


This Instrument Prepared by:
Cheryl H. Oswalt, Esq.
Sirote & Permutt, P.C.
2311 Highland Avenue South
Birmingham, Alabama 35203
(205) 930-5100


20080919000372180 1/4 \$21.00
Shelby Cnty Judge of Probate, AL
09/19/2008 11:41:27AM FILED/CERT

MORTGAGE FORECLOSURE DEED

STATE OF ALABAMA)
 :
SHELBY COUNTY)

KNOW ALL MEN BY THESE PRESENTS: That Deer Ridge Development LLC, an Alabama limited liability company ("Mortgagor") did on, to-wit, July 1, 2005, execute a Real Estate Mortgage in favor of Union State Bank, an Alabama banking corporation ("Union State Bank" or "Mortgagee"), which instrument was filed for record on July 28, 2005, in Instrument No. 20050728000378540 in the Office of the Judge of Probate of Shelby County, Alabama (the "Mortgage"); and

WHEREAS, default was made in the payment of the indebtedness secured by said Mortgage and said Mortgagee did declare all of the indebtedness secured by said Mortgage due and payable and did give due and proper notice of the foreclosure of said Mortgage, in accordance with the terms thereof, by publication in the *Shelby County Reporter*, a newspaper of general circulation published in Shelby County, Alabama, in its issues of August 27, 2008, September 3, 2008, and September 10, 2008; and

WHEREAS, on September 19, 2008, the day on which the foreclosure sale was due to be held under the terms of said notice, between the legal hours of sale, said foreclosure sale was duly and properly conducted, and Mortgagee did offer for sale and did sell at public outcry in front of the main entrance of the Shelby County, Alabama Courthouse in the City of Columbiana, Alabama, the property hereinafter described; and

WHEREAS, the highest and best bid for cash obtained for the property described in the aforementioned Mortgage was the bid of the Mortgagee in the amount of Nine Hundred Twenty Thousand and No/100 Dollars (\$920,000.00), which sum the said Mortgagee offered to credit on the indebtedness secured by said Mortgage, and said property was thereupon sold to the said Mortgagee; and

WHEREAS, said Mortgage expressly authorized the Mortgagee to bid at the sale and purchase said property, if the highest bidder therefor, and authorized the Mortgagee or Auctioneer or any person conducting said sale for the Mortgagee to execute to the purchaser at said sale a deed to the property purchased.

NOW, THEREFORE, in consideration of the premises and a credit of Nine Hundred Twenty Thousand and No/100 Dollars (\$920,000.00) on the indebtedness secured by said Mortgage, the said Mortgagee, acting by and through Cheryl H. Oswalt, as Auctioneer and the

person conducting the said sale for the Mortgagee or Transferee of Mortgagee, does hereby grant, bargain, sell and convey unto Union State Bank, an Alabama banking corporation, all of Mortgagee's right, title and interest in and to the following described real estate situated in Shelby County, Alabama, to-wit:

A tract of land situated in the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ and the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 14, Township 20 South, Range 2 West, Shelby County, Alabama being more particularly described as follows:

Begin at the Southeast corner of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 14 and run North 00 deg. 44 min. 44 sec. West along the East line of said $\frac{1}{4}$ - $\frac{1}{4}$ section for 963.94 feet; thence run North 82 deg. 35 min. 57 sec. West for 179.21 feet; thence run North 59 deg. 06 min. 31 sec. West for 120.24 feet; thence run North 59 deg. 06 min. 31 sec. West for 120.24 feet; thence run North 61 deg. 38 min. 24 sec. West for 60.07 feet to the point of beginning of a curve to the right, having a radius of 270.00 feet; thence run along said curve a chord bearing of South 40 deg. 52 min. 09 sec. West for 88.83 feet to the point of tangent to said curve; thence run South 50 deg. 17 min. 03 sec. West along said tangent for 60.29 feet; thence run North 39 deg. 42 min. 57 sec. West for 230.59 feet; thence run South 46 deg. 06 min. 24 sec. West for 219.37 feet; thence run South 45 deg. 57 min. 59 sec. West for 130.79 feet; thence run South 44 deg. 51 min. 22 sec. West for 147.24 feet; thence run South 17 deg. 19 min. 44 sec. West for 155.63 feet; thence run South 32 deg. 34 min. 56 sec. East for 238.58 feet; thence run South 57 deg. 25 min. 03 sec. West for 300.21 feet to the point of beginning of a curve to the right, having a radius of 330.00 feet; thence run along said curve a chord bearing of South 64 deg. 39 min. 42 sec. West for 83.44 feet; thence run South 37 deg. 20 min. 15 sec. East for 217.66 feet; thence run South 27 deg. 00 min. 05 sec. West for 64.12 feet to a point on the Northern line of Deer Ridge Lakes Sector 2 as recorded in Map Book 33, Page 116 in the Office of the Judge of Probate of Shelby County; thence run South 21 deg. 09 min. 58 sec. East along said subdivision line for 12.31 feet; thence run South 88 deg. 40 min. 45 sec. East along said subdivision line for 10.49 feet; thence run South 44 deg. 56 min. 43 sec. East along said subdivision line for 28.81 feet; thence run South 89 deg. 44 min. 42 sec. East along said subdivision line for 87.52 feet; thence run South 68 deg. 18 min. 20 sec. East along said subdivision line for 66.63 feet; thence run South 12 deg. 28 min. 09 sec. East along said subdivision line for 70.68 feet to a point on the Northeastern line of Deer Ridge Lakes Sector 2 Phase 1 as recorded in Map Book 32, Page 24 in the Office of the Judge of Probate of Shelby County; thence run South 58 deg. 28 min. 19 sec. East along said subdivision line for 51.48 feet; thence run South 22 deg. 22 min. 42 sec. East along said subdivision line for 120.24 feet; thence run South 34 deg. 37 min. 31 sec. East along said subdivision line for 80.79 feet; thence run South 17 deg. 33 min. 53 sec. East along said subdivision line for 62.34 feet; thence run South 01 deg. 18 min. 49 sec. East along said subdivision line for 51.85 feet; thence run South 00 deg. 54 min. 12 sec. West along said subdivision line for 74.68 feet; thence run South 12 deg. 16 min. 45 sec. East along said subdivision line for 59.90 feet; thence run South 01 deg. 37 min. 19 sec. West along said subdivision line for 47.09 feet;

thence run South 60 deg. 35 min. 12 sec. West along said subdivision line for 97.90 feet; thence run South 04 deg. 17 min. 06 sec. West along said subdivision line for 27.82 feet; thence run South 35 deg. 38 min. 13 sec. West along said subdivision line for 52.73 feet; thence run South 55 deg. 03 min. 05 sec. West along said subdivision line for 57.23 feet; thence run South 00 deg. 55 min. 45 sec. West along said subdivision line for 60.78 feet; thence run South 33 deg. 37 min. 02 sec. East along said subdivision line for 50.05 feet; thence run North 75 deg. 42 min. 29 sec. East along said subdivision line for 96.05 feet to a point on the Northern line of Deer Ridge Lakes Sector 5 as recorded in Map Book 32, Page 23 in the Office of the Judge of Probate of Shelby County; thence run North 69 deg. 59 min. 21 sec. East along said subdivision line for 104.84 feet to a point on the Northerly line of Deer Ridge Lakes Sector 1 as recorded in Map Book 33, Page 115 in the Office of the Judge of Probate of Shelby County; thence run North 64 deg. 35 min. 16 sec. East along said subdivision line for 95.44 feet; thence run North 55 deg. 25 min. 24 sec. East along said subdivision line for 130.24 feet; thence run North 73 deg. 43 min. 16 sec. East along said subdivision line for 68.52 feet; thence run North 87 deg. 01 min. 38 sec. East along said subdivision line for 37.68 feet; thence run North 89 deg. 23 min. 25 sec. East along said subdivision line for 198.39 feet; thence run North 77 deg. 59 min. 29 sec. East along said subdivision line for 47.90 feet; thence run South 89 deg. 56 min. 40 sec. East along said subdivision line for 149.34 feet to a point on the East line of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 14; thence run North 00 deg. 25 min. 00 sec. West for 643.85 feet to the point of beginning, in the Office of the Judge of Probate of Shelby County, Alabama; being situated in Shelby County, Alabama.

The above-described property is also a portion of the property known as Deer Ridge Lakes Sector 6 Phase 2, according to the Map of Deer Ridge Lakes Sector 6 Phase 2, as recorded in Map Book 37, Page 59, in the Office of the Judge of Probate of Shelby County, Alabama.

LESS AND EXCEPT:

Lots 663, 668, 669, 670, 650, 651, 681, 682, 683, 684, 685, 686, 687, 717 & 718, according to the Map of Deer Ridge Lakes Sector 6 Phase 2, as recorded in Map Book 37, Page 59, in the Office of the Judge of Probate of Shelby County, Alabama.

Together with all rights, privileges, easements, tenements, interests, improvements, and appurtenances thereunto belonging and all fixtures now attached to and used in connection with the premises herein described.

TO HAVE AND TO HOLD the above-described property unto the said Union State Bank, its successors and assigns, forever; subject, however to any and all prior liens and encumbrances, the rights of way, easements and restrictions of record in the Office of the Judge of Probate of Shelby County, Alabama, existing assessments, the statutory rights of redemption

on the part of those entitled to redeem as provided by the laws of the State of Alabama, and any taxes which may be due.

IN WITNESS WHEREOF, the said Mortgagee has caused this instrument to be executed by Cheryl H. Oswalt, as Auctioneer and the person conducting said sale for the Mortgagee or Transferee of Mortgagee, and in witness whereof the said Cheryl H. Oswalt has executed this instrument in her capacity as such Auctioneer on the 19th day of September, 2008.

UNION STATE BANK
Mortgagee or Transferee of Mortgagee

By: Cheryl H. Oswalt
Cheryl H. Oswalt, as Auctioneer and the person
conducting said sale for the Mortgagee or
Transferee of Mortgagee

STATE OF ALABAMA)
 :
COUNTY OF JEFFERSON)

I, Cynthia S. Bailey, a Notary Public in and for said State and County, hereby certify that Cheryl H. Oswalt, whose name as Auctioneer and the person conducting said sale for the Mortgagee or Transferee of Mortgagee, 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, she, in her capacity as such Auctioneer and the person conducting said sale for the Mortgagee or Transferee of Mortgagee, and with full authority, executed said conveyance voluntarily on the day the same bears date.

Given under my hand and official seal this the 19th day of September, 2008.

(SEAL)

Cynthia S. Bailey
NOTARY PUBLIC
My Commission Expires: _____

MY COMMISSION EXPIRES JANUARY 24, 2012

GRANTEE'S ADDRESS:
Union State Bank
3437 Lorna Road
Hoover, Alabama 35216