

ALABAMA REAL ESTATE MORTGAGE

Amount Financed \$ 66,829.48

Total of Payments \$ 110,460.00

The State of Alabama, Shelby County. Know All Men By These Presents: That whereas, Butch Swindle Hardin and Pamela Hardin (Husband & Wife), Mortgagors, whose address is 1435 Dunnavant Valley Road, Birmingham, AL. 35242,

are indebted on their promissory note of even date, in the Total of Payments stated above, payable to the order of Norwest Financial Alabama, Inc., Mortgagee, whose address is 885 Hillcrest Rd., Mobile, AL. 36695, evidencing a loan made to Mortgagors by Mortgagee. The Amount Financed on said loan is stated above. Said Note is payable in monthly instalments and according to the terms thereof, payment may be made in advance in any amount at any time and default in paying any instalment shall, at the option of the holder of the Note and without notice or demand, render the entire unpaid balance thereof at once due and payable, less any required refund or credit of interest.

NOW, THEREFORE, in consideration of said loan and to further secure the payment of said Note or Notes executed and delivered to Mortgagee by Mortgagors at any time before the entire indebtedness secured hereby shall be paid in full, evidencing a refinancing of any unpaid balance of the Note above described, or renewal thereof, the Mortgagors hereby grant, bargain, sell and convey to the Mortgagee the following described real estate lying and being situated in Shelby County, State of Alabama, to wit:

See Exhibit "A"

11/22/1996-38721
12:22 PM CERTIFIED

*Certification is hereby made that this mortgage is not to be a future advance or open end mortgage and that no additional or subsequent advances will be made under this instrument. Signature of mortgage or authorized representative: Valencia Roberts warranted free from all incumbrances and against any adverse claims.

TO HAVE AND TO HOLD the aforegranted premises, together with the improvements and appurtenances thereunto belonging, unto the said Mortgagee, its successors and assigns forever.

UPON CONDITION, HOWEVER, that if Mortgagors shall well and truly pay, or cause to be paid, the said Note or Notes, and each and all of them, and each and every instalment thereof when due, then this conveyance shall become null and void. But should Mortgagors fail to pay the Note or Notes, or any instalment thereof when due, or if any covenant herein is breached, then Mortgagee, its successors, assigns, agent or attorneys are hereby authorized and empowered to sell the said property hereby conveyed at auction for cash, in front of the Court House door in the County in which the said property is located, first having given notice thereof for four successive weeks by publication in any newspaper published in the County in which said property is located, and execute proper conveyance to the purchaser, and out of the proceeds of said sale the Mortgagee shall retain enough to pay said Note or Notes, and the balance, if any, pay over to the Mortgagors. The Mortgagee or its assigns are authorized to bid for said property and become the purchaser at said sale.

Mortgagors further specially waive all exemptions which Mortgagor now or hereafter may be entitled to under the Constitution and laws of this or any other State. Mortgagors agree to not sell or transfer the aforegranted premises, or any part, without Mortgagee's prior written consent and any such sale or transfer without Mortgagee's prior written consent shall constitute a default under the terms hereof. Whenever the context so requires plural words shall be construed in the singular.

IN TESTIMONY WHEREOF, Mortgagors have hereunto set their hands and affixed their seals this 19th day of

Nov., 19 96

Witness: Max E. Shaw Jr.

Witness: Matt Randall

Butch Swindle Hardin

(L.S.) SIGN HERE

Pamela Hardin

(L.S.) SIGN HERE

(If married, both husband and wife must sign)

STATE OF ALABAMA

.....Shelby..... COUNTY

I, the undersigned authority, in and for said County in said State, hereby certify that Butch Swindle Hardin and Pamela Hardin,

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 y executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this the _____ day of _____

11/19/1996

Valencia T. Roberts

Notary Public.

Valencia Roberts, 885 Hillcrest Rd., Mobile, AL. 36695

This instrument was prepared by:

Exhibit "A"

A TRACT OF LAND SITUATED IN THE NORTHWEST QUARTER OF SOUTHEAST QUARTER AND THE NORTHEAST QUARTER OF SOUTHEAST QUARTER OF SECTION, 34, TOWNSHIP 18 SOUTH, RANGE 1 WEST, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT THE SOUTHEAST CORNER OF NORTHWEST QUARTER OF SOUTHEAST QUARTER OF SAID SECTION, THENCE EAST ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF SOUTHEAST QUARTER OF SAID SECTION 657.16 FEET; THENCE 89 DEGREES 56 MINUTES 54 SECONDS LEFT 560 FEET; THENCE 90 DEGREES 00 MINUTES LEFT 1030.28 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF DUNNAVANT VALLEY ROAD; THENCE 73 DEGREES 22 MINUTES 44 SECONDS LEFT SOUTHWESTERLY ALONG SAID RIGHT-OF-WAY 585 FEET, MORE OR LESS, TO THE SOUTH LINE OF THE NORTHWEST QUARTER OF SOUTHEAST QUARTER OF SAID SECTION 34, THENCE LEAVING SAID RIGHT-OF-WAY RUN EAST ALONG THE SOUTH LINE OF SAID QUARTER-QUARTER SECTION 530 FEET, MORE OR LESS, TO THE POINT OF BEGINNING; SITUATED IN SHELBY COUNTY, ALABAMA.

AND

A TRACT OF LAND SITUATED IN THE NORTH ONE-HALF OF SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 18 SOUTH, RANGE 1 WEST, SHELBY COUNTY, ALABAMA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 18 SOUTH, RANGE 1 WEST; AND ALSO THE POINT OF BEGINNING; THENCE IN A NORTHERLY DIRECTION ALONG THE WEST LINE OF SAID QUARTER QUARTER SECTION 560.63 FEET; THENCE 90 DEGREES 38 MINUTES 23 SECONDS RIGHT, 663.42 FEET; THENCE 90 DEGREES 00 MINUTES 00 SECONDS RIGHT, 560.00 FEET; THENCE 89 DEGREES 56 MINUTES 54 SECONDS RIGHT, 657.16 FEET TO THE POINT OF BEGINNING AND CONTAINING 8.49 ACRES MORE OR LESS.

LESS AND EXCEPT:

A TRACT OF LAND SITUATED IN THE NORTH ONE-HALF OF SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 18 SOUTH, RANGE 1 WEST, AND ALSO THE POINT OF BEGINNING; THENCE IN A SOUTHERLY DIRECTION ALONG THE EAST LINE OF SAID QUARTER-QUARTER SECTION, 661.31 FEET; THENCE 0 DEGREES 38 MINUTES 19 SECONDS LEFT, 137.44 FEET ALONG SAID QUARTER-QUARTER LINE; THENCE 90 DEGREES 38 MINUTES 23 SECONDS RIGHT, 366.86 FEET TO THE EAST RIGHT-OF-WAY LINE OF DUNNAVANT VALLEY ROAD; THENCE 105 DEGREES 51 MINUTES 51 SECONDS RIGHT, 829.45 FEET ALONG SAID RIGHT-OF-WAY LINE; THENCE 73 DEGREES 22 MINUTES 44 SECONDS RIGHT, 138.86 FEET TO THE POINT OF BEGINNING AND CONTAINING 4.62 ACRES MORE OR LESS.

SUBJECT TO EASEMENTS, RESERVATIONS, RESTRICTIONS AND RIGHTS OF WAY OF RECORD, IF ANY; ADDRESS: 1435 DUNNAVANT RD. TAX MAP OR PARCEL ID NO. 03-8-34-0-001-007.

Inst # 1996-38721

11/22/1996-38721
12:22 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 MCD 111.35