



20140225000051500 1/3 \$22.00
Shelby Cnty Judge of Probate, AL
02/25/2014 11:30:27 AM FILED/CERT

THIS INSTRUMENT PREPARED BY:
James J. Odom, Jr.
P.O. Box 11244
Birmingham, AL 35202-1244
(NO TITLE EXAMINATION PROVIDED)

SEND TAX NOTICE TO:
Fred L. Brower and Karen Brower
27800 Canal Road, Unit 514
Orange Beach, AL 36561

STATE OF ALABAMA)
SHELBY COUNTY)

DEED IN LIEU OF FORECLOSURE

This Deed in Lieu of Foreclosure (“Deed in Lieu”) is made and entered into this 20th day of February, 2014, by and between Donald Oliver Smith, an unmarried man (“Mortgagor”), and Fred L. Brower and Karen Brower (“Mortgagees”).

RECITALS

WHEREAS, on October 10, 2011, Mortgagor entered into that certain mortgage (the “Mortgage”) recorded in Instrument #20111013000304950, in the Office of the Judge of Probate of Shelby County, Alabama, which Mortgage secured a promissory note (the “Note”) evidencing an indebtedness in the amount of Forty-Six Thousand and No/100 Dollars (\$46,000.00); and

WHEREAS, Mortgagor failed to pay the installment payments under the Note when due and has defaulted on the obligations set forth in the Note and Mortgage.

NOW, THEREFORE, in exchange for Mortgagees’ covenant not to sue Mortgagor, and to release Mortgagor from obligation to pay the Note, and for other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Mortgagor does hereby grant, bargain, sell, and convey the following described property (the “Property”) to Mortgagees, absolutely and free of any right of redemption that Mortgagor has or may become entitled to:

Unit 905, in Horizon, a Condominium, as established by that certain Declaration of Condominium of Horizon, a Condominium, which is recorded in Instrument 2001-40927, to which Declaration of Condominium a plan is attached as Exhibit “A” thereto, said Plan being filed for record in Map Book 28, Page 141, in the Probate Office of Shelby County, Alabama, and to which said Declaration of Condominium

the Bylaws of Horizon Condominium Association, Inc. is attached as Exhibit "D," together with an undivided interest in the Common Elements assigned to said Unit, as shown in Exhibit "C" of said Declaration of Condominium of Horizon, a Condominium.


TO HAVE AND TO HOLD unto the Mortgagees, their heirs and assigns, forever.

And Mortgagor does for himself, his heirs and assigns, covenant with Mortgagees, their heirs and assigns, that he is lawfully seized in fee simple; that the Property is free from all encumbrances other than the Mortgage, that he has a good right to sell and convey the same, as aforesaid; and that he does warrant and will defend the same to the Mortgagees, their heirs and assigns, forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the undersigned Donald Oliver Smith has hereunto set his hand and seal as of the day and year first set forth above.

WITNESS:

Anne Marshall


Donald Oliver Smith

STATE OF ALABAMA)
COUNTY OF SHELBY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Donald Oliver Smith, an unmarried man, 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.

Anne P. Marshall
Notary Public

My Commission Expires: 3/7/2015



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 Oliver Smith
Mailing Address:
905 Morning Sun Drive
Birmingham, AL 35242

Grantee's Name:
Fred L. Brower and Karen Brower
Mailing Address:
27800 Canal Road, Unit 514
Orange Beach, AL 36561

Property Address:
905 Morning Sun Drive
Hoover, AL 35242

Date of Sale: February 20, 2014
Total Purchase Price or Actual Value or
Assessor's Market Value: \$46,000.00

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 _____
Contract _____
Other Deed in Lieu of Foreclosure

Appraisal _____
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 applicable.

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

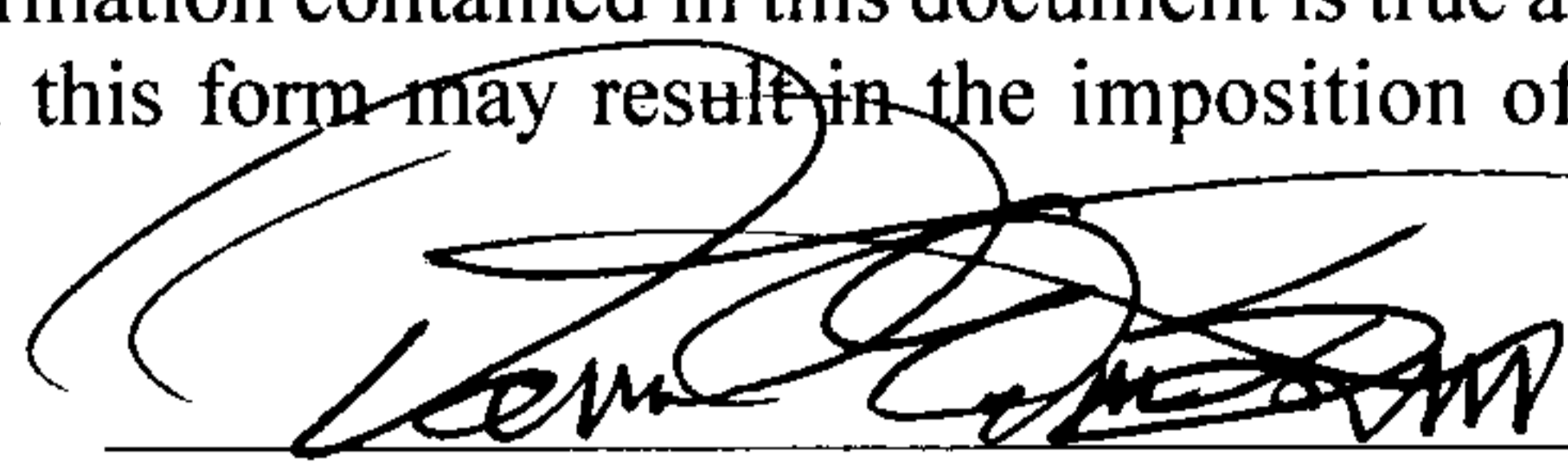
Total purchase price - the total amount paid for the purchase of the property, both real and personal, being conveyed by the instrument offered for record.

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 provide and the value must be determined, the current estimate of fair market value, excluding current use valuation, of the property as determined y 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 Section 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 Section 40-22-1 (h).

Date: 2/20/2014


Verified by Grantor - Donald Oliver Smith

