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

IN RE:	)	
	)	IN BANKRUPTCY
WHITLING HOMES, INC.,	)	
	)	NO. 78-02184
Bankrupt.	)	

19790606000069350 1/7 $.00
Shelby Cnty Judge of Probate,AL
06/06/1979 12:00:00AM FILED/CERT

TRUSTEE'S DEED

THIS INDENTURE, made this the 15th day of May, 1979, by and between M. CHARLES STERNE, as Trustee in Bankruptcy of Whitling Homes, Inc., Party of the First Part, and WILLIAM P. TURNIPSEED and HORACE WALKER PEERSON, Parties 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: April 30, 1979, petition said Court for the right to sell to the Parties 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 One Hundred Ninety-Five Thousand and 00/100 ($195,000.00) Dollars cash; and,

WHEREAS, said Court did ratify and confirm said sale on the terms and conditions set out herein on, to wit: May 15, 1979.

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NOW, THEREFORE, the Party of the First Part, M. Charles Sterne, as Trustee of the bankrupt estate of Whitling Homes, Inc., in consideration of the power and authority vested in him as aforesaid, and the sum of One Hundred Ninety-Five Thousand and 00/100 ($195,000.00) Dollars, of which Nineteen Thousand Five Hundred and 00/100 ($19,500.00) Dollars was paid to the undersigned and the further sum of One Hundred Seventy-Five Thousand Five Hundred and 00/100 ($175,500.00) Dollars was paid by the Party of the Second Part to satisfy in full the mortgages of Birmingham Trust National Bank which were recorded in Volume 378, Page 196; Volume 368, Page 721; Volume 372, Page 286; Volume 372, Page 965 and Volume 372, Page 608, in the Probate Office of Shelby County, Alabama, 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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AS TO PARCEL I

(1)	Parker Supply Co., Inc.	Mechanic Lien Statement, recorded February 7, 1978, in Mechanic Lien Book 3, Page 544, Probate Office of Shelby County, Alabama.
(2)	Alpha Lumber Company	Mechanic Lien Statement, recorded March 10, 1978, in Mechanic Lien Book 3, Page 573, Probate Office of Shelby County, Alabama.
(3)	Valley Distributors	Mechanic Lien Statement, recorded April 17, 1978, in Mechanic Lien Book 4, Page 7, Probate Office of Shelby County, Alabama.
(4)	Belcher-Evans Millwork Co.	Judgment establishing lien, recorded May 31, 1978, in Mechanic Lien Book 4, Page 33, Probate Office of Shelby County.
(5)	Abel & Byrd Heating & Roofing Co.	Mechanic Lien Statement, recorded June 14, 1978, in Mechanic Lien Book 4, Page 43, Probate Office of Shelby County, Alabama.

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(6)	Abel & Byrd Heating & Roofing Co., Inc.	Mechanic Lien Statement, recorded June 14, 1978, in Mechanic Lien Book 4, Page 44, Probate Office of Shelby County, Alabama.
(7)	Woodcraft Kitchens, Inc.	Mechanic Lien Statement, recorded June 15, 1978, in Mechanic Lien Book 4, Page 45, Probate Office of Shelby County, Alabama.
(8)	Abel & Byrd Heating & Roofing Co., Inc.	Mechanic Lien Statement, recorded June 14, 1978, in Mechanic Lien Book 4, Page 55, Probate Office of Shelby County, Alabama.

AS TO PARCEL II

(1)	Parker Supply Co., Inc.	Mechanic Lien Statement, recorded February 7, 1978, in Mechanic Lien Book 3, Page 545, Probate Office of Shelby County, Alabama.
(2)	Parker Supply Co., Inc.	Mechanic Lien Statement, recorded February 13, 1978, in Mechanic Lien Book 3, Page 548, Probate Office of Shelby County, Alabama.
(3)	Alpha Lumber, Inc.	Mechanic Lien Statement, recorded March 10, 1978, in Mechanic Lien Book 3, Page 575, Probate Office of Shelby County, Alabama.
(4)	Cobern Electric Company	Mechanic Lien Statement, recorded March 13, 1978, in Mechanic Lien Book 3, Page 581, Probate Office of Shelby County, Alabama.
(5)	Parker Supply Co., Inc.	Mechanic Lien Statement, recorded March 16, 1978, in Mechanic Lien Book 3, Page 586, Probate Office of Shelby County, Alabama.
(6)	Valley Distributors	Mechanic Lien Statement, recorded March 16, 1978, in Mechanic Lien Book 4, Page 4, Probate Court of Shelby County, Alabama.
(7)	Cahaba Materials Co., Inc.	Mechanic Lien Statement, recorded May 19, 1978, in Mechanic Lien Book 4, Page 26, Probate Office of Shelby County, Alabama.
(8)	Oak Mountain Ready Mix, Inc.	Mechanic Lien Statement, recorded May 31, 1978, in Mechanic Lien Book 4, Page 29, Probate Office of Shelby County, Alabama.

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(9)	Parker Supply Co., Inc.	Mechanic Lien Statement, recorded June 19, 1978, in Mechanic Lien Book 4, Page 46, Probate Office of Shelby County, Alabama.

AS TO PARCEL III

(1)	Parker Supply Co., Inc.	Mechanic Lien Statement, recorded February 7, 1978, in Mechanic Lien Book 3, Page 542, Probate Office of Shelby County, Alabama.
(2)	Alpha Lumber, Inc.	Mechanic Lien Statement, recorded March 10, 1978, in Mechanic Lien Book 3, Page 577, Probate Office of Shelby County, Alabama.
(3)	Valley Distributors, Inc.	Mechanic Lien Statement, recorded April 17, 1978, in Mechanic Lien Book 4, Page 1, Probate Office of Shelby County, Alabama.
(4)	Cahaba Materials Co., Inc.	Mechanic Lien Statement, recorded May 19, 1978, in Mechanic Lien Book 4, Page 23, Probate Office of Shelby County, Alabama.
(5)	Oak Mountain Ready Mix, Inc.	Mechanic Lien Statement, recorded May 31, 1978, in Mechanic Lien Book 4, Page 32, Probate Office of Shelby County, Alabama.
(6)	Belcher-Evans Millwork Co.	Judgment establishing lien, recorded May 31, 1978, in Mechanic Lien Book 4, Page 33, Probate Office of Shelby County, Alabama.
(7)	Abel & Byrd Heating & Roofing Co., Inc.	Mechanic Lien Statement, recorded June 14, 1978, in Mechanic Lien Book 4, Page 40, Probate Office of Shelby County, Alabama.
(8)	Abel & Byrd Heating & Roofing Co., Inc.	Judgment establishing lien, recorded August 8, 1978, in Mechanic Lien Book 4, Page 59, Probate Office of Shelby County, Alabama.

AS TO ALL PARCELS

(1)	Belcher-Evans Millwork Co.	Recorded Judgment, recorded April 12, 1978, in Book N, Page 655, Probate Office of Shelby County, Alabama.
(2)	American Marble & Flooring Company, Inc.	Recorded Judgment, recorded June 27, 1978, in Book N, Page 768, Probate Office of Shelby County, Alabama.

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(3)	Abel & Byrd Heating & Roofing Co., Inc.	Recorded Judgment, recorded June 27, 1978, in Book N, Page 770, Probate Office of Shelby County, Alabama.
(4)	Alvin L. Straiton, Jr., d/b/a Mandy Plumbing Co.	Recorded Judgment, recorded June 27, 1978, in Book N, Page 772, Probate Office of Shelby County, Alabama.
(5)	Cahaba Radial Tire, Inc.	Recorded Judgment, recorded August 8, 1978, in Book N, Page 861, Probate Office of Shelby County, Alabama.
(6)	Belcher-Evans Millwork Co., Inc.	Recorded Judgment, recorded May 24, 1978, in Book 25, Page 332, Probate Office of Shelby County, Alabama.
(7)	State Department of Revenue	Tax Lien, recorded August 10, 1978, in Book N, Page 871, Probate Office of Shelby County, Alabama.
(8)	State Department of Revenue	Tax Lien, recorded Febuary 7, 1979, in Book O, Page 294, Probate Office of Shelby County, Alabama.
(9)	Land Title Company of Alabama	Recorded Judgment, recorded March 28, 1979, in Book O, Page 402, Probate Office of Shelby County, Alabama.

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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) 10' easement rear (Parcel I & II); on southwest and northwest (Parcel III) and on south and east (Parcel IV) as shown by recorded map.

(2) Mineral and mining rights and rights incident thereto recorded in Vol. 127, Page 140, in the Probate Office of Shelby County, Alabama. (Parcels I, II & III)

(3) Restrictions recorded in Vol. 17, Page 550; and Misc. Vol. 22, Page 758, in said Probate Office. (Parcel I)

(4) Easement to South Central Bell recorded in Vol. 300, Page 254, in said Probate Office. (Parcel I)

(5) Agreement to Alabama Power Company recorded in Misc. Volume 23, Page 626, in the Probate Office of Shelby County, Alabama. (Parcel II & IV)

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(6) Restrictions recorded in Misc. Vol. 22, Page 762, in said Probate Office, and Misc. Vol. 14, Page 546, Misc. Vol. 17, Page 550, and Misc. Vol. 19, Page 633. (Parcel II & III)

(7) Easement to Riverchase Sewer Service recorded in Misc. Vol. 16, Page 989, in said Probate Office. (Parcel II)

(8) Easement to Shelby County Health Department Misc. Vol. 29, Page 516, in said Probate Office. (Parcel III)

(9) Restrictions recorded in Misc. Volume 17, Page 550, Misc. Volume 14, Page 536 and Misc. Volume 19, Page 633, Misc. Vol. 29, Page 398 and Misc. Vol. 22, Page 744, in said Probate Office. (Parcel IV)

(10) Mineral and mining rights and rights incident thereto recorded in Volume 127, Page 525, in said Probate Office. (Parcel IV)

(11) Right of way to South Central Bell recorded in Volume 307, Page 658, in said Probate Office. (Parcel IV)

(12) Easement to Alabama Power Company recorded in Misc. Vol. 311, Page 811, in said Probate Office. (Parcel IV)

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unto the Parties of the Second Part, WILLIAM P. TURNIPSEED and HORACE WALKER PEERSON, the following described real estate, situated in Shelby County, Alabama, to wit:

PARCEL I

Lot 21, according to the survey of the Amended Map of First Addition to Riverchase Country Club Residential Subdivision, as recorded in Map Book 7, Page 115, in the Probate Office of Shelby County, Alabama.

PARCEL II

Lot 2, according to the survey of Second Addition to Riverchase Country Club, as recorded in Map Book 6, Page 145, in the Probate Office of Shelby County, Alabama.

PARCEL III

Lot 20, according to the survey of Second Addition to Riverchase Country Club, as recorded in Map Book 6, Page 145, in the Probate Office of Shelby County, Alabama.

PARCEL IV

Lot 41, according to the amended map of Riverchase Country Club, as recorded in Map Book 7, Page 114, in the Probate Office of Shelby County, Alabama.

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Parcels I, II and III consist of a partially erected house and lot and Parcel IV consist of an unimproved lot.

TO HAVE AND TO HOLD unto the said WILLIAM P. TURNIPSEED and HORACE WALKER PEERSON, their heirs and assigns forever.

IN WITNESS WHEREOF, the Party of the First Part has hereunto set his hand and seal this 15th day of May, 1979.

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

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 15 day of May, 1979.

NOTARY PUBLIC

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APPROVED:

STEPHEN B. COLEMAN
BANKRUPTCY JUDGE

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

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