
This instrument prepared by DAVID LEE JONES, attorney, 2305 Worth St., P.O. Box 940, Guntersville, AL 35976, (256) 582-0588. Unless separately contracted, the draftsman makes no warranties as to the sufficiency of the interest conveyed.

STATE OF ALABAMA - SHELBY COUNTY

MORTGAGE FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS, that whereas, on August 23, 2005, Edwards Specialties, Inc., an Alabama corporation, hereinafter MORTGAGOR, executed a certain mortgage on the property hereinafter described, to BancorpSouth Bank, a corporation, hereinafter referred to as MORTGAGEE, and which said mortgage is recorded August 25, 2005, in Instrument Number 20050825000438720, in the Office of the Probate Judge of Shelby County, Alabama; and,

WHEREAS, in and by said mortgage, the MORTGAGEE was authorized and empowered in case of default in the payment of the indebtedness thereby secured, according to the terms thereof, to sell the hereinbelow described property before the County Courthouse door in the City of Columbiana, Shelby County, Alabama, after giving notice of the time, place and terms of said sale in some newspaper of general circulation, published in said county, by publication once a week for three successive weeks prior to sale at public outcry for cash, to the highest bidder, and said mortgage provided that in case of sale under the power and authority contained in same, the MORTGAGEE or any person conducting said sale for the MORTGAGEE was authorized to execute title to the purchaser at said sale; and it was further provided in and by said mortgage that the MORTGAGEE may bid at the sale and purchase said property as the highest bidder therefore and,

WHEREAS, default was made in the payment of the indebtedness secured by said mortgage, and the said MORTGAGEE did declare all of the indebtedness secured by said mortgage, due and payable and said MORTGAGEE, pursuant to foreclosure as therein provided, did give due and proper notice of the foreclosure of said mortgage by publication in the Shelby County Reporter, a newspaper of general circulation published in Shelby County, Alabama, in its issues of October 08, 2008, October 15, 2008 and October 22, 2008.

WHEREAS, on October 29, 2008, during the legal hours of sale, the day on which the foreclosure was due to be held under the terms of said notice, said foreclosure was duly and properly conducted, and the mortgagee did offer for sale and sell at public outcry before the County Courthouse door in the City of Columbiana in Shelby County, Alabama, the property hereinafter described; and,

WHEREAS, DAVID LEE JONES, was the auctioneer who conducted said foreclosure sale.

WHEREAS, the highest and best bid for the property described in the aforementioned mortgage was the bid of the MORTGAGEE in the amount of One Hundred Thirty Seven Thousand Seven Hundred and no/100 Dollars (\$137,700.00), and said property was thereupon sold to the MORTGAGEE.

NOW THEREFORE, in consideration of the premises and of a credit in the amount of One Hundred Thirty Seven Thousand Seven Hundred Dollars (\$137,700.00), subject to the payment of expenses of foreclosure, on the indebtedness secured by said mortgage, DAVID LEE JONES, as attorney in fact for the MORTGAGOR and as auctioneer conducting said sale and attorney for the MORTGAGEE, does hereby GRANT, BARGAIN, SELL AND CONVEY unto the said MORTGAGEE, the following described property located in Shelby County, Alabama, to-wit:

Begin at the northeast corner of Section 5, Township 24 North, Range 13 East, Shelby County, Alabama. Thence in a westerly direction along the north boundary of said section 312 feet to the point of beginning; thence turn 91 degrees and 35 minutes to the left in a southerly direction 985.27 feet to the intersection with the center line of an old road; thence turn 68 degrees and 57 minutes to the right in a southwesterly direction along said centerline 901.50 feet to the point of beginning of the arc of a curve, tangent to said straight line, turning to the left, having a central angle of 61 degrees and 34 minutes and radius of 170.97 feet and having a chord 175.00 feet in length; thence southwesterly along said arc, which is along said center line 183.71 feet to the intersection with the center line of right-of-way of Southern Railroad; thence turn 66 degrees and 46 minutes to the right from said chord in a northwesterly direction along said center line of Southern Railroad right-of-way 138.00 feet, more or less, to intersection with the center line of a Branch; thence northeasterly and thence northerly along said center line of a branch 1787.00 feet, more or less to intersection with said north boundary of Section 5; thence in an easterly direction along said north boundary 409.00 feet, more or less, to the point of beginning. SAID PROPERTY IS ALSO DESCRIBED AS FOLLOWS: A tract of land situated in the Northeast Quarter of the Northeast Quarter of Section 5 Township 24 North, Range 13 East being more particularly described as follows:

Commence at the Northwest Corner of the Northeast Quarter of the Northeast Quarter of Section 5, Township 24 North, Range 13 East and run in on Easterly direction along the North line of said Quarter Quarter section for a distance of 686.65 feet to the POINT OF BEGINNING of the property herein described, said point also being located at the centerline of a branch; thence continue along said North line of said Quarter Quarter section for a distance of 400.22 feet; thence turn on interior angle to the Left 91 degrees 48 minutes 06 seconds and run in a southerly direction for a distance of 949.30 feet to the Northern-most right of way of Orange Wood Circle (40'R.O. W.); thence turn an interior angle to the left 111 degrees 58 minutes 46 seconds and run in a Southwesterly direction along said right of way for a distance of 596.66 feet; thence turn on interior angle to the left 178 degrees 22 minutes 01 seconds and run in a Southwesterly direction along said right of way for a distance of 312.05 feet; said point also being on a curve turning to the left, said curve having a radius of 190.97 feet, a central angle of 48 degrees 08 minutes 54 seconds, and a chord length of 155.80 feet; thence run in a Southwesterly direction along said right of way and along the arc of said curve for a distance of 160.48 feet to a point on the Northern-most right of way line of the Southern Railroad (100'R.O.W.); thence turn an interior chord angle to the left of 121 degrees 35 minutes 56 seconds and run in a Northwesterly direction along said Southern Railroad right of way for a distance of 103.00 feet to the intersection of a branch; thence turn an interior angle to the left of 32 degrees 18 minutes 14 seconds and run in a Northeasterly direction along the centerline of said branch for a distance of 67.17 feet; thence turn an exterior angle to the right of 226 degrees 57 minutes 21 seconds and run in a Northerly direction along said centerline for a distance of 284.81 feet; thence turn an interior angle to the left 137 degrees 59 minutes 42 seconds and run in a Northeasterly direction along said centerline for a distance of 183.81 feet; thence turn an interior angle to the left 273 degrees 16 minutes 38 seconds and run in a Northwesterly direction along said centerline for a distance of 163.37 feet; thence turn an interior angle to the left 93 degrees 27 minutes 58 seconds and run in a Northeasterly direction along said centerline for a distance of 147.21 feet; thence turn an interior angle to the left 260 degrees 10 minutes 15 seconds and run in a Northwesterly direction along said centerline for a distance of 204.45 feet; thence turn an interior angle to the left 153 degrees 43 minutes 09 seconds and run in a Northerly direction along said centerline for a distance of 256.54 feet; thence turn an interior angle to the left 101 degrees 49 minutes 46 seconds and run in a Northeasterly direction along said centerline for a distance of 120.76 feet; thence turn an interior angle to the left 229 degrees 27 minutes 18 seconds and run in a Northeasterly direction along said centerline for a distance of 264.14 feet; thence turn an interior angle to the left 204 degrees 36 minutes 21 seconds and run in a Northerly direction along said centerline for a distance of 131.65 feet to the POINT OF BEGINNING. Said parcel contains 748,000 square feet or 17.17 acres more or less.
(w\2j29002now29568shelby#5)

TO HAVE AND TO HOLD the above described property unto the said MORTGAGEE, its successors and assigns forever; subject however, to ad valorem taxes due October 1, 2008, and October 1, 2009, subject to any municipal improvements, assessments and fire district dues, subject to right of way for water pipe line and Wagon Road in Deed Book 83, Page 413; subject to an easement for pipe line to Southern Natural Gas Company in Deed Book 205, Page 256, subject to easement for pipe line to Plantation Pipe Line Company in Deed Book 210, Page 584; subject to transmission line permits to Alabama Power Company in Deed Book 124, Page 499 and Deed Book 213, Page 308, riparian rights, if any, subject to any and all rights outstanding by reason of the statutory right of redemption from the foreclosure on the part of those entitled to redeem as provided by the Laws of the State of Alabama, and title to all minerals, mining privileges, easements, rights of way, road or otherwise, restrictions and covenants of record.

IN WITNESS WHEREOF, the parties have caused their name to be signed by and through DAVID LEE JONES, as attorney in fact for the MORTGAGOR and as auctioneer conducting said sale and attorney for MORTGAGEE, who has hereunto set his/her hand on this the 29th day of October, 2008.

MORTGAGOR:

BY: DAVID LEE JONES, AS
ATTORNEY IN FACT
FOR MORTGAGOR

MORTGAGEE:

BY: DAVID LEE JONES, AUCTIONEER
CONDUCTING SAID SALE AND
ATTORNEY FOR MORTGAGEE

STATE OF ALABAMA)
) ACKNOWLEDGMENT FOR PERSON IN
MARSHALL COUNTY) REPRESENTATIVE CAPACITY

I, the undersigned, a Notary Public in and for said County and State, hereby certify that DAVID LEE JONES whose name as attorney in fact for the MORTGAGOR and as auctioneer conducting said sale and attorney for MORTGAGEE, is signed to the foregoing conveyance and who is known to me, acknowledged before me on this date that, being informed of the contents of the conveyance, he/she, in his/her capacity as such, executed the same voluntarily and on the day the same bears date.

GIVEN under my hand on this the 29th day of October, 2008.

NOTARY PUBLIC

My Commission Expires: _____

TAX STATEMENTS SHOULD BE
SENT TO GRANTEE:
BANCORPSOUTH BANK
P. O. BOX 580
GUNTERSVILLE, AL 35976

