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FORECLOSURE DEED

STATE OF ALABAMA
SHELBY COUNTY

KNOW ALL MEN BY THESE PRESENTS:

THAT, WHEREAS, default having been made in the payment of the indebtedness secured by that certain promissory note and real estate mortgage securing payment of the same, executed by Ken Mitchell Builders, Inc., a Corporation, hereinafter referred to as "mortgagor", to Robert E. Lee, Mary Nell Littlefield, and Louella L. Honeycutt, individually, and as Trustees of the Last Will and Testament of Tom Lee, deceased, hereinafter referred to as "mortgagees", and recorded in Real Book 087, pages 937-938, in the Probate Records of Shelby County, Alabama, said mortgage having subsequently been assigned and transferred by said Louella L. Honeycutt and Mary Nell Littlefield, individually, and as Trustees of the Last Will and Testament of Tom Lee, deceased, to Robert E. Lee, individually, and as Trustee of the Last Will and Testament of Tom Lee, deceased, hereinafter referred to as "Holder of Mortgage", by assignment of mortgage document dated September 18, 1990, and recorded in Real Book 310, pages 358-360 in said Probate Office, which mortgage described the real estate hereinafter set out; and

WHEREAS, said real estate mortgage provided that the real estate described therein should be sold at public outcry to the highest bidder for cash after giving twenty-one days' notice by publication once a week for three consecutive weeks of the time, place and terms of sale, by publishing the same in a newspaper published in Shelby County, Alabama, in order to pay the sums remaining unpaid under the terms of said promissory note and mortgage after maturity or default of the same; and

WHEREAS, said holder of mortgage did cause notice of the time, place and terms of sale of said real estate to be given in full compliance with the law of the State of Alabama, in The Shelby County Reporter in the issues of said paper published in Shelby County, Alabama, on October 17, 1990, October 24, 1990, and October 31, 1990, and

WHEREAS, in accordance with said notice and under the power of sale contained in said real estate mortgage, the real estate described in said mortgage was duly offered for sale at public outcry to the highest and best bidder, for cash, in front of the Shelby County Courthouse door (front entrance) in Columbiana, Alabama, at 11:30 o'clock a.m., on the 6th day of November, 1990, and at said sale, said real estate was purchased by Robert E. Lee, individually, and as Trustee of the Last Will and Testament of Tom Lee, deceased for the sum of Five Hundred Forty-four Thousand, One Hundred Ninety-six & 74/100 (\$544,196.74) Dollars which said sum of money was the highest and best bid for said real estate at said sale;

NOW, THEREFORE, in consideration of the premises, and of the payment of the sum of the above bid sum, by crediting the same upon the mortgaged indebtedness secured by said mortgage, said mortgagor, said mortgagees, and said holder of mortgage, and J. Frank Head, as Auctioneer, do hereby grant, bargain, sell and convey unto the said Robert E. Lee, individually, and as Trustee of the Last Will and Testament of Tom Lee, deceased, hereinafter referred to as grantee, the following described real estate lying and situated in Shelby County, Alabama, to-wit:

Parcel B:

Commence at the SE corner of the NW 1/4 of the SE 1/4, Section 12, Township 20 South, Range 3 West; thence North 89 deg. 53' 05" W and run 900.88 feet along 1/4-1/4 line to the point of beginning; thence continue along last described course 400.55 feet; thence N 89 deg. 56' 47" W 265.47 feet; thence N 25 deg. 49' 04" E and run 680.71 feet; thence S 64

deg. 10' 56" E and run 600.00 feet; thence S 25 deg. 49' 04" W and run 391.60 feet to the point of beginning. Containing 7.39 acres.

Parcel C:

Commence at the SE corner of the NW 1/4 of the SE 1/4, Section 12, Township 20 South, Range 3 W for the point of beginning; thence N 89 deg. 53' 05" W and run 900.88 feet along 1/4-1/4 line; thence N 25 deg. 49' 04" E and run 1036.39 feet; thence turn right and run along the arc of a curve to the left having a central angle of 45 deg. 24' 57" and a radius of 404.87 feet run 320.92 feet; thence N 45 deg. 49' 19" E and run 179.97 feet; thence S 1 deg. 28' 48" E and run 1177.10 feet to the point of beginning. Containing 15.1 acres.

Parcel D:

Commence at the SW corner of the NE 1/4 of the SE 1/4, Section 12, Township 20 South, Range 3 W for the point of beginning; thence N 89 deg. 14' 34" E and run along 1/4-1/4 line 1295.72 feet; thence N 0 deg. 19' 40" W and run 1304.44 feet; thence S 89 deg. 57' 41" W and run 821.41 feet to a point on the South R/W of Ridge Drive (said point being on a curve to the right and having a central angle of 56 deg. 30' 14" and a radius of 165.98 feet); thence along arc of said curve run 163.69 feet; thence N 77 deg. 18' 50" W and run 64.53 feet; thence left and along the arc of a curve having a central angle of 27 deg. 57' 31" and a radius of 289.64 feet and run 141.33 feet; thence S 73 deg. 42' 27" W and run 11.48 feet; thence left and along the arc of a curve having a central angle of 27 deg. 35' 52" and a radius of 131.20 feet and run 63.20 feet; thence S 45 deg. 49' 19" W and run 108.73 feet; thence S 1 deg. 28' 48" E and run 1177.10 feet to the point of beginning. Containing 38.95 acres.

According to survey of Robert C. Farmer, Registered Land Surveyor, dated July 27, 1988, said separate parcels being a part of the property as described in said mortgage recorded in Real Book 087 at page 937, Office of Judge of Probate of Shelby County, Alabama.

TO HAVE AND TO HOLD the above described premises unto the said grantee and grantee's heirs, successors and assigns, forever.

IN WITNESS WHEREOF, said mortgagees, Robert E. Lee, Mary Nell Littlefield, and Louella L. Honeycutt, individually, and as Trustees of the Last Will and Testament of Tom Lee, deceased, and said holder of mortgage, Robert E. Lee, individually, and as Trustee of the Last Will and Testament of Tom Lee, deceased, acting by and through J. Frank Head, Attorney in Fact and Auctioneer, and J. Frank Head, Attorney in Fact, have hereunto set their hands and seals on this the 6th day of November, 1990.

Robert E. Lee, Mary Nell Littlefield, and Louella L. Honeycutt, individually, and as Trustees of the Last Will and Testament of Tom Lee, deceased, and Robert E. Lee, individually, and as Trustee of the Last Will and Testament of Tom Lee, deceased

By

J. Frank Head
Attorney in Fact and Auctioneer

J. FRANK HEAD

By

J. Frank Head
Auctioneer

STATE OF ALABAMA

SHELBY COUNTY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that J. Frank Head, who is known to me, and whose name as Attorney in Fact and Auctioneer is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance, he, as such Attorney in Fact and as such Auctioneer, executed the same voluntarily on the day the same bears date.

Given under my hand and seal this the 6th day of November, 1990.

Paula R. Thompson
Notary Public

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1. Deed Fee	7.50
2. Notary Fee	3.75
3. Recording Fee	1.75
4. Title Insurance	
5. Other Fees	
6. Total	12.50

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

90 NOV -6 PM 2:25

JUDGE OF PROBATE