

This instrument prepared by:  
John Hollis Jackson, Jr.  
Jackson & Jackson, LLP  
P. O. Box 1818  
Clanton, AL 35046

**DEED IN LIEU OF FORECLOSURE**

STATE OF ALABAMA

SHELBY COUNTY

This indenture made and entered into on this the 30<sup>th</sup> day of March, 2009, by and between the undersigned Janice O. Clark and A. W. Clark, Parties of the First Part, and William J. Thomas, Party of the Second Part,

**WITNESSETH:**

Whereas, a mortgage was executed by Parties of the First Part to Party of the Second Part in the original sum of Seven Hundred Forty-Five Thousand and no/100 (\$745,000.00) Dollars, and being evidenced by a promissory waive note of even amount and said mortgage being recorded as Instrument #20070103000000920 in the Office of the Judge of Probate of Shelby County, Alabama, which said indebtedness, with interest thereon at this date and related expenses, amount to the sum of \$694,167.57, and

Whereas, said indebtedness is due and payable, and the Parties of the First Part are unable to pay same but are 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, the Parties of the First Part have granted, bargained and sold, and by these presents do grant, bargain, sell and convey unto Party of the Second Part the following described property situated in Shelby County, Alabama, to-wit:

For point of reference, beginning at the Northwest corner of Section 14, Township 21 South, Range 3 West, Shelby County, Alabama, and run South along the West line thereof a distance of 660 feet; thence run East and parallel to the North line of said section a distance of 1100 feet, more or less, to a point on the western margin of the Montevallo Public Road, said point being the point of beginning; thence run Southerly along the Westerly side of said



road, 100.00 feet to an iron pin; thence turn an angle to the right of 0°44'39" and run Southerly along the Westerly side of said road 100.00 feet to an iron pin; thence turn an angle to the right of 68°04'1" and run Westerly 598.04 feet to an iron pipe; thence turn an angle to the right 111°39'05" and run Northerly 100.09 feet to an iron pipe; thence turn an angle to the right of 1°07'42" and run Northerly 99.31 feet to an iron pipe; thence turn an angle to the right of 67°05'04" and run East 596.15 feet to the point of beginning; being situated in Shelby County, Alabama.

LESS AND EXCEPT: A part of the NW¼ of the NW¼, Section 14, Township 21 South, Range 3 West, identified as Tract No. 10, Project No. STPAA-458(1), Shelby County, Alabama, and being more particularly described as follows: Commence at the SE corner of said NW¼ of the NW¼; thence West along the South line of said NW¼ of NW¼ a distance of 530 feet, more or less, to the present Northwest right of way line of Alabama Highway No. 119; thence Northeasterly along said right of way line a distance of 505 feet, more or less, to the South property line and the point of beginning of the property herein to be conveyed; thence continue Northeasterly along said right of way line a distance of 198 feet, more or less, to the North property line; thence Westerly along said property line a distance of 27 feet, more or less, to a point on a line which extends from a point that is 90 feet Northwesterly of and at right angles to the centerline of said Project No. STPAA-458(1) at P. T. Station 455+90.39 to a point that is 80 feet Northwesterly of and at right angles to said centerline at Station 461+25; thence Southwesterly along a line which if extended, would intersect said point that is 90 feet Northwesterly of and at right angles to the centerline of said Project No. STPAA-458(1) at P. T. Station 455+90.39 a distance of 203 feet, more or less, to the south property line; thence Easterly along said property line a distance of 38 feet, more or less, to the point of beginning being situated in Shelby County, Alabama.

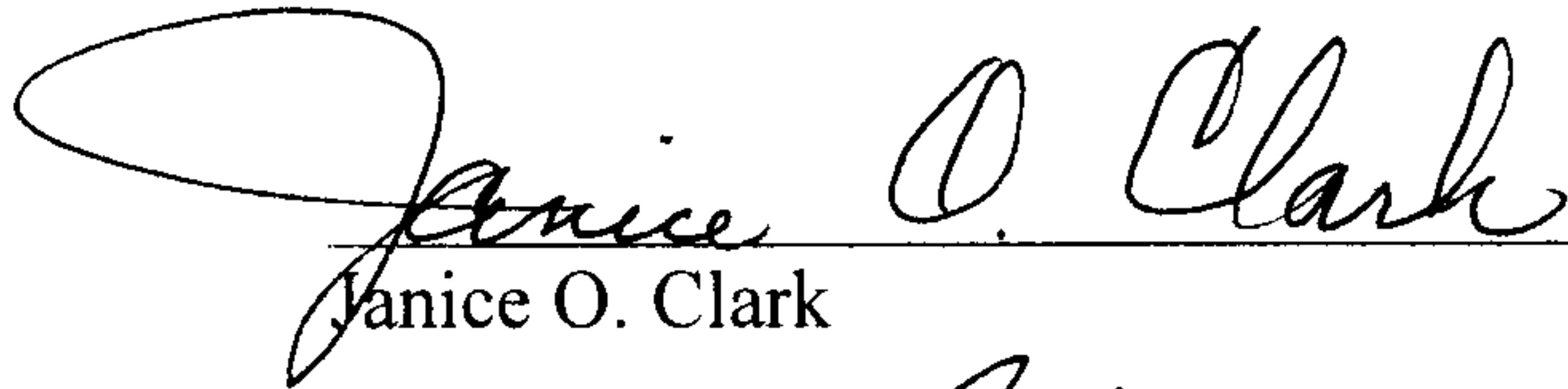
Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the said above described property unto the said William J. Thomas, his heirs and assigns, 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 William J. Thomas at and for the sum of Six Hundred Ninety-Four Thousand One Hundred Sixty-Seven and 57/100 (\$694,167.57) Dollars; and the undersigned do hereby specifically waive and release any and all rights of redemption which they may now, or might in the future, have, with regard to the aforescribed indebtedness and/or mortgage and/or real estate in accord with the said instruments evidencing the same or in accord with the laws of the State of Alabama.

IN TESTIMONY OF ALL which the Parties of the First Part have hereunto set their

hands and seals on this the 30<sup>th</sup> day of March, 2009.

  
Janice O. Clark

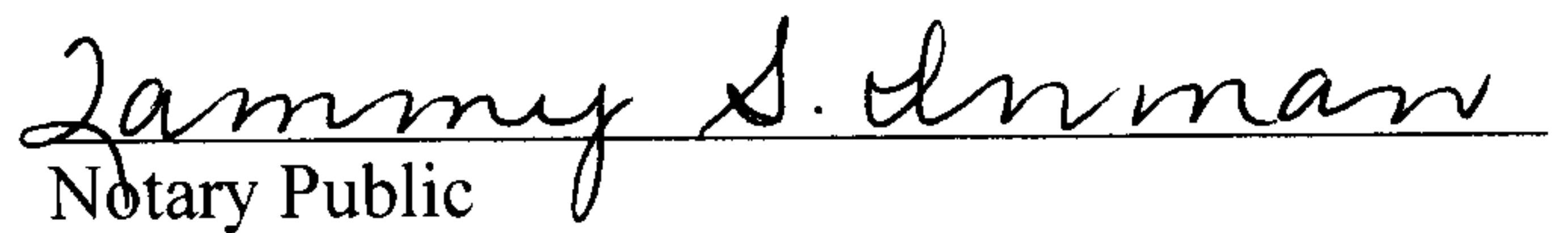
  
A. W. Clark

STATE OF ALABAMA

CHILTON COUNTY

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that Janice O. Clark and A. W. Clark, whose names are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this the 30<sup>th</sup> day of March, 2009.

  
Notary Public

Address of Grantee:  
P. O. Box 890  
Clanton, AL 35046