

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

**IN RE:**

**ROYAL CONSTRUCTION AND  
DEVELOPMENT, INC.,  
Debtor.**

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

**TRUSTEE'S DEED**

This Deed executed this the 19<sup>th</sup> 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**, on April 13, 2000, Pope filed a motion for authority to sale the property described in Exhibit A by private sale.

**WHEREAS**, pursuant to an Order of the Bankruptcy Court in this case dated May 18, 2000, Pope is authorized to sale the property described on Exhibit A to Compass Bank. A copy of the Order is attached hereto as Exhibit B.

**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 \$3,750.00, the receipt of which is hereby acknowledged, does hereby remise, release, quitclaim, grant, sell and convey to Compass Bank ("Grantee"), all his right, title, interest and claim in and to the property described in Exhibit A.

**Inst # 2000-17724**

**05/31/2000-17724  
09:44 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
005 MHS 19.50**

**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, Compass Bank, its heirs and assigns, forever, subject however, to those exceptions noted on Exhibit A.

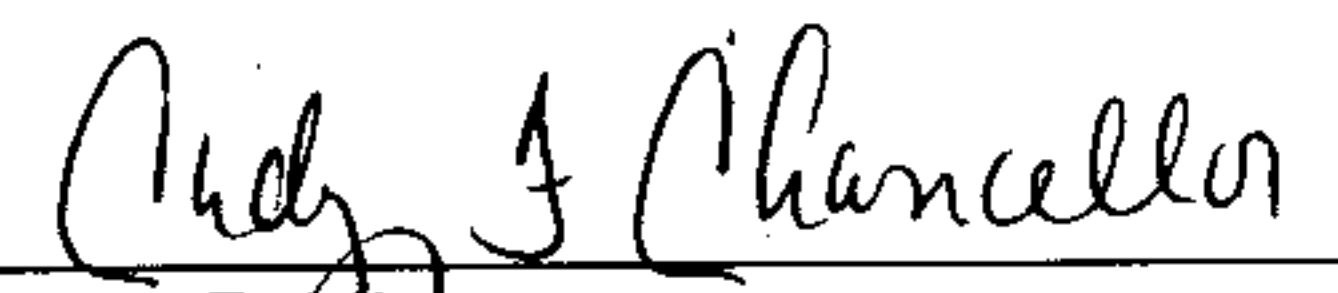
**WITNESS WHEREOF**, Max C. Pope has hereunto set his hand and seal on this the 19 day of May, 2000.

  
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 19 day of May, 2000.

  
Notary Public

My Commission expires: 11/16/2000

## **EXHIBIT A**

Lot 3103, according to the Amended Map of Highland Lakes, 3<sup>rd</sup> Sector, Phase 1, an Eddleman Community, as recorded in Map Book 21, Page 124, in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

Together with nonexclusive easement to use the private roadways, common area all as more particularly described in the Declaration of Easements and Master Protective Covenants for Highland Lakes, a Residential Subdivision recorded as Instrument # 1996-17543, in the Probate Office of Shelby County, Alabama and the Declaration of Covenants, Conditions and Restrictions for Highland Lakes, a Residential Subdivision, 3<sup>rd</sup> Sector, recorded as Instrument # 1996-17544 in the Probate Office of Shelby County, Alabama (which, together with all amendments thereto, is hereinafter collective referred to as, the "Declaration").

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

**IN RE:**

**ROYAL CONSTRUCTION AND  
DEVELOPMENT, INC., and  
NATHAN E. GILBERT,**

**Debtors.**

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

**Jointly Administered.**

**ORDER**

This matter came before this Court on the Trustee's Fourth Motion for Authority to Sell Property of the Estate by Private Sale Free and Clear of Liens and Other Interests on May 15, 2000, after adequate notice including notice to all parties listed and scheduled in the Trustee's motion. Appearances were noted in the record. No objections were filed with respect to the proposed sale, nor were any voiced at the hearing.

The property sought to be sold is as follows:

Lot 3101, according to the Amended Map of Highland Lakes, 3<sup>rd</sup> Sector, Phase I, an Eddleman Community, recorded in Map Book 21, page 124, in the Probate Office of Shelby County, Alabama.

Lot 3103, according to the Amended map of Highland Lakes, 3<sup>rd</sup> Sector, Phase I, an Eddleman community, recorded in Map Book 21, page 124, in the Probate Office of Shelby County, Alabama.

The motion provides that the above property is to be sold to Compass Bank for the purchase price of \$7,500.00, said sum being held by the Trustee pursuant to previous Court Orders dated April 13, 2000. Compass Bank holds the first mortgage on each of the parcels. The motion further provides that there will be no tax prorations with respect to the property to be sold, and that the purchaser will be responsible for any monies owed to the Cahaba Valley Fire District.

**THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED, as follows:**

1. The sale of the two parcels of property described above to Compass Bank is hereby **APPROVED**.
2. The sale of the above referenced property is free and clear of all liens and interests, claims and encumbrances on said property, and any and all liens, interests, claims and encumbrances on said property shall attach to the

proceeds of the sale in the order of and extent of their priority.

3. This Order will be effective upon its entry by the Clerk of Court, and shall not be stayed pursuant to the provisions of Rule 6004(g) of the Federal Rules of Bankruptcy Procedure.

Done this 18<sup>th</sup> day of May, 2000.



BENJAMIN G. COHEN  
UNITED STATES BANKRUPTCY JUDGE

This Order prepared by  
William Dennis Schilling  
205-328-0464

Inst # 2000-17724