

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 24th day of February, 1978, respectively by River Oaks Dev., Inc. to Birmingham Trust National Bank, a national banking association of Birmingham, Alabama, and those certain mortgages executed on the 4th day of March, 1979 and 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 962, Book 375, Page 127, Book 393, Page 413 and Book 396, Page 727, respectively, so that by the terms of said mortgages, the same became subject to foreclosure; and

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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

B.S.A.B.

Trust National Bank, a national banking association did bid for said land the sum of Four Hundred Fifteen Thousand, Five Hundred Eighty and no/100 Dollars (\$415,580.00) which was the highest and best bid therefore; 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:

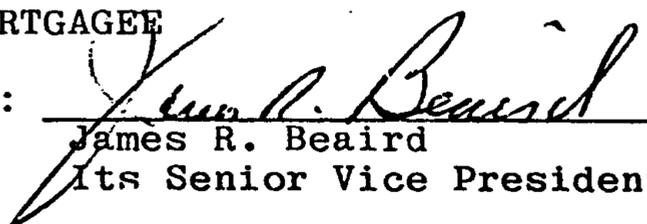
That certain real estate located in Shelby County, Alabama, as described in Exhibit A attached hereto and incorporated herein by reference and made a part hereof.

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. Beard, 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

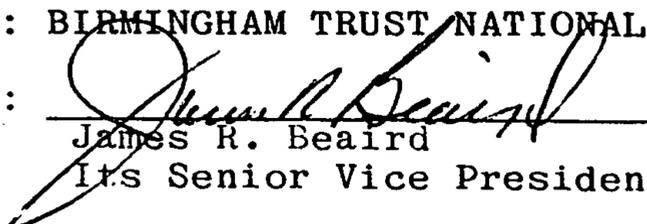
By: 

James R. Beard

Its Senior Vice President

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

By: BIRMINGHAM TRUST NATIONAL BANK

By: 

James R. Beard

Its Senior Vice President

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STATE OF ALABAMA)
) ACKNOWLEDGMENT
JEFFERSON COUNTY)

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that James R. Beard, 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 20th day of October, 1981.

Patricia H. Lloyd

Notary Public

My Commission Expires Dec. 11, 1982

STATE OF ALABAMA)
) ACKNOWLEDGMENT
JEFFERSON COUNTY)

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that James R. Beard, 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

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Exhibit A
Mortgage by River Oaks Dev., Inc. and
Acres, Inc. to BTNB
(Quail Run, Phase III)

19811103000116910 Pg 4/4 .00
Shelby Cnty Judge of Probate, AL
11/03/1981 00:00:00 FILED/CERTIFIED

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A parcel of land located in the SW 1/4 of the SW 1/4 and the NW 1/4 of the SW 1/4 of Section 29, Township 19 South, Range 2 West, the SE 1/4 of the SE 1/4 and the NE 1/4 of the SE 1/4 of Section 30, Township 19 South, Range 2 West, Shelby County, Alabama, more particularly described as follows: Begin at the SW corner of said Section 29, thence in an Easterly direction along the South line of said Section 29, a distance of 1227.23 feet, thence 91° 16' 47" left, in a Northerly direction, a distance of 1357.54 feet, thence 88° 43' 31" left, in a Westerly direction, a distance of 1226.13 feet, thence 1° 12' 14" right, in a Westerly direction, a distance of 309.62 feet to a point on the Easterly line of the proposed Interstate Highway 65, thence 83° 26' 39" left in a Southwesterly direction, along the Easterly right-of-way line of said Highway 65, a distance of 884.45 feet, thence 12° 00' 3" right, in a Southwesterly direction, along said right-of-way line, a distance of 106.33 feet to the beginning of a curve to the left, said curve having a radius of 11,309.16 feet and a central angle of 1° 55' 07", thence 22° 20' 54" left, measured to tangent, in a Southerly direction, along said right-of-way line, and along arc of said curve a distance of 378.74 feet to a point on the South line of the SW 1/4 of the SE 1/4 of Section 30, Township 19 South, Range 2 West, thence 84° 22' 55" left, in an Easterly direction, along the South line of said 1/4 - 1/4 section, a distance of 470.77 feet to the point of beginning.

EXCEPT 0.80 acres, identified as Tract No. 43, a State of Alabama Highway Department Project No. I-65-2(37), dated May 25, 1976.

ALSO LESS AND EXCEPT:

Lots 2, 4, 10 through 13, 18, 34, 41, 43, 47 through 49, 56, 57, and 59, according to the survey of Quail Run, Phase III, as recorded in Map Book 7, Page 159, in the Probate Office of Shelby County, Alabama.

The above described property includes Lots 1, 3, 5, 6, 7, 8, 9, 14, 15, 16, 17, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 35, 36, 37, 38, 39, 40, 42, 44, 45, 46, 49(A), 50, 51, 52, 53, 54, 55, and 58, according to the to the survey of Quail Run, Phase III, as recorded in Map Book 7, Page 159, in the Probate Office of Shelby County, Alabama.

STATE OF ALA. SHELBY CO.
I CERTIFY THIS

1981 NOV -3 AM 8:32

Thomas G. Lancaster, Jr.
JUDGE OF PROBATE

Rec. 6⁰⁰/₁₀₀
Ind. 1⁰⁰/₁₀₀
700