

PREPARED BY:

SEND TAX NOTICE TO:

A. Vincent Brown, Jr.
510 North 18th Street
Bessemer, AL 35020

STATE OF ALABAMA

COUNTY OF SHELBY

DEED IN LIEU OF FORECLOSURE

This Indenture made and entered into on this the 9th day of June,
2004, by and between the undersigned Cary R. Patton, an unmarried man,
Party of the First Part, and Milton Pate
Party of the Second Part,

WITNESSETH

THAT, WHEREAS, a mortgage was executed by Party of the First Part to Party of the
Second Part on the 30th day of May, 2003, to secure an indebtedness of
\$195,498.53, and,

WHEREAS, said indebtedness is due and payable, and the party of the first part is unable
to pay same but is desirous of saving the expense of a foreclosure of said mortgage under the
power of sale contained in the same,

NOW THEREFORE, in consideration of the premises, and in further consideration of the
sum of ONE AND NO/100 DOLLARS (\$1.00), in hand paid to party of the first part by the party
of the second part, the receipt whereof is hereby acknowledged, the party of the first part has
granted, bargained, and sold, and by these presents does grant, bargain, sell and convey unto
party of the second part the following described property, situated in Jefferson County, Alabama,
to-wit:

LEGAL DESCRIPTION IS ATTACHED HERETO, MADE A PART
HEREOF, INCORPORATED HEREIN, AND MARKED EXHIBIT "A".

TOGETHER with all and singular the tenements, hereditaments, and appurtenances there
unto belonging or in anyway appertaining.

TO HAVE AND TO HOLD the said above described property unto the said _____
Milton Pate, in fee simple.

It is agreed between the parties to this instrument that the same shall operate and have
effect as though said mortgage had been foreclosed under the power contained in same, and the
property herein described purchased by the said party of the second part, at and for the sum of
ONE DOLLAR (\$1.00).

IN WITNESS WHEREOF, the Part of the First Part has hereunto set his/her hand and
seal on the day and the date first above written.


Cary R. Patton

STATE OF ALABAMA

COUNTY OF JEFFERSON

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that Cary R. Patton, an unmarried man, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day, that being informed of the contents of the instrument, he/she executed the same voluntarily on the day the same bears date.

Given under my hand and seal this the 19th day of June, 2004.
[Signature]
Notary Public

My Commission Expires:

11-29-2007

(Notary Seal)



EXHIBIT "A"

LEGAL DESCRIPTION

Two parcels of land located in the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 23, Township 20 South, Range 3 West in Shelby County, Alabama, and being more particularly described as follows:

PARCEL I:

Commence at the NE corner of said $\frac{1}{4}$ - $\frac{1}{4}$ section; thence South $00^{\circ}40'12''$ East a distance of 1331.1 feet (Deed) to a point being the SE corner of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 23, Township 20 South, Range 3 West; thence South $24^{\circ}36'53''$ East a distance of 38.63 feet (Deed); thence North $89^{\circ}45'37''$ West a distance of 513.00 feet (Deed) to the centerline of Buck Creek; thence North $09^{\circ}14'09''$ West and along centerline of said creek a distance of 127.64 feet (Deed); thence North $38^{\circ}03'33''$ West and along centerline of said creek a distance of 151.69 feet (Deed); thence North $60^{\circ}01'03''$ East a distance of 277.20 feet (Deed) to the point of beginning; thence South $30^{\circ}00'19''$ East and along an old fence line, a distance of 100.00 feet; thence North $60^{\circ}02'41''$ East and along an old fence line a distance of 230.51 feet to a point, said point lying on the Westerly right of way line of (Pelham-Helena Highway) Shelby County Highway No. 52 (60 foot right of way) said point also lying on a non-tangent curve to the right having a radius of 325.00 feet, a central angle of $18^{\circ}46'32''$, and subtended by a chord which bears North $47^{\circ}54'26''$ West, a chord distance of 106.03 feet; thence along the arc of said curve and said right of way line a distance of 106.50 feet; thence South $59^{\circ}47'41''$ West and leaving said right of way a distance of 197.92 feet to the point of beginning; being situated in Shelby County, Alabama.

PARCEL II:

Commence at the NE corner of said $\frac{1}{4}$ - $\frac{1}{4}$ section; thence South $00^{\circ}40'12''$ East a distance of 1331.1 feet (Deed) to a point being the SE corner of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 23, Township 20 South, Range 3 West; thence South $24^{\circ}36'53''$ East a distance of 38.63 feet (Deed); thence North $89^{\circ}45'37''$ West a distance of 513.00 feet (Deed) to the centerline of Buck Creek; thence North $09^{\circ}14'09''$ West and along centerline of said creek, a distance of 127.64 feet (Deed); thence North $38^{\circ}03'33''$ West and along centerline of said creek a distance of 151.69 feet (Deed); thence North $60^{\circ}01'03''$ East a distance of 277.20 feet (Deed); thence North $59^{\circ}47'41''$ East a distance of 197.92 feet to a point on the Westerly right of way line of (Pelham-Helena Highway) Shelby County Highway No. 52 (60 foot right of way); thence continuing along last described course and crossing over said Highway No. 52 a distance of 60.78 feet to a point, said point lying on the Easterly right of way line of said Highway No. 52, said point also being the point of beginning; thence continue along last described course a distance of 14.71 feet; thence South $27^{\circ}27'23''$ East a distance of 45.70 feet to a point, said point lying on the Easterly right of way line of Pelham-Helena Highway - Shelby County Highway No. 52 (60 foot right of way); said point also lying on a non-tangent curve to the right, having a radius of 265.00 feet, a central angle of $10^{\circ}14'54''$ subtended by a chord which bears North $45^{\circ}32'40''$ West, a chord distance of 47.34 feet; thence continue along the arc of said curve and said right of way line a distance of 47.40 feet to the point of beginning; being situated in Shelby County, Alabama.

Less and except any part of subject property lying within a road right of way.