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Shelby Cnty Judge of Probate, AL
07/18/2006 04:33:39PM FILED/CERT

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

\$544,265.00

IN RE:

BLAZER FABRICATING, LLC

DEBTOR.

)
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)
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)

BANKRUPTCY NO.: 04-01551-BGC-7
CHAPTER 7

TRUSTEE'S DEED

This Deed executed this the 18 day of July, 2006, by James G. Henderson, as and only as the Trustee of the above named debtor's bankruptcy estate ("Henderson"), be it therefore witnesseth that:

WHEREAS, Blazer Fabrication, LLC ("Blazer") filed a bankruptcy proceeding in the United States Bankruptcy Court for the Northern District of Alabama Southern Division on February 20, 2004, assigned case number 04-01551-BGC-11, being a proceeding under Chapter 11.

WHEREAS, the Blazer bankruptcy proceeding was converted to a proceeding under Chapter 7 of the Bankruptcy Code on March 17, 2004.

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

WHEREAS, Henderson filed a motion for authority to sell the real estate described in Exhibit A to NSV, LLC, in the above bankruptcy case.

WHEREAS, the Bankruptcy Court did authorize said sale by the Order attached hereto and incorporated herein as Exhibit B dated the 14 day of July, 2006

NOW THEREFORE, Henderson, as and only as Trustee of the bankruptcy estate of Blazer, in consideration of the power and authority vested in him as Trustee, and based upon the Court's Order, and upon the payment to him of the sum of \$544,265.00, the receipt of which is hereby acknowledged, does hereby remise, release, quitclaim, grant, sell and convey to NSV, LLC, ("Grantee"), any right, title, interest and claim in and to the property described in Exhibit A that the debtor had on the date that the petition in the above case was filed.

HENDERSON 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.

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

J TO HAVE AND TO HOLD, said real property unto said Grantee, NSV, LLC, its heirs and assigns, forever.

WITNESS WHEREOF, James G. Henderson has hereunto set his hand and seal on this the 18 day of July, 2006.

J
James G. Henderson
James G. Henderson, as and only as Trustee of the
Bankruptcy Estate of Blazer Fabricating, LLC

STATE OF ALABAMA)
)
Jefferson COUNTY)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that James G. Henderson, as and only as Chapter 7 Trustee, for the Bankruptcy Estate of Blazer Fabricating, LLC, Case # 04-1551-BGC in the United States Bankruptcy Court for the Northern District of Alabama, is signed to the foregoing instrument, and who is known to me, and known to me to be such Trustee, acknowledged before me on this day that, being informed of the contents of the within instrument, he, as such Trustee and with full authority, executed the same voluntarily.

Given under my hand and official seal of office, this the 18th day of July, 2006.

Gail Lucas

Notary Public

My Commission Expires: _____

MY COMMISSION EXPIRES MARCH 16, 2009

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EXHIBIT "A"

Description of Real Property

Parcel I

Commence at the Southeast corner of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 23, Township 19 South, Range 2 East, thence run West along the South line of said $\frac{1}{4}$ - $\frac{1}{4}$ Section a distance of 356.27 feet to the point of beginning; thence continue along the South line of said $\frac{1}{4}$ - $\frac{1}{4}$ Section a distance of 311.60 feet; thence turn an angle of 68 degrees 40 minutes to the right and run a distance of 1498.50 feet to a point on the South right of way of the A.C.L. Railroad; thence turn an angle of 73 degrees 27 minutes to the right; to the tangent of a R/W curve and run along said R/W curve (whose Delta Angle is 6 degrees 37 minutes to the left, Radius is 3114.93 feet; tangent is 180.06 feet; Length of Arc is 359.72 feet) to the P.C. of said R/W curve; thence turn an angle of 90 degrees to the left from tangent of said R/W curve and run along said R/W a distance of 150.00 feet; thence turn an angle of 90 degrees 00 minutes to the right and run along said Railroad R/W a distance of 676.53 feet to the West R/W line of the Central of Georgia Railroad; thence turn an angle of 113 degrees 10 minutes to the right and run along the West R/W line of said railroad a distance of 1663.78 feet to the North line of the South $\frac{1}{2}$ of the South $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of said Section 23; thence turn an angle of 111 degrees 19 minutes 30 seconds to the right and run along the North line of said South $\frac{1}{2}$, South $\frac{1}{2}$, Northeast $\frac{1}{4}$ a distance of 655.94 feet; thence turn an angle of 111 degrees 20 minutes 20 seconds to the left and run a distance of 713.02 feet to the point of beginning. Situated in the Northeast $\frac{1}{4}$ of Section 23, Township 19 South, Range 2 East, Huntsville Meridian Shelby County, Alabama.

Less and Except that portion of subject property conveyed to the Town of Vincent, Alabama, a municipal corporation, by deed recorded in Deed Book 298, Page 899, more particularly described as follows:

A parcel of land, being 30.0 feet on either side of a center line described as follows: Commence at the Southeast corner of the South $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$, Section 23, Township 19 South, Range 2 East, thence run West along the South line of said $\frac{1}{4}$ - $\frac{1}{4}$ Section a distance of 356.27 feet; thence turn an angle of 68 degrees 39 minutes 10 seconds to the right and run a distance of 139.58 feet to the point of beginning; thence turn an angle of 68 degrees 39 minutes 10 seconds to the left and run a distance of 1473.86 feet to the East R/W line of Shelby County Highway No. 85 and the point of ending. Situated in the South $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ and the South $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$, Section 23, Township 19 South, Range 2 East, Shelby County, Alabama.

Parcel II

That part of Section 23, township 19 South, Range 2 East, Shelby County, Alabama, more particularly described as follows:

Commence at the Southwest corner of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 23, Township 19 South, Range 2 East, thence run East, along the South line of said $\frac{1}{4}$ - $\frac{1}{4}$ Section, a distance of 234.43 feet to the point of beginning; thence turn an angle of 102 degrees 00 minutes 14 seconds, to the left and run a distance of 688.85 feet, thence turn an angle of 18 degrees 04 minutes 24 seconds to the left and run a distance of 741.87 feet, to a point on the Southeast right of way line of the ACL Railroad, thence turn an angle of 91 degrees 01 minutes 54 seconds to the right, to the Tangent of a right of way curve, thence turn run along said right of way curve (whose Delta angle is 00 degrees 27 minutes 49 seconds to the left, Radius is 2964.93 feet, tangent distance is 11.99 feet, length of arc is 23.99 feet) to the South line of the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 23, thence turn an angle of 31 degrees 34 minutes 31 seconds to the right, from Tangent of said right of way curve, and run along the South line of the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 23, a distance of 263.18 feet to the Southeast corner of said $\frac{1}{4}$ $\frac{1}{4}$ Section, thence continue in the same direction along the South line of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 23, a distance of 7.02 feet, thence turn an angle of 35 degrees 48 minutes 47 seconds to the left, to the Tangent of a right of way curve, and run along said right of way curve (whose Delta angle is 2 degrees 04 minutes 23 seconds to the left, Radius is 3114.93 feet, tangent distance is 56.35 feet, length of arc is 112.70 feet) thence turn an angle of 106 degrees 33 minutes 00 seconds to the right, from tangent of said right of way curve, and run distance of 1498.50 feet, to the South line of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 23, thence turn an angle of 111 degrees 20 minutes 00 seconds to the right and run West along the South line of said $\frac{1}{4}$ - $\frac{1}{4}$ Section, a distance of 410.95 feet, to the point of beginning. Situated in the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$, the Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ and the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 23, Township 19 South, Range 2 East, Shelby County, Alabama.

Less and except the following described parcel conveyed to the Town of Vincent, Alabama, in Deed Book 298, Page 899, in the Probate Office of Shelby County, Alabama to-wit:

A parcel of land, being 30.0 feet on either side of a center line described as follows: Commence at the Southeast corner of the South $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$, Section 23, Township 19 South, Range 2 East, thence run West along the South line of said $\frac{1}{4}$ - $\frac{1}{4}$ Section a distance of 356.27 feet; thence turn an angle of 68 degrees 39 minutes 10 seconds to the right and run a distance of 139.58 feet to the point of beginning; thence turn an angle of 68 degrees 39 minutes 10 seconds to the left and run a distance of 1473.86 feet to the East R/W line of Shelby County Highway No. 85 and the point of ending. Situated in the South $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$, and the South $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$, Section 23, Township 19 South, Range 2 East, Shelby County, Alabama.

EXHIBIT B

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

IN RE:

BLAZER FABRICATING, LLC,
SHELBY STEEL, LLC,

Debtors.

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**BANKRUPTCY NO: 04-01551-BGC-7
CHAPTER 7**

**ORDER GRANTING MOTION FOR AUTHORITY TO SELL/ASSIGN PROPERTY
OF THE ESTATE FREE AND CLEAR OF LIENS AND OTHER INTERESTS**

This matter came before the Court for hearing after notice to all creditors and parties in interest on a MOTION FOR AUTHORITY TO SELL/ASSIGN INTEREST IN PROPERTY OF THE ESTATE FREE AND CLEAR OF LIENS AND OTHER INTERESTS (proceeding #453)(“Motion”) filed by the Trustee James G. Henderson pursuant to Bankruptcy Code Section 363(b) and Federal Rules of Bankruptcy Procedure 2002(a)(2), 2002(c)(1) and 6004(c) for authority to sell/assign property of the estate that is described below (“The Property”), free and clear of liens and other interests.

The Court finds that the notice of this sale sent pursuant to Rule 9014 is sufficient to apprise all parties in interest of the sale/assignment and their right to be heard on the same. No objections were offered to the sale/assignment at the hearing.

The Court finds that the sale/assignment is other than in the ordinary course of business of the debtor and The Property is not all or substantially all of the debtor's property. The Court hereby authorizes and approves the Trustee's sale/assignment of The Property shown in the motion, free and clear of all liens and encumbrances to NSV, LLC (“NSV”), c/o Harry McDowell, CPA, The Luckie Building, Suite 300, 600 Luckie Drive, Birmingham, AL 35223. The Property to be sold/assigned consists of the estates interest in real property described on Exhibit A attached hereto.

The purchase price due at closing is \$544,265.00 less earnest money of \$20,000.00. The Property is transferred/assigned free and clear of liens and other interests, as is, where is without warranties or representations of any kind.

National Canada Finance Corp., PNC Bank, National Association and Compass Bank may have a lien on The Property. This sale is specifically free and clear of the claims of said listed entities. Specifically, the sale is free and clear of the following liens:

1. UCC recorded in Inst. No. 2005-48954 filed by PNC Bank.
2. Mortgage recorded in Inst. No. 2001-45427 filed by Compass Bank.
3. Mortgage recorded in Inst. No. 2001-45426 filed by Compass Bank.

4. UCC Financing Statement filed under UCC No. 2001-45428 filed by Compass Bank.
5. UCC Financing Statement filed under UCC No. 2001-45429 filed by Compass Bank.

The sale is authorized by 11 U.S.C. §363.

At the closing the Trustee will withhold from the sale proceeds the following:

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|----|-------------|--|
| a. | \$32,655.90 | To be held for payment to Graham & Co., upon approval of their fee application by this Court. |
| b. | \$16,327.95 | Representing the 506(c) claim of the Trustee for the sale of The Property. |
| c. | \$1,659.25 | To pay the lien in favor of the Town of Vincent. |
| d. | \$unknown | An amount sufficient to pay the cost of the owners title search and title policy as regards The Property. |
| e. | \$unknown | Tax proration for current year. This amount will reduce the purchase price of The Property. |
| f. | \$unknown | Any additional amounts as required by the Contract to sell/assign the interest in The Property attached to the Motion. |

Items (d) and (f) shall be paid by the Trustee without further orders of the court.

Taxes will be prorated.

Each party shall pay its own attorney's fees.

The net amount of the sale (being the sales price less the above deductions and reductions) shall then be held by the Trustee pending further orders of this Court with liens attaching to the proceeds in the amount, extent and priority as they exist as regards the Property.

At the closing, Compass will execute the documents necessary to release its lien(s) as regards the Property.

The Trustee is authorized to sell/assign and convey The Property as approved herein and pursuant to Federal Rule of Bankruptcy Procedure 6004(f)(2) he is further authorized to execute any instrument necessary to effect the transfer(s).

Time is of the essence in this sale/assignment. Accordingly, the ten (10) day stay period provided for in FRBP 6004(g) is not applicable and this sale can close immediately upon entry of this Order approving said sale.

DONE and ORDERED this 14th day of July, 2006 .

/s/Benjamin Cohen

Benjamin Cohen

United States Bankruptcy Judge

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

Shelby County, AL 07/18/2006
State of Alabama

Deed Tax: \$544.50