

This instrument was prepared by:  
(Name) Daniel M. Spitler, P.C.  
(Address) 108 Chandalar Drive  
Pelham, AL 35124

Send Tax Notice to:  
(Name) \_\_\_\_\_  
(Address) \_\_\_\_\_

**QUIT CLAIM DEED**

**STATE OF ALABAMA**  
**SHELBY COUNTY }**

KNOW ALL MEN BY THESE PRESENTS, That in consideration of Twenty Thousand and No/100 DOLLARS

to the debtor in possession, Daniel M. Spitler, Case No. 90-03254 in hand paid  
by Janice C. Spitler the receipt whereof  
is hereby acknowledged I to remise, release, quit claim and convey to the said Janice C. Spitler,

all my

right, title, interest, and claim in or to the following described real estate, to wit:

See Exhibit "A" attached hereto and incorporated herein for legal description.

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See Exhibit "B" attached hereto and incorporated herein, for  
motion for authority to sell property by private sale

See Exhibit "C" attached hereto and incorporated herein  
for Order for sale (Exhibit "B").

situated in Shelby County, Alabama.

TO HAVE AND TO HOLD to the said Janice C. Spitler,

heirs and assigns forever.

Given under my hand and seal this 26th day of November, A.D. 1990

Executed and delivered in the presence of

Daniel M. Spitler (Seal)  
Daniel M. Spitler, Debtor in Possession  
(Seal)  
(Seal)  
(Seal)

**THE STATE OF ALABAMA**

**Shelby County }**

I, the undersigned, a Notary Public

in and for said County in said State, hereby certify that Daniel M. Spitler, debtor in possession and  
husband of Janice C. Spitler, Grantee

whose name 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 executed  
the same voluntarily on the day the same bears date.

Given under my hand, this 26th day of November, 1990

## EXHIBIT "A"

A parcel of land located in the SW 1/4 of SE 1/4 of Section 1, and the NW 1/4 of the NE 1/4 of Section 12, all in Township 20 South, Range 3 West, Shelby County, Alabama, more particularly described as follows: Commence at the Northeast corner of said NW 1/4 of the NE 1/4 of said Section 12; thence in a Westerly direction, along the North line of said Section 12, a distance of 460.13 feet to the point of beginning; thence 45 deg. 26 min. 42 sec. left, in a Southwesterly direction along the Northwesternly line of Lot 2, of Chandalar South Office Park, as recorded in Map Book 6 page 135 in the Office of the Judge of Probate in Shelby County, Alabama, a distance of 75.36 feet to the Northeastly right of way line of Chandalar Drive, said point being on a curve to the left, said curve having a central angle of 20 deg. 24 min. 06 sec. and a radius of 448.65 feet; thence 90 deg. right, measured to tangent of said curve; thence along arc of said curve and said right of way, in a Northwesternly direction a distance of 159.75 feet; thence 95 deg. 25 min. 28 sec. right, measured from tangent of said curve, in a Northeasterly direction, along the center line of a sanitary sewer, a distance of 145.56 feet; thence 115 deg. 48 min. 40 sec. right, in a Southeasterly direction, along the Southwesterly right of way line of a

100 foot wide Alabama Power Company easement, a distance of 197.55 feet to the point of beginning; being situated in Shelby County, Alabama. Subject to a 5 foot easement for sewer along the Westerly boundary line of subject property.

All being situated in Shelby County, Alabama.

EXHIBIT "B"

UNITED STATES BANKRUPTCY COURT  
THE NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION

FILED

OCT 18 1990

Clerk, U. S. Bankruptcy Court  
Northern District of Alabama  
Deputy Clerk

IN THE MATTER OF:

DANIEL M. SPITLER,

DEBTOR.

CASE NO. 90-03254

CHAPTER 11

DEBTOR-IN-POSSESSION'S MOTION FOR AUTHORITY  
TO SELL PROPERTY OF THE ESTATE BY PRIVATE SALE  
FREE AND CLEAR OF LIENS AND OTHER INTERESTS

Pursuant to Bankruptcy Code Section 363(f) and Bankruptcy Rules 2002(a)(2), (c)(1) and 6004(c), the Debtor-In-Possession, Daniel M. Spitler, moves the Court for authority to sell by private sale the property of the estate described below ("the property"), free and clear of liens and other interests:

The Debtor's one-half interest in the following described property:

A parcel of land located in the SW 1/4 of SE 1/4 of Section 1, and the NW 1/4 of the NE 1/4 of Section 12, all in Township 20 South, Range 3 West, Shelby County, Alabama, more particularly described as follows: Commence at the Northeast corner of said NW 1/4 of the NE 1/4 of said Section 12; thence in a Westerly direction, along the North line of said Section 12, a distance of 460.13 feet to the point of beginning; thence 45 deg. 26 min. 42 sec. left, in a Southwesterly direction along the Northwesterly line of Lot 2, of Chandalar South Office Park, as recorded in Map Book 6 page 135 in the Office of the Judge of Probate in Shelby County, Alabama, a distance of 75.36 feet to the Northeasterly right of way line of Chandalar Drive, said point being on a curve to the left, said curve having a central angle of 20 deg. 24 min. 06 sec. and a radius of 448.65 feet; thence 90

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deg. right, measured to tangent of said curve; thence along arc of said curve and said right of way, in a Northwesterly direction a distance of 159.75 feet; thence 95 deg. 25 min. 28 sec. right, measured from tangent of said curve, in an Northeasterly direction, along the center line of a sanitary sewer, a distance of 145.56 feet; thence 115 deg. 48 min. 40 sec. right, in a Southeasterly direction, along the Southwesterly right of way line of a 100 foot wide Alabama Power Company easement, a distance of 197.55 feet to the point of beginning; being situated in Shelby County, Alabama. Subject to a 5 foot easement for sewer along the Westerly boundary line of subject property.

All being situated in Shelby County, Alabama.

The proposed sale is other than in the ordinary course of business. The property is not all or substantially all of the Debtor's assets.

1. The name of the purchaser in this proposed sale is Janice C. Spitler.

2. The terms and conditions of the proposed private sale are: \$20,000, paid by certified check at closing. The consideration for the proposed sale represents the fair market value of the property.

3. The following entities have the following interests in the property:

(a) The United States of America (Internal Revenue Service) has filed the following tax liens in the Probate Office of Shelby County against this property:

EXHIBIT "C"

**UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

In the Matter of:

**DANIEL M. SPITLER,**

Debtor.

CASE NO. 90-03254

**ORDER**

This case came on for hearing on November 15, 1990 on the Debtor-in-Possession's Motion for Authority to Sell Property of the Estate by Private Sale Free and Clear of Liens and Other Interests (Proceeding No. 19). Present were Stephen B. Porterfield, Attorney for Debtor-in-Possession, Kendall W. Maddox, Attorney for Citizens Federal Savings Bank, and Harvey L. Wachsman, Attorney for Cahaba Properties, an Alabama General Partnership.

Based on the pleadings presented, the representations of counsel, and there being no objections filed or made by anyone present,

It is **ORDERED** that the Debtor-in-Possession's Motion for Authority to Sell Property of the Estate by Private Sale Free and Clear of Liens and Other Interests is hereby **GRANTED** and the sale to Janice C. Spitler, the wife of Debtor-in-Possession is hereby **APPROVED**. Debtor-in-Possession is ordered, pursuant to the provisions of the motion referenced above, to place the proceeds of said sale, when received, in an independent escrow account. There being no notice of appeal or motion for reconsideration of this Order filed within ten days of the date of this Order, Debtor-in-Possession shall pay the proceeds referenced above to Internal Revenue Service within thirty (30) days of the date of this Order. The Debtor-in-Possession shall file with the Clerk a report of the sale pursuant to Bankruptcy Rule 6004(f)(1) forthwith after the sale is closed.

IT IS SO ORDERED this the 26<sup>th</sup> day of November, 1990.

*Clifford Fuleford*  
**CLIFFORD FULEFORD**  
United States Bankruptcy Judge

CF/mnt

xc: Debtor  
Stephen B. Porterfield  
Harvey L. Wachsman  
Kendall W. Maddox  
Benjamin Cohen, Bankruptcy Administrator  
Robert B. Rubin

|                   |              |
|-------------------|--------------|
| 1. Deed Tax       | 20.00        |
| 2. Mfg. Tax       | 12.50        |
| 3. Recording Fee  | 3.00         |
| 4. Notary Fee     | 1.00         |
| 5. Certified Copy | 56.50        |
| <b>Total</b>      | <b>93.00</b> |

STATE OF ALA. SHELBY CO.  
I CERTIFY THIS  
INSTRUMENT WAS FILED  
90 DEC 10 PM 12:58

JUDGE OF PROBATE