

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 that certain mortgage executed on the 9th day of March, 1978, by Gilbert Construction Company, Inc. to Birmingham Trust National Bank, recorded in the Office of the Judge of Probate, Shelby County, Alabama in Book 375, Page 646, so that by the terms of said mortgage, the same became subject to foreclosure; and

WHEREAS, after such default and acting under the power of sale contained in said mortgage, 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 18th day of August, 1981, sell the hereinafter described land conveyed by said mortgage 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 July 23 and 30, and August 6, 1981; and

WHEREAS, at said Courthouse door at 12:00 o'clock noon on the 18th day of August, 1981, said Birmingham Trust National Bank did proceed to sell the hereinafter described land in strict compliance with the terms of the power 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 Seventy-three Thousand, Three Hundred Fifty-one and no/100 Dollars (\$73,351.00) which was the highest bid therefor; whereupon said land was sold to Birmingham Trust National Bank.

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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:

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 18th day of August, 1981.

BIRMINGHAM TRUST NATIONAL BANK,
MORTGAGEE

By:


James R. Beaird
Its Senior Vice President

GILBERT CONSTRUCTION COMPANY, INC.,
MORTGAGOR

By: BIRMINGHAM TRUST NATIONAL BANK

By:


James R. Beaird
Its Senior Vice President

334 897

Exhibit A
to
Foreclosure Deed

Begin at the Northeast corner of the Northeast quarter of the Southwest quarter of Section 13, Township 19 South, Range 2 West, Shelby County, Alabama; thence west along the north line of said quarter-quarter section a measured distance of 555.69 feet to a point of the easterly right of way line of Cahaba Valley Rd.; thence an angle of $56^{\circ} 24'$ to the left and run southwesterly a distance of 109.68 feet to a point of curve to the left having a radius of 1858.62 feet and a central angle of $13^{\circ} 06'$; thence continue southwesterly along arc of said curve to a point of tangent a distance of 424.95 feet; thence continue southwesterly along said easterly right of way a distance of 398.46 feet; thence turn an angle of $110^{\circ} 29'$ to the left and run east a distance of 985.36 feet to a point on the east line of said quarter-quarter section; thence turn an angle of $92^{\circ} 15' 30''$ to the left and run north along eastline of said quarter-quarter section a distance of 843.31 feet to the point of beginning; Less and except right of way of Oak Mountain Park Road as construction with an 80' right of way.

LESS AND EXCEPT:

Lots 2, 3, 7, 13, 14, 15 and 16, according to the map and survey of Double Tree, as recorded in Map Book 7, page 79, in the Probate Office of Shelby County, Alabama.

ALSO LESS AND EXCEPT:

A parcel of land situated in the NE $1/4$ of the SW $1/4$ of Section 13, Township 19 South, Range 2 West, Shelby County, Alabama and being more particularly described as follows:

Commence at the northeast corner of the NE $1/4$ of the SW $1/4$ of Section 13, Township 19 South, Range 2 West, Shelby County, Alabama and run southerly along the east line of said $1/4-1/4$ for 331.56 feet to a point on the easterly right of way line of Oak Mountain Park Road (said right of way being 80' wide), said point being the point of beginning of the parcel herein described; thence continue southerly along last described course for 511.60 feet; thence $92^{\circ} 30'$ right and in a westerly direction for 346.69 feet to a point on the easterly right of way of Oak Mountain Park Road, said point being situated on a curve to the right, running, northeasterly, said curve having a radius of 904.11 feet and a central angle of $15^{\circ} 49' 36''$; thence $118^{\circ} 04' 48''$ right to the chord of said curve and in a northeasterly direction along the arc of said curve and said right of way line for 249.74 feet to the end of said curve; thence at tangent to said curve continue northeasterly along said right of way line for 270.82 feet to the beginning of a curve to the left, said curve having a radius of 1031.56 feet and central angle of $4^{\circ} 49' 30''$; thence continue northeasterly along the arc of said curve and said easterly right of way line of Oak Mountain Park Road for 86.87 feet to the end of said curve and to the point of beginning.

The above-described property being transferred is also known as Lots 1, 4, 5, 6, 8, 9, 10, 11, and 12 according to the map and survey of Double Tree, as recorded in Map Book 7, Page 79, in the Probate Office of Shelby County, Alabama.

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 officer 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 18th day of August, 1981.

Patricia H. Lloyd
Notary Public

My Commission Expires Dec. 31, 1982

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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 Gilbert Construction Company, Inc., Mortgagor, 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 Gilbert Construction Company, Inc., Mortgagor, as aforesaid.

Given under my hand and official seal this 18th day of August, 1981.

Patricia H. Lloyd
Notary Public

My Commission Expires Dec. 31, 1982

This instrument was prepared by:

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

RECEIVED
1981 SEP -1 AM 9:28

Foreclosure
James A. Hickman, Jr.
JUDGE OF PROBATE

Rec. 600
700