

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 Thirty-Six Thousand Six Hundred
Seventy-One and 62/100 ----- 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.

*See Exhibit "B" attached hereto and incorporated herein for
copy of motion for authority to sell property of the Estate
by private sale free and clear of liens and other
interests.*

BOOK 321 PAGE 527

*Attached and incorporated herein
See Exhibit "C" for Order granting motion to sell as
set out in Exhibit "B" (proceeds from mortgage)*

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. 19 90

Executed and delivered in the presence of

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

_____ (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, 19 90

EXHIBIT "A"

BOOK 321 PAGE 528

Lot 15, according to the survey of Chandalar South, First Sector, as recorded in Map Book 5 page 106 in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

ALSO, a parcel of land located in the SE 1/4 of the SW 1/4 of Section 1 Township 20 South, Range 3 West, Shelby County, Alabama, lying South of and adjacent to Lot 15, of Chandalar South, First Sector, as recorded in Map Book 5 page 106 in the Office of the Judge of Probate of Shelby County, Alabama, more particularly described as follows: Begin at the Southwest corner of said Lot 15; thence in a Southerly direction along the extension of the West line of said Lot 15, a distance of 16.14 feet thence 92 deg. left, in an Easterly direction, a distance of 125.13 feet; thence 63 deg. 30 min. left, in a Northeasterly direction, a distance of 102.12 feet, said point being on the Southeast line of said lot 15; thence in a Southwesterly direction, along the Southeast line of said Lot 15, a distance of 193.65 feet to the point of beginning; 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
By _____ 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:

Lot 15, according to the survey of Chandalar South, First Sector, as recorded in Map Book 5 page 106 in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

ALSO, a parcel of land located in the SE 1/4 of the SW 1/4 of Section 1 Township 20 South, Range 3 West, Shelby County, Alabama, lying South of and adjacent to Lot 15, of Chandalar South, First Sector, as recorded in Map Book 5 page 106 in the Office of the Judge of Probate of Shelby County, Alabama, more particularly described as follows: Begin at the Southwest corner of said Lot 15; thence in a Southerly direction along the extension of the West Line of said Lot 15, a distance of 16.14 feet thence 92 deg. left, in an Easterly direction, a distance of 125.13 feet; thence 63 deg. 30 min. left, in a Northeasterly direction, a

distance of 102.12 feet, said point being on the Southeast line of said lot 15; thence in a Southwesterly direction, along the Southeast line of said Lot 16, a distance of 193.65 feet to the point of beginning; 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: \$30,000, 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) Citizens Federal Savings & Loan Association of Birmingham holds a mortgage on this property, securing an indebtedness of approximately \$40,000.

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

(i) Tax lien dated November 4, 1986, in the amount of \$117,072.14 plus penalty and interest;

(ii) Tax lien dated June 22, 1989, in the amount of \$154,321.88 plus penalty and interest;

EXHIBIT "C"

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

In The Matter Of:

DANIEL M. SPITLER,

Debtor.

BK CASE NO. 90-03254

CHAPTER 11

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. 18), and objection thereto filed on behalf of Citizens Federal Savings Bank (Proceeding No. 23). 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.

At said hearing, attorney for Debtor-in-Possession orally amended the above-referenced motion to provide that the purchase price paid for the property made the subject of said motion would be increased from \$30,000 to \$36,671.62. On the basis of said Amendment, attorney for Citizens Federal Savings Bank withdrew the above-referenced objection. Based on the pleadings presented, the representations of counsel present, and there being no objections thereto, it appears that Citizens Federal Savings Bank holds a validly perfected

first position lien on the property made the basis of the motion referenced above.

Therefore, for good cause shown, it is hereby ORDERED:

1. 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. 18), as orally amended, is hereby granted and said sale is hereby approved;

2. 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;

3. There being no notice of appeal nor motion for reconsideration of this Order filed within 10 days of the date of this Order, Debtor-in-Possession shall pay the proceeds referenced above to Citizens Federal Savings Bank on or before November 30, 1990.

DATED this the 26th day of November, 1990.

Clifford Fulford
CLIFFORD FULFORD
UNITED STATES BANKRUPTCY JUDGE

SBP/wt9.53

xc: Debtor
Robert B. Rubin
Stephen B. Porterfield
Harvey L. Wachsman
Kendall W. Maddox
Benjamin Cohen, Bankruptcy Administrator
Richard O'Neal, Asst. U.S. Attorney

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

90 DEC 10 PM 12:53

JUDGE OF PROBATE

2

NO TAX COLLECTED

1. Deed Tax	\$
2. Misc. Tax	\$
3. Hom. & Prop. Tax	\$ 15.00
4. Int. & Del. Tax	\$ 3.00
5. N. & S. Tax	\$ 1.00
6. Certificate Fee	\$ 1.00
Total	\$ 20.00