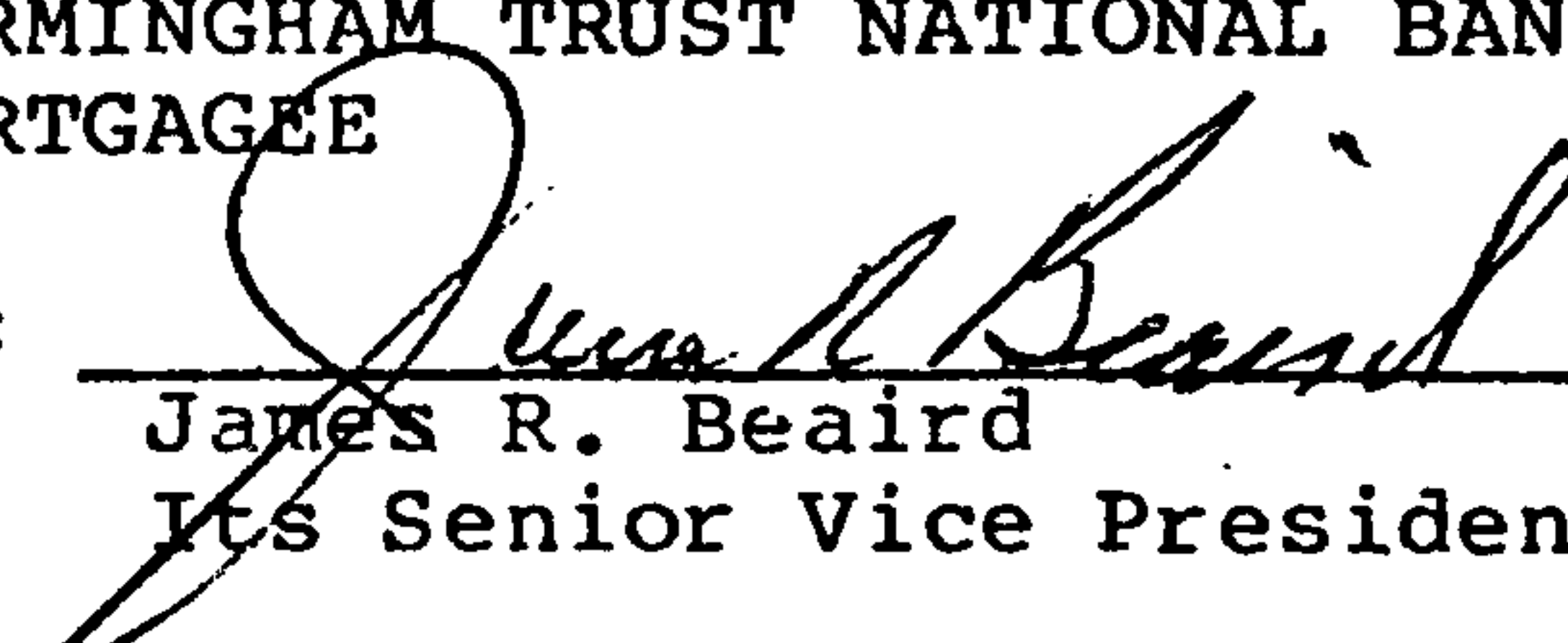
SUBJECT to the statutory right of redemption on the part of those entitled to redeem as provided by the laws of the state of Alabama.

TO HAVE AND TO HOLD to said Birmingham Trust National Bank, its successors and assigns forever.

IN WITNESS WHEREOF, Birmingham Trust National Bank has caused this instrument to be executed under its seal by James R. Beaird, its Senior Vice President, who is duly authorized thereunto, both as Mortgagee and on behalf of the said Mortgagor as of this the 20th day of October, 1981.

BIRMINGHAM TRUST NATIONAL BANK,
MORTGAGEE

By:


James R. Beaird

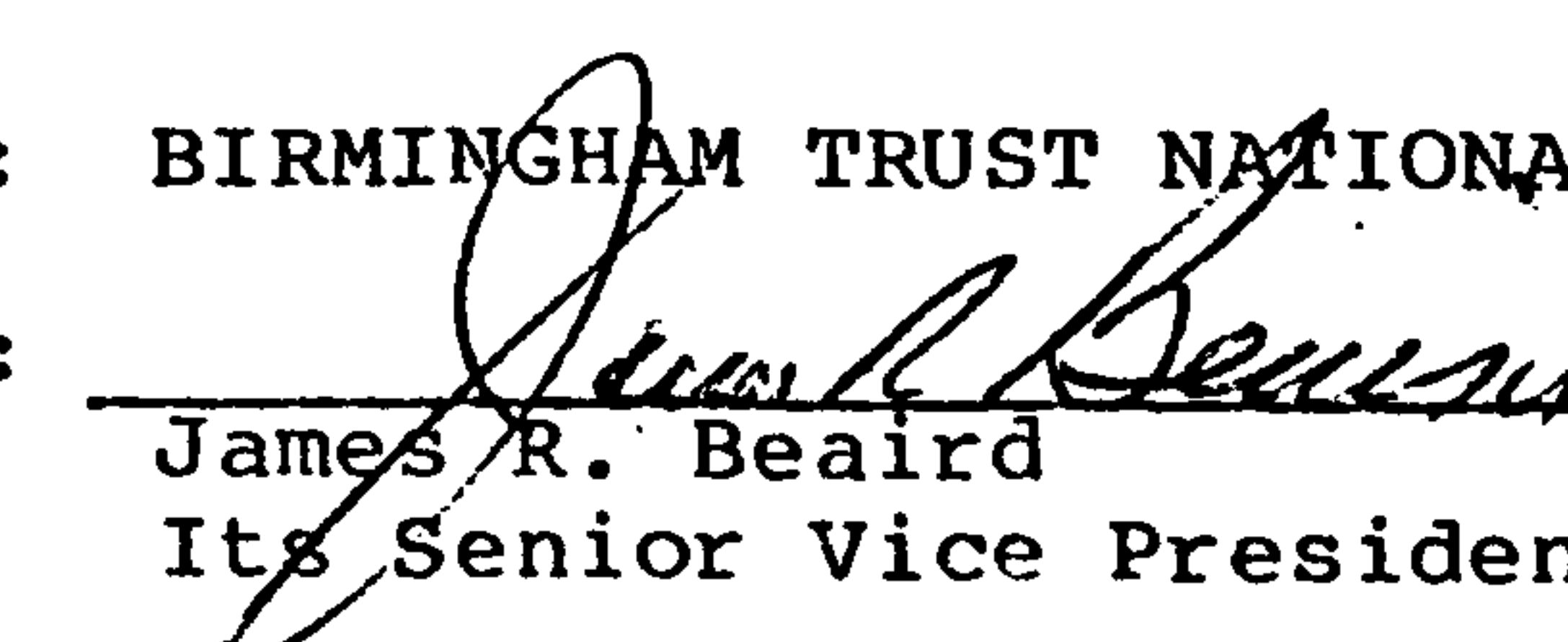
Its Senior Vice President

RIVER OAKS DEV., INC.
ACRES, INC.,
MORTGAGORS

By:

BIRMINGHAM TRUST NATIONAL BANK

By:


James R. Beaird

Its Senior Vice President

STATE OF ALABAMA)
)
JEFFERSON COUNTY)

ACKNOWLEDGEMENT

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that James R. Beaird, whose name as Senior Vice President of Birmingham Trust National Bank, a national banking association, is signed to the foregoing conveyance and who is known to me to be such officer, acknowledged before me on this day, that being informed of the contents of the conveyance he, as such office and with full authority, executed the same voluntarily for and as the act of said Birmingham Trust National Bank.

Given under my hand and official seal this 20th day of October, 1981.

Patricia H. Lloyd
Notary Public

My Commission Expires Dec. 11, 1982

STATE OF ALABAMA)
)
JEFFERSON COUNTY)

ACKNOWLEDGEMENT

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that James R. Beaird, whose name as Senior Vice President of Birmingham Trust National Bank, a national banking association, as River Oaks Dev., Inc. and Acres, Inc., Mortgagors, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this date, that being informed of the contents of said conveyance, he as such officer and with full authority, executed the same voluntarily for and as the act of said national banking association, acting in its capacity as River Oaks Dev., Inc. and Acres, Inc., Mortgagors, as aforesaid.

Given under my hand and official seal this 20th day of October, 1981.

Patricia H. Lloyd
Notary Public

My Commission Expires Dec. 11, 1982

This instrument was prepared by:

Kenneth L. Hickman, Attorney
1600 Bank for Savings Building
Birmingham, Alabama 35203

EXHIBIT A

Mortgage by River Oaks Dev., Inc. and Acres, Inc. to BTNB
(Quail Run - Phase II)

A parcel of land located in the N 1/2 of the SW 1/4 of Section 29, and the NE 1/4 of the SE 1/4 of Section 30, all in Township 19 South, Range 2 West, Shelby County, Alabama, more particularly described as follows: Begin at the NW corner of the N 1/2 of the SW 1/4 of said Section 29; thence in an Easterly direction, along the North line of said N 1/2 of the SW 1/4, a distance of 1119.81 feet; thence 90° right, in a Southerly direction, a distance of 239.0 feet; thence 90° left, in an Easterly direction, a distance of 136.0 feet; thence 90° right, in a Southerly direction, a distance of 600.0 feet; thence 90° left, in an Easterly direction a distance of 226.0 feet; thence 23° right, in a Southeasterly direction, a distance of 285.14 feet; thence 114° 23' right, in a Southwesterly direction, a distance of 473.39 feet; thence 42° 37' right, in a Westerly direction, a distance of 1368.83 feet; thence 1° 12' 14" right, in a Westerly direction a distance of 309.62 feet to the Southeasterly right-of-way line of Interstate Highway I-65; thence 96° 26' 39" right in a Northeasterly direction, along said right of way, a distance of 684.72 feet; thence 13° 56' 51" right, in a Northeasterly direction a distance of 497.88 feet; thence 26° 10' 28" left, in a Northerly direction a distance of 124.63 feet to the North line of the NE 1/4 of the SE 1/4 of said Section 30; thence 95° 44' 10" right, in an Easterly direction, along said North line a distance of 14.75 feet to the point of beginning.

LESS AND EXCEPT lands as being condemned for I-65 Highway as described in P.S. Book 5, Page 423, in the Probate Office of Shelby County, Alabama.

ALSO LESS AND EXCEPT:

Lots 1, 6 through 12, 16 through 23, 26 through 34, 36 through 39, 41 through 44, 48, 49, 51, 52, 55 through 66, according to the survey of Quail Run, Phase II, as recorded in Map Book 7, Page 113, in the Probate Office of Shelby County, Alabama.

The above described property includes Lots 2, 3, 4, 5, 13, 14, 15, 24, 25, 35, 40, 45, 46, 47, (50), 53 and 54, according to the Survey of Quail Run, Phase II, as recorded in Map Book 7, Page 113, in the Probate Office of Shelby County, Alabama.

RECORDED
1981 NOV -3 AM 8 33

Thomas A. Shandley, Jr.
JUDGE OF PROBATE

Rec. 600
Ind. 100
700