

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN
DISTRICT OF ALABAMA, SOUTHERN DIVISION

IN RE:

WHITLING HOMES, INC.,

Bankrupt.

53/
IN BANKRUPTCY

NO. 78-02184

TRUSTEE'S DEED

THIS INDENTURE, made this the 21st day of December,
1978, by and between M. CHARLES STERNE, as Trustee in Bankruptcy
of Whitling Homes, Inc., Party of the First Part, and GRADY H.
BLOODWORTH, Party of the Second Part.

WITNESSETH THAT:

WHEREAS, on, to wit: July 18, 1978, a voluntary
petition in bankruptcy was filed by the above named bankrupt in
the United States District Court for the Northern District of
Alabama, Southern Division, Case No. 78-02184; and,

WHEREAS, subsequent to the filing of said petition on,
to wit: July 31, 1978, the Party of the First Part was duly
elected Trustee of said estate, that he qualified as such Trustee
and entered into proper bond with sureties approved by Honorable
Stephen B. Coleman, Bankruptcy Judge of said Court; that the
Party of the First Part has continued to act and is now acting
and serving as such Trustee; and,

WHEREAS, said Party of the First Part did on, to wit:
November 22, 1978, petition said Court for the right to sell to
the Party of the Second Part, free and clear of liens and
encumbrances except for current year's ad valorem taxes, easements
and restrictive covenants and mineral and mining rights of record,
the below described realty at and for the sum of Forty-Nine Thousand
and 00/100 (\$49,000.00) Dollars cash; and,

WHEREAS, said Court did ratify and confirm said sale on
the terms and conditions set out herein on, to wit: December 20,
1978.

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Shelby Cnty Judge of Probate, AL
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NOW, THEREFORE, the Party of the First Part, M. Charles Sterne, as Trustee of the bankrupt estate of Whittling Homes, Inc., in consideration of the power and authority vested in him as aforesaid, and the sum of Forty-Nine Thousand and 00/100 (\$49,000.00) Dollars, of which Five Thousand Five Hundred Fifty-Four and 48/100 (\$5,554.48) Dollars was paid to the undersigned, and the further sum of Forty Thousand Three Hundred Thirteen and 71/100 (\$40,313.71) Dollars was paid by the Party of the Second Part to satisfy in full the mortgage of Birmingham Trust National Bank which was recorded in Volume 364, Page 63, in the Probate Office of Shelby County, Alabama; the further sum of Two Thousand Four Hundred Fifty and 00/100 (\$2,450.00) Dollars, which was paid by the Party of the Second Part as the real estate commission due to be paid for negotiating the sale described herein, and the further sum of \$22.81 which was paid by the Party of the Second Part to the Tax Collector of Shelby County to redeem the herein-after conveyed realty from the sale of said property for 1977 ad valorem taxes and the payment of taxes due for 1978, the receipt whereof is hereby acknowledged, does grant, bargain, sell and convey, free and clear of all liens and encumbrances, including the lien of those certain liens and recorded judgments, more particularly described as follows:

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|---|---|
| (1) Ira King
c/o Joel Watson | Lis Pendens, recorded in Volume 5, Page 600, in the Probate Office of Shelby County, Alabama. |
| (2) Valley Distributors, Inc. | Mechanic Lien Statement, recorded on April 17, 1978, in Mechanic's Lien Book 4, Page 8, Probate Office of Shelby County, Alabama. |
| (3) Warren Brothers Company
c/o Lange, Simpson, Robinson & Somerville | Mechanic Lien Statement, recorded July 19, 1978, in Mechanic's Lien Book 3, Page 516, Probate Office of Shelby County, Alabama. |
| (4) John Stanley Cataldo and
Patricia Alice Cataldo
c/o Wayne Wheeler | Mechanic Lien Statement, recorded March 28, 1978, in Book 24, Page 568, Probate Office of Shelby County, Alabama. |

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| (5) Ira L. King and Margaret S. King
c/o Daniel Spitler
Attorney at Law | Real Estate Mortgage,
recorded October 23, 1975,
in Volume 349, Page 771, Probate
Office of Shelby County, Alabama
(Trustee avers this mortgage is
junior and subordinate to the
mortgage of Birmingham Trust
National Bank, recorded in
Volume 364, Page 63). |
| (6) Wayne Door Company
c/o Dinsmore & Waites
Attorneys at Law | Recorded judgment on June 8,
1978, in Book N, Page 728,
Probate Office of Shelby County,
Alabama. |
| (7) American Marble and
Flooring Company
c/o Daniel Spitler
Attorney at Law | Recorded judgment on June 27,
1978, in Book N, Page 768,
Probate Office of Shelby County,
Alabama. |
| (8) Abel & Byrd Heating &
Roofing Company, Inc.
c/o Daniel Spitler
Attorney at Law | Recorded judgment on June 27,
1978, in Book N, Page 770,
Probate Office of Shelby County,
Alabama. |
| (9) Alvin L. Straiton, d/b/a
Mandy Plumbing
c/o Daniel Spitler
Attorney at Law | Recorded judgment on June 27,
1978, in Book N, Page 772,
Probate Office of Shelby County,
Alabama. |
| (10) Cahaba Radial Tire, Inc.
c/o Morton & Evans
Attorneys at Law | Recorded judgments on August 8,
1978, in Book N, Page 861,
Probate Office of Shelby County,
Alabama. |
| (11) Belcher-Evans Millwork Co.
c/o Morton & Evans
Attorneys at Law | Recorded judgment on May 24,
1978, in Book 25, Page 332,
Probate Office of Shelby County,
Alabama. |
| (12) State Department of Revenue
Income Tax Division
Montgomery, Alabama 36130 | Tax Lien, recorded on
August 10, 1978, in Book N,
Page 871, Probate Office of
Shelby County, Alabama. |

but excepting current year's ad valorem taxes and the following
easements, restrictive covenants and reservations of mineral and
mining rights of record as follows:

- (1) Building line as shown by recorded map.
- (2) Easement as shown by recorded map.
- (3) Restrictions contained in Misc. Book 15, Page 892,
and Misc. Book 16, Page 361, in the Probate Office of Shelby County,
Alabama.
- (4) Agreement with Alabama Power Company, recorded in
Misc. Volume 16, Page 354, in the Probate Office of Shelby County,
Alabama.

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(5) Easement to Alabama Power Company, recorded in Volume 55, Page 454; Volume 225, Page 224; Volume 299, Page 150; Volume 299, Page 156; Volume 299, Page 132; Volume 299, Page 138 and Volume 299, Page 144, in the Probate Office of Shelby County, Alabama.

unto the Party of the Second Part, Grady H. Bloodworth, the following described real estate, situated in Shelby County, Alabama, to wit:

Lot 44, according to the survey of Kingwood, First Addition, as recorded in Map Book 6, Page 90, in the Probate Office of Shelby County, Alabama.

TO HAVE AND TO HOLD unto the said GRADY H. BLOODWORTH, his heirs and assigns forever.

IN WITNESS WHEREOF, the Party of the First Part has hereunto set his hand and seal this 21st day of December, 1978.

STATE OF ALA. SHELBY CO.
I CERTIFY THIS INSTRUMENT WAS FILED

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See Pky 387-369

Recd. 2.50
6.00
1.00
9.50

M. Charles Sterne
M. CHARLES STERNE, as Trustee of the Bankrupt Estate of Whitling Homes, Inc.

Thomas A. Snowden, Jr.
JUDGE OF PROBATE
(STATE OF ALABAMA)
(JEFFERSON COUNTY)

I, the undersigned, a Notary Public, in and for said State and County, hereby certify that M. Charles Sterne, whose name as Trustee of the Bankrupt Estate of Whitling Homes, Inc., 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 the conveyance, he, in his capacity as such Trustee, executed the same voluntarily on the day the same bears date.

Given under my hand and seal this 21st day of December, 1978.

Sam P. Brown
NOTARY PUBLIC

APPROVED:

Stephen B. Coleman
STEPHEN B. COLEMAN
BANKRUPTCY JUDGE

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Shelby Cnty Judge of Probate, AL
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This Instrument was prepared by:
J. N. Holt, Holt & Cooper, Attorneys at Law
203 Frank Nelson Building, Birmingham, Alabama 35203
322-4551