



This form furnished by: Cahaba Title.Inc. 988-5600 5

This instrument was prepared by:	Send Tax Notice to:
Name) Daniel M. Spitler. P.C. Address) 108 Chandalar Drive	(Name) (Address)
Pelham. AL 35124	
	•
	OUIT CLAIM DEED
	<u></u>
TATE OF ALABAMA	•
ShelbyCOUNTY }	
	hat in consideration of Thirty-Six Thousand Six Hundred
Seventy-One and 62/100	DOLLARS
the debtor in possession, Daniel	M. Spitler, Case No. 90-03254 in hand paid
	the receipt whereo
y <u>Janice C. Spitler</u>	
s hereby acknowledged to re	remise, release, quit claim and convey to the said Janice C. Spitte
	ali <u>my</u>
· · · · · · · · · · · · · · · · · · ·	
ight, title, interest, and claim in or to the following	described real estate, to wit:
See Exhibit "A" attached hereto and i	incorporated herein for legal description.
soe Englished & attacked here	and incorporated berein for
or of nation for suthon	I clear of lieus and other
	O class die and other
prevere pure pur on	-3 (Jean) 7 / Jan
Horests,	
1 An la	lond wearporested ferein
See Exhibit "c"/for ord	or growing mation to sell as
total a C. D. But R"	A Decede how Mortgages)
- Marie Langue L	
situated inShelby	County, Alabama.
TO HAVE AND TO HOLD to the said Jan 1	1ce 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	
	Se Se Se
	Daniel M. Spitler, Debtor in Possession
	(Sc
	(Se
<u> </u>	
	(Se
•	
THE STATE OF ALABAMA	
Shelby County	·
	,a <u>Notary Public</u>
in and for said County in said State, hereby certify	that Daniel M. Spitler, debtor in possession and
husband of Janice C. Spitler, Grante	· · · · · · · · · · · · · · · · · · ·
	
whose nameissigned to the foreg	going conveyance, and who <u>is</u> known to me, acknowled
before me on this day that being informed of the	
the same voluntarily on the day the same bears da	ale.
11th .	November 1090
Given under my hand, this day	/ UI
Given under my hand, this 26th day	November 1990

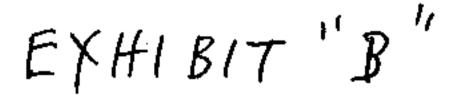
EXHIBIT "A"

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 SK 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.

3 3 % (C)

* 321rage 528



UNITED STATES BANKRUPTCY COURT THE NORTHERN DISTRICT OF ALABAMA SOUTHERN DIVISION

IN THE MATTER OF:

DANIEL M. SPITLER,

)

CASE NO. 90-03254

CHAPTER 11

DESTOR.

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 particulrly 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

おからいとことをなるのであることがあるというできること

••

The second secon

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.

Sec. 35.

1.5

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.

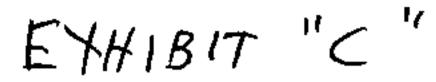
- 1. The name of the purchaser in this proposed sale is Janice C. Spitler.
- 2. The terms and conditions of the proposed private sale are: \$30,000, paid by certified check at closing. The consideration for the proposed sale represents the fair market value of the property.
- 3. The following entities 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;

and the second s





UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ALABAMA SOUTHERN DIVISION

In The Matter Of:

DANIEL M. SPITLER,

Debtor.

)

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.

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

THE PROPERTY OF THE PROPERTY O

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

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

- 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;
- 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 nor motion for 3. reconsideration of this Order filed within 10 days of the date this Order, Debtor-in-Possession shall pay the proceeds referenced above to Citizens Federal Savings Bank on or before November 30, 1990.

day of November, 1990. DATED this the do

UNITED STATES BANKRUPTCY JUDGE

SBP/wt9.53

Debtor xc: 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 MISTRUMENT WAS FILE.

90 DEC 10 PH 12: 53

JUDGE OF PROBATE

NO TAX COLLTUIND

THE PROPERTY OF THE PROPERTY O