

011-551585

**SPECIAL WARRANTY DEED**

STATE OF ALABAMA  
COUNTY OF SHELBY  
GRANTEE'S ADDRESS:  
JOHN TUTWILER  
BECKY TUTWILER  
1635 ASHVILLE ROAD  
MONTEVALLO, AL 35115

KNOW ALL MEN BY THESE PRESENTS, that The United States Department of Housing and Urban Development, also known as Secretary of Housing and Urban Development, for and in consideration of Seventy Thousand and No/100 Dollars (\$70,000.00), the receipt whereof is hereby acknowledged, does grant, bargain, sell and convey unto John Tutwiler and Becky Tutwiler, husband and wife, for their life in fee simple, together with every right of reversion, the following described real property situated in the County of Shelby, State of Alabama:

**PARCEL I:** BEGINNING AT THE SE CORNER OF THAT PART OF THE NE QUARTER OF THE NW QUARTER (NE1/4 OF NW1/4) SECTION 21 WHICH LIES BETWEEN THE MONTEVALLO AND ASHVILLE PUBLIC ROAD ON THE EAST AND NORTH HIGHLAND, ON THE WEST AND SOUTH OF THE MONTEVALLO AND ELYTON PUBLIC ROAD WHICH SAID LAND WAS CONVEYED BY L.N. NABORS AND OTHERS TO FRANK MOODY, SR., BY DEED DATED TO-WIT, AUGUST 18, 1903, AND RECORDED IN DEED RECORD OF SAID SHELBY COUNTY IN DEED BOOK 30, AT PAGE 230; THENCE FROM ABOVE POINT NORTH AND PARALLEL WITH THE MONTEVALLO AND ASHVILLE PUBLIC ROAD DISTANCE OF TWO HUNDRED FIFTY FEET (250) TO THE POINT OF BEGINNING, THENCE NORTH AND PARALLEL WITH THE MONTEVALLO AND ASHVILLE PUBLIC ROAD DISTANCE OF FIFTY (50) FEET, THENCE WEST AND PERPENDICULAR WITH THE SAID MONTEVALLO AND ASHVILLE PUBLIC ROAD A DISTANCE OF ONE HUNDRED FIFTY (150) FEET, THENCE SOUTH AND PARALLEL WITH THE MONTEVALLO AND ASHVILLE PUBLIC ROAD A DISTANCE OF 50 FEET, THENCE EAST PERPENDICULAR WITH THE MONTEVALLO AND ASHVILLE PUBLIC ROAD A DISTANCE OF ONE HUNDRED FIFTY (150) FEET TO A POINT OF BEGINNING.

**PARCEL II:** BEGINNING AT A POINT OF WHERE THE WEST RIGHT OF WAY LINE OF THE MONTEVALLO AND SILURIA PUBLIC ROAD CROSSES THE SOUTH LINE OF THE NE 1/4 OF THE NW 1/4 OF SECTION 21, TOWNSHIP 22, RANGE 3 W AND RUN ALONG SAID ROAD NORTH 3 DEGREES 10 MINUTES WEST, 400 FEET, THENCE WEST AND PERPENDICULAR TO SAID ROAD A DISTANCE OF ONE HUNDRED TWENTY (120) FEET TO THE POINT OF BEGINNING, THENCE CONTINUE IN THE SAME DIRECTION PERPENDICULAR TO SAID ROAD A DISTANCE OF TWENTY (20) FEET, THENCE SOUTH AND PARALLEL WITH SAID ROAD A DISTANCE OF ONE HUNDRED (100) FEET, THENCE EAST AND PERPENDICULAR TO SAID ROAD A DISTANCE OF TWENTY (20) FEET, THENCE NORTH AND PARRALLEL WITH SAID ROAD A DISTANCE OF ONE HUNDRED (100) FEET TO THE POINT OF BEGINNING.

**PARCEL III:** BEGINNING AT A POINT WHERE THE WEST RIGHT OF WAY LINE OF MONTEVALLO AND SILURIA PUBLIC ROAD CROSSES THE SOUTH LINE OF THE NE 1/4 OF THE NW 1/4 OF SECTION 21, TOWNSHIP 22, RANGE 3W AND RUN ALONG SAID ROAD NORTH, 3 DEGREES AND 10 MINUTES WEST, THREE HUNDRED (300) FEET TO THE POINT OF BEGINNING OF THE LOT HEREIN CONVEYED; THENCE CONTINUE IN THE SAME DIRECTION ALONG SAID ROAD A DISTANCE OF ONE HUNDRED (100) FEET; THENCE WEST AND PERPENDICULAR TO SAID ROAD A DISTANCE OF ONE HUNDRED TWENTY (120) FEET; THENCE SOUTH AND PARALLEL WITH SAID ROAD A DISTANCE OF ONE HUNDRED (100) FEET; THENCE EAST AND PERPENDICULAR TO SAID ROAD A DISTANCE OF ONE HUNDRED TWENTY (120) FEET TO THE POINT OF BEGINNING.

THIS DEED IS NOT TO BE IN EFFECT UNTIL: 12-3-08

Subject to all those certain statutory rights of redemption existing and outstanding by virtue of that certain foreclosure deed dated FEBRURARY 19, 2008, and recorded on MARCH 24, 2008 in Deed Book 20080324000117920.

Being the same property acquired by the Secretary of Housing and Urban Development pursuant to the provisions of the National Housing Act, as amended (42 USC 1441, et. Seq.). Deed dated May 9, 2008 and recorded on May 14, 2008 in Deed Book 20080514000196780.

**TO HAVE AND TO HOLD** to the said John and Becky Tutwiler, in fee simple, and to the heirs, together with every right of reversion. Grantor makes no warranty or covenant respecting the nature or the quality of the title to the property hereby conveyed except the following: Grantor does hereby specifically warrant the title to said property against the lawful claims of all persons claiming by, through, or under the Grantor, since the date of acquisition thereof by the Grantor. SUBJECT however, to all covenants, restrictions, reservations, easements, conditions, liens and other rights of whatever nature appearing of record; Further subject to any state of facts an accurate survey would show.

**IN WITNESS WHEREOF**, the undersigned has set his/her hand as the duly authorized representative of the Secretary of Housing and Urban Development this 1 day of December 2008.

Shelby County, AL 12/05/2008  
State of Alabama

Deed Tax: \$14.00

STEVE PRESTON  
SECRETARY OF HOUSING AND  
URBAN DEVELOPMENT  
By Hooks Van Holm, Inc. of Anniston, AL  
Management and Marketing Contractor  
For HUD-State of Alabama  
By: Angela Ha Harris  
Angela Ha Harris  
HUD Delegated Authority

STATE OF ALABAMA  
COUNTY OF CAHOON

I, undersigned, a Notary Public in and for said County in said State, do hereby certify that Angela Ha Harris, who is personally well known to me to be the duly authorized representative of the Secretary of Housing and Urban Development and the person who executed the foregoing instrument bearing the date December 1, 2008, by virtue of the authority vested in him/her by the delegation of authority published at 70 FR 43171 (July 26, 2005), and acknowledged before me on this day that, being informed of the contents of this conveyance, he/she executed the same voluntarily for and on behalf of Steve Preston, Secretary of Housing and Urban Development, on the day and year above stated.  
GIVEN under my hand and official seal this 8 day of December 2008.

Linda Jackson  
NOTARY PUBLIC  
My Commission Expires: 2/03/09

THIS INSTRUMENT PREPARED BY: Rick Battaglia, 7088 Sydney Curve, Montgomery, AL 36117

LINDA JACKSON  
NOTARY PUBLIC  
ALABAMA STATE AT LARGE  
MY COMMISSION EXPIRES  
FEBRUARY 3, 2009