

This instrument prepared by:  
Michael L. Hall  
Johnston, Barton, Proctor,  
Swedlaw & Naff  
1100 Park Place Tower  
Birmingham, Alabama 35203

873

DEED

STATE OF ALABAMA )

SHELBY COUNTY )

KNOW ALL MEN BY THESE PRESENTS, That in consideration of credit of Sixty Thousand Dollars (\$60,000.00) on the indebtedness secured by hereinafter described mortgage, the credit of which is acknowledged, the undersigned BURNETT BUILDING SERVICES, INC., a corporation ("Grantor"), does by these presents, grant, bargain, sell and convey unto ENGEL MORTGAGE COMPANY, INC., a corporation ("Grantee"), the following described real estate, situated in Shelby County, Alabama, to-wit:

Lot 20, according to the survey of Portsouth, Third Sector, as recorded in Map Book 7, Page 110, in the Probate Office of Shelby County, Alabama. Mineral and mining rights excepted.

SUBJECT TO:

(1) Current taxes; (2) Title to all minerals within and underlying the premises, together with all mining rights, privileges and immunities relating thereto as described in Deed Book 259, Page 171 and Deed Book 246, Page 97; (3) Right-of-way to Colonial Pipe Line recorded in Deed Book 223, Page 431; (4) Public utility easements as shown by record plat; (5) Building setback line of 35 feet reserved from Tradewinds Circle on Lot 20 and 35 feet reserved from Spinnaker Lane and Tradewinds Circle on Lot 22; (6) Right of way and easement to Alabama Power Co. recorded in Deed Book 318, Page 11; (7) Restrictions, covenants and conditions contained in Misc. Book 29, Page 557; (8) Agreement for underground Residential Distribution with Alabama Power Co. recorded in Misc. Book 29, Page 440; (9) Restrictive covenants pertaining to said Underground Distribution line recorded in Misc. Book 29, Page 406; (10) Plantation Pipe Line easement as shown by Deed Book 112, Page 320 and Misc. Book 26, Page 104.

TO HAVE AND TO HOLD the above described property unto the Grantee, together with all and singular tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining unto his successors and assigns forever.

This deed is a deed in lieu of foreclosure of a mortgage executed on the 22nd day of February, 1980 by Burnett Building Services, Inc., as mortgagee, to Engel Mortgage

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Company, Inc., as mortgagee, which said mortgage was recorded in Real Book 400 at page 837 in the Probate Court of Shelby County, Alabama, which mortgage is presently in default and subject to foreclosure. At the request of Grantor, Grantee has agreed to accept this deed in lieu of foreclosing said mortgage and it is the intent and purpose of this deed that it have the same effect as though said mortgage had been duly foreclosed on the date hereof in accordance with the power of sale contained in said mortgage, with Grantee being the highest bidder and the purchaser at said foreclosure sale at and for a purchase price of Sixty Thousand Dollars (\$60,000.00), which sum has been credited against the indebtedness secured by said mortgage.

IN WITNESS WHEREOF, the said Burnett Building Services, Inc., has caused these presents to be executed on this the 22nd day of June, 1982.

BURNETT BUILDING SERVICES, INC.  
Grantor

By Marvin Burnett  
President

STATE OF ALABAMA     )  
SHELBY COUNTY         )

I, the undersigned, a Notary Public in and for said county in said state hereby certify that Marvin Burnett, whose name as the President of Burnett Building Services, Inc., is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this date, that he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal this the 22nd day of June, 1982.

Donna Jo Penn  
NOTARY PUBLIC

My Commission Expires: 5-25-83

RECEIVED ALA. SHELBY CO.  
I CERTIFY THIS  
DEED WAS FILED  
in lieu of foreclosure  
1982 JUN 24 AM 10:44  
Thomas A. Saunders, Jr.  
CLERK OF PROBATE

Rec. 300  
Ind. 100  
400

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