

Homestead

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

DEB:

ROYAL CONSTRUCTION AND
DEVELOPMENT, INC.,
Debtor.

BANKRUPTCY CASE NO.:
00-00794-BGC-7

TRUSTEE'S DEED

This Deed executed this the 25th day of May, 2000, by Max C. Pope, as and only as the Trustee of the above named bankruptcy estate ("Pope"), be it therefore witnesseth that:

WHEREAS, an involuntary petition for relief in the United States Bankruptcy Court for the Northern District of Alabama ("Bankruptcy Court"), under Chapter 7 Title 11 was filed against Royal Construction and Development, Inc., on February 8, 2000.

WHEREAS, on February 15, 2000, an Order for Relief was entered in the above named bankruptcy estate.

WHEREAS, Pope was appointed Trustee of Royal Construction and Development, Inc. bankruptcy estate by Order of the Bankruptcy Court, and Pope having qualified as such Trustee, and entered into a proper bond, and Pope having continued to act and now acting and serving in such capacity as Trustee.

WHEREAS, Pope filed a motion for authority to sale the following described property by public auction free and clear of liens and other interests on March 20, 2000:

Lot 410-A, according to a Resurvey of Lots 406 thru 422, Amended Map of Old Cahaba Lakewood Sector, as recorded in Map Book 26, page 43, in the Probate Office of Shelby County, Alabama. (the "Property").

WHEREAS, said public auction was conducted on April 8, 2000, by Asset Liquidators, Inc., in accordance with the Order of the Bankruptcy Court.

WHEREAS, the sale price of the Property at said public auction was \$220,000.00.

WHEREAS, Thiet Le and Truc T. Mai, husband and wife, were the successful bidders.

WHEREAS, the Bankruptcy Court did authorize said sale by Order dated April 18, 2000.

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09:31 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 SNA 35.50

Inst # 2000-17455

NOW THEREFORE, Pope, as and only as Trustee of the bankruptcy estate of Royal Construction and Development, Inc., in consideration of the power and authority vested in him as Trustee, and upon the payment to him of the sum of \$220,000.00, the receipt of which is hereby acknowledged, does hereby remise, release, quitclaim, grant, sell and convey to Thiet Le and Truc T. Mai, husband and wife, as joint tenants with right of survivorship ("Grantees"), all his right, title, interest and claim in and to the Property.

POPE HAS MADE NO AFFIRMATION OF FACT AND HAS MADE NO PROMISE RELATING TO THE REAL PROPERTY SUBJECT TO THIS CONVEYANCE WHICH HAS BECOME ANY BASIS OF THE BARGAIN MADE OR HAS CREATED OR AMOUNTED TO AN EXPRESSED WARRANTY THAT THE REAL PROPERTY DESCRIBED HEREIN ABOVE CONFORMS TO ANY SUCH AFFIRMATION OR PROMISE.

POPE IS SELLING THE ABOVE-DESCRIBED REAL PROPERTY "AS IS, WHERE IS", AND DISCLAIMS ANY IMPLIED WARRANTIES WITH RESPECT TO SUCH REAL PROPERTY.

TO HAVE AND TO HOLD, said real property unto said Grantee, Thiet Le and Truc T. Mai, husband and wife, as joint tenants with right of survivorship, their heirs and assigns, forever, subject however, to those exceptions noted on Exhibit A.

WITNESS WHEREOF, Max C. Pope has hereunto set his hand and seal on this the 25th day of May, 2000.


Max C. Pope, as and only as Trustee of the Bankruptcy Estate of Royal Construction and Development, Inc.

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned authority, a notary public, in and for said state and county, hereby certify that Max C. Pope, whose name as Trustee of the bankruptcy estate of Royal Construction and Development, Inc., is signed to the foregoing Trustee's Deed, and who is known to me, acknowledged before me on this date, he, in his capacity as Trustee, executed the same voluntarily on the date same bears date.

Given under my hand and seal this the 25th day of May, 2000.



Notary Public

My Commission expires: 1-1-02

20 foot building line, as shown by recorded map.

7½ foot Easement on Northeast, as shown by recorded map.

Restrictions as shown by recorded Map.

The rights of upstream and downstream riparian owners with respect to that certain lake, bordering subject property.

The rights of upstream and downstream riparian owners with respect to Cahaba River, bordering subject property.

Right of way to Shelby County, recorded in Volume 155, page 331; Volume 155, page 425 and Lis Pendens Book 2, page 165, in the Probate Office of Shelby County, Alabama.

Right of Way granted to Alabama Power Company by instrument recorded in Volume 247, page 853; Volume 131, page 447 and Volume 139, page 238, in the Probate Office of Shelby County, Alabama.

Mineral and mining rights and rights incident thereto recorded in Volume 61, page 164, in the Probate Office of Shelby County, Alabama.

Covenants and agreements relating to roadway easement, recorded in Volume 133, page 277, in the Probate Office of Shelby County, Alabama.

Timber deed recorded in Instrument 1997-28869, in the Probate Office of Shelby County, Alabama.

Right of way to BallSouth Mobility, recorded in Instrument 1998-26454, in the Probate Office of Shelby County, Alabama.

Restrictions appearing of recorded in Instrument 1998-29995; Instrument 1998-29993; Instrument 1998-19220; Instrument 1999-29872 and Instrument 1999-42849, in the Probate Office of Shelby County, Alabama.

Restrictions or Covenants recorded in Instrument 1999-2669, in the Probate Office of Shelby County, Alabama.

EXHIBIT A
TO DEED FROM MAX C. POPE
TO THIET LE AND TRUC T. MAI
DATED MAY 25, 2000

Inst # 2000-17455

05/30/2000-17455
09:31 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 SNA 35.50