

STATE OF ALABAMA                    )  
  )  
SHELBY COUNTY                        )       MORTGAGE FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS

THAT, WHEREAS, heretofore, on to-wit March 9, 2009, Trophy Development, LLC executed a certain mortgage on property hereinafter described to M & F Bank, which said mortgage is recorded in Instrument Number 20090313000094330, in the Office of the Probate Judge in Shelby County, Alabama, and;

WHEREAS, in and by said mortgage, the mortgagee, its successors or assigns, were authorized and empowered in the event of default, according to the terms thereof, to sell said property before the 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 published in said County by publication once a week for three (3) consecutive weeks prior to said 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 the proper conveyance 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 if the highest bidder therefor; and

WHEREAS, default was made in the payment of the indebtedness secured by said mortgage, and the same M & F Bank did declare all of the indebtedness secured by said mortgage due and payable and said mortgage subject to foreclosure as therein provided and did give due and proper notice of foreclosure of a said mortgage, by U. S. Mail and by publication in *The Shelby County Reporter*, a newspaper of general circulation, published in Shelby County, Alabama, in its issues of May 6, May 13 and May 20, 2009, WHEREAS, on the 29th day of May, 2009, the day on which said foreclosure sale was due to be held under the terms of said notice between the legal hours of sale, said foreclosure was duly and properly conducted and Burt W. Newsome as Attorney-in-Fact for the said Trophy Development, LLC did offer for sale and sell at public outcry, at the Courthouse in Shelby County, Alabama, the property hereinafter described; and

WHEREAS, Burt W. Newsome was the Auctioneer who conducted said foreclosure sale for the said M & F Bank, and

WHEREAS, the said M & F Bank was the highest bidder in the amount of Four Hundred

Fifty Thousand and No/100 Dollars (\$450,000.00), which sum of money M & F Bank offered to apply to the costs of foreclosure and then to the remaining balance on the indebtedness secured by said mortgage, and said property was thereupon sold to M & F Bank.

NOW, THEREFORE, IN CONSIDERATION OF THE PREMISES, and the amount of Four Hundred Fifty Thousand and No/100 Dollars (\$450,000.00), the said Trophy Development, LLC and M & F Bank by and through Burt W. Newsome, the person acting as auctioneer and conducting said sale as their duly authorized agent and Attorney-in-Fact and Auctioneer does hereby GRANT, BARGAIN, SELL AND CONVEY unto the said M & F Bank AS IS, WHERE IS, the following described property situated in Shelby County, Alabama, to-wit:

The following parcels of land lying in Section 21, Township 21 South, Range 3 West, Shelby County, Alabama.

PARCEL I:

The Northwest Quarter of the Northwest Quarter (NW  $\frac{1}{4}$  of NW  $\frac{1}{4}$ ) Section 21, Township 21 South, Range 3 West, Shelby County Alabama, lying West of Montevallo-Bessemer Road.

LESS AND EXCEPT a lot belonging to a church which is described as follows: Begin at the intersection of the North line of said Section 21 with the West boundary of right of way of the Montevallo-Bessemer public road and run West along North line of Section 300 feet; thence South 100 feet; thence East 320 feet to West boundary of said road; thence North along West boundary of said road 100 feet to the point of beginning of lot excepted.

ALSO, LESS AND EXCEPT the following property described as follows: Beginning at the Southeast corner of a certain lot or tract of land located in NW  $\frac{1}{4}$  of NW  $\frac{1}{4}$  of Section 21, Township 21 South, Range 3 West, which corner is located by an iron stake 12 feet West of the center of the Montevallo-Bessemer public road and 404.5 feet Northwest of the Southeast corner of said NW  $\frac{1}{4}$  of NW  $\frac{1}{4}$  at an angle of 37 degrees 30 minutes West of the East line of said NW  $\frac{1}{4}$  of NW  $\frac{1}{4}$ ; thence South 73 degrees 10 minutes West 255.6 feet; thence North 16 degrees 50 minutes West 170.4 feet; thence North 73 degrees 10 minutes East 255.6 feet; thence South 16 degrees 50 minutes East 170.4 feet to the point of beginning of lot herein excepted.

ALSO, LESS AND EXCEPT the following property described as follows: Commence at Northeast corner of NW  $\frac{1}{4}$  of NW  $\frac{1}{4}$  of Section 21 and run West along Section line a distance of 210.78 feet; thence 88 degrees 59 minutes left a distance of 100.0 feet; thence 0 degrees 04 minutes right a distance of 578.80 feet to point of beginning on the West side of the right of way of the Montevallo-Bessemer Highway; thence continue along said right of way a distance of 160.60 feet; thence 81 degrees 38 minutes right a distance of 271.85 feet; thence 98 degrees 22 minutes right a distance of 160.60 feet; thence 81 degrees 38 minutes right a distance of 271.85 feet to the point of beginning of lot herein excepted.

ALSO, LESS AND EXCEPT the following property described as follows: Commence at the Northeast corner of the NW  $\frac{1}{4}$  of NW  $\frac{1}{4}$  of said Section 21 and run West along Section line a distance of 210.78 feet; thence 88 degrees 59 minutes left a distance of 100 feet to the point of beginning, being the Southeast corner of Church lot; thence 0 degrees 04 minutes right along West right of way of Montevallo-Bessemer Highway a distance of 578.80 feet; thence 81 degrees 38 minutes right a distance of 271.85 feet; thence 98 degrees 22 minutes right a distance of 613.10 feet; thence 88 degrees 55 minutes right a distance of 271.85 feet to the point of beginning of the lot herein excepted.

PARCEL II:

The Southwest Quarter of the Northwest Quarter of Section 21, Township 21 South, Range 3 West, Shelby County, Alabama, lying West of Montevallo-Bessemer public road and West of Lots 39, 40 and 41, according to the G.F. Peter's Map of the Town of Maylene, drawn November 13, 1946, as survey to I.S. Gillespie, in Shelby County, Alabama.

THERE IS EXCEPTED herefrom 5 acres heretofore sold to the State of Alabama for school purposes and which 5 acres is described therein as follows: Beginning at the Northeast corner of SW  $\frac{1}{4}$  of NW  $\frac{1}{4}$ , of said Section 21; thence South 57 degrees 30 minutes West 178.2 feet to an iron stake for starting point; thence South 11 degrees 10 minutes East 525 feet parallel to Montevallo and Helena Public road to an iron stake; thence South 78 degrees 50 minutes West 420 feet to an iron stake; thence North 11 degrees 10 minutes West 525 feet to an iron stake; thence North 78 degrees 50 minutes East 420 feet to point of beginning of said 5 acre parcel excepted.

PARCEL III:

The Northwest Quarter of the Southwest Quarter of Section 21, Township 21 South, Range 3 West, Shelby County, Alabama.

LESS AND EXCEPT a small portion of the Zeiderhook lot, Means lot and Nabors lot, all off the Northeast corner of said forty, which said lots are more particularly described in deeds recorded in Deed Book 25, Page 270; Deed Book 62, Page 339; and Deed Book 62, Page 436, in said Probate Office.

ALSO LESS AND EXCEPT a tract of land located in the W  $\frac{1}{2}$  of the NW  $\frac{1}{4}$  of Section 21 described as follows: Commence at the Southeast corner of the NW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Section 21; thence run South 75 degrees 25 minutes 17 seconds West a distance of 170.3 feet to an iron pin on the Westerly right of way of Shelby County Highway No. 17 and the point of beginning; thence South 61 degrees 41 minutes 27 seconds West a distance of 449.8 feet to an iron pin; thence North 12 degrees 00 minutes 00 seconds East a distance of 239.1 feet to an iron pin; thence North 47 degrees 16 minutes 51 seconds East a distance of 385.3 feet to an iron pin on the Westerly right of way of Shelby County Highway No. 17; thence run Southeasterly along said right of way a distance of 289.0 feet to the point of beginning.

PARCEL IV:

All that part of the Northeast Quarter of the Southwest Quarter of Section 21, Township 21 South, Range 3 West, Shelby County, Alabama, lying West of Montevallo-Bessemer road.

EXCEPT the Zeiderhook lot, Means lot and Nabors lot, all off the North end of said forty, which lots are more particularly described in deeds recorded in Deed Book 25, Page 270; Deed Book 62, Page 339; and Deed Book 62, Page 436, in Probate Office.

ALSO LESS AND EXCEPT the following described tract of land: A tract of land located in the NE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of Section 21, described as follows: Commence at the Southwest corner of the NE  $\frac{1}{4}$  of SW  $\frac{1}{4}$  of Section 21; thence run Northerly along the West line of said  $\frac{1}{4}$  -  $\frac{1}{4}$  Section 604.39 feet to the point of beginning of the land herein excepted; thence continue Northerly 100.00 feet to a point; thence turn right an angle of 91 degrees 19 minutes 30 seconds and run Easterly 172.97 feet to a point on the Westerly right of way line of Shelby County Highway No. 17; thence run Southwesterly along said right of way 102.00 feet to a point; thence run Westerly and parallel to the North line of land 160.0 feet back to the point of beginning of excepted parcel.




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Shelby Cnty Judge of Probate, AL  
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Together with the hereditaments and appurtenances thereunto belonging and all fixtures now attached to and used in connection with the premises herein described, subject to right of way easements and restrictions of record in the Probate Office of Shelby County, Alabama, and existing special assessments, if any, which might adversely affect the title to the above described property.

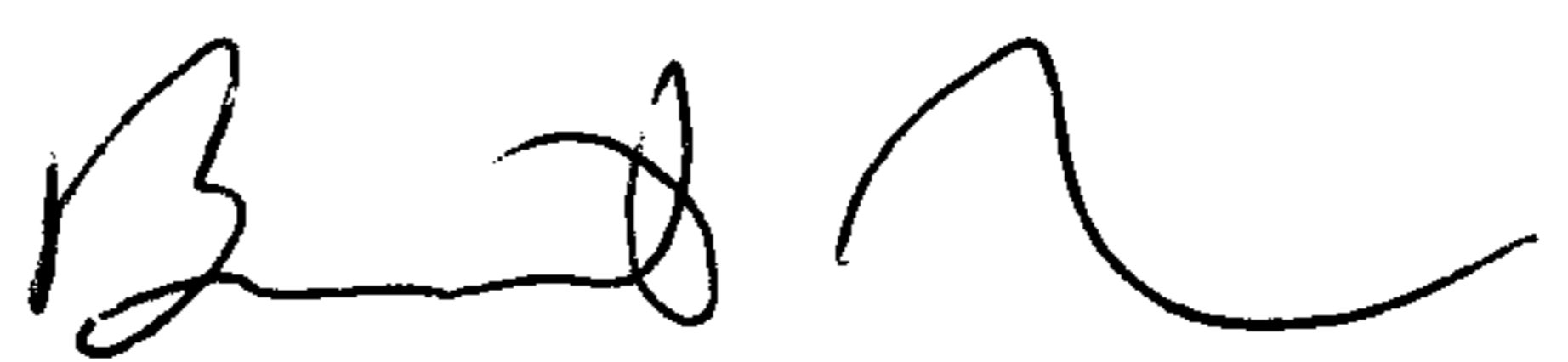
TO HAVE AND TO HOLD the above described property unto the said M & F Bank, its successors and assigns forever; subject, however, to the statutory right of redemption on the part of those entitled to redeem as provided by the laws of the State of Alabama and the United States of America.

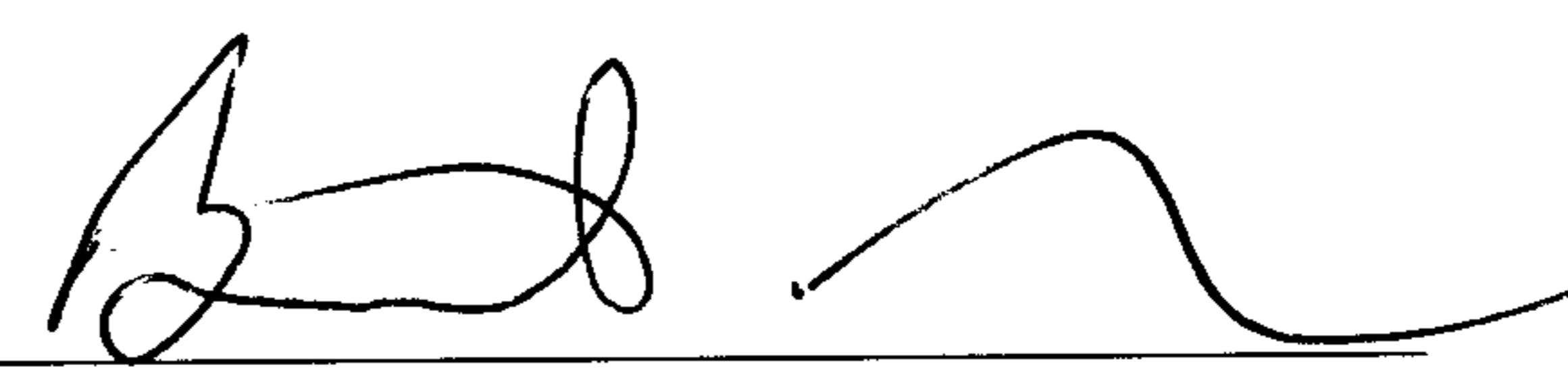
IN WITNESS WHEREOF, the said Trophy Development, LLC and M & F Bank have caused this instrument to be executed by and through Burt W. Newsome, as Auctioneer conducting said sale and as Attorney-in-Fact for all parties separately, and Burt W. Newsome has hereto set his hand and seal on this the 29th day of May, 2009.

TROPHY DEVELOPMENT, LLC

BY:   
Burt W. Newsome  
Attorney-in-Fact

M & F BANK

BY:   
Burt W. Newsome  
as Attorney-In-Fact and Agent

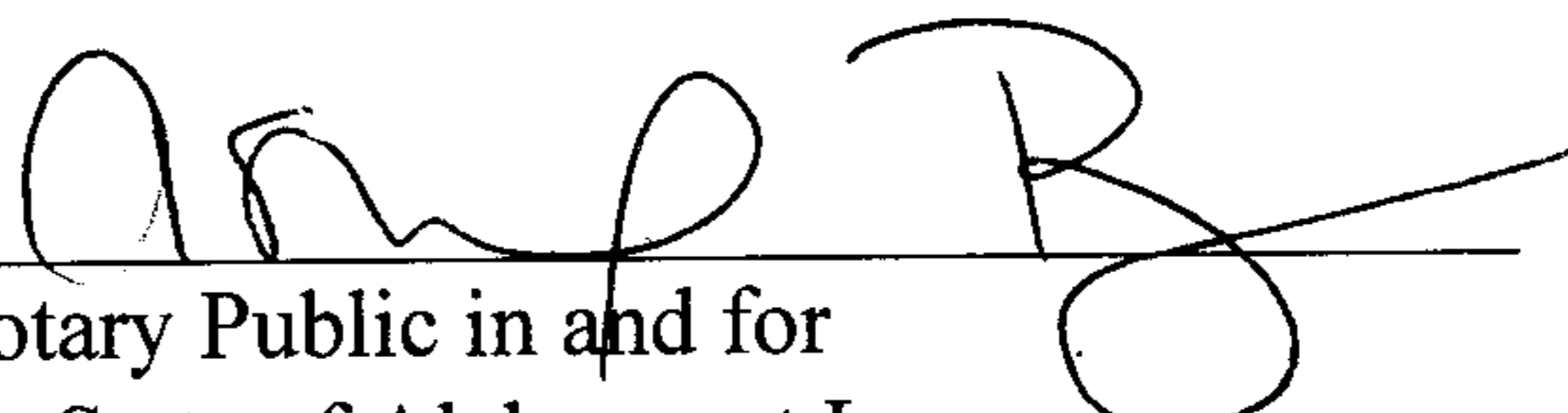
BY:   
Burt W. Newsome as the Auctioneer  
and person making said sale

STATE OF ALABAMA

SHELBY COUNTY

I, the undersigned, a Notary Public in and for said County, in said State of Alabama, hereby certify that Burt W. Newsome whose name as Attorney-in-Fact for Trophy Development, LLC, whose name as Attorney-in-Fact and agent for M & F Bank is signed to the foregoing conveyance and whose name as Auctioneer and person making said sale, and who is known to me, acknowledged before me, on this day, that, being informed of the contents of the conveyance, he, in his capacity as such Attorney-in-Fact, agent, and as such Auctioneer executed the same voluntarily on the day the same bears date.


GIVEN under my hand and official seal this the 29th day of May, 2009.

  
Notary Public in and for  
the State of Alabama at Large

My Commission Expires 8/6/2011

THIS INSTRUMENT PREPARED BY:

BURT W. NEWSOME  
NEWSOME LAW, LLC  
ATTORNEYS AT LAW  
Post Office Box 382753  
Birmingham, Alabama 35238  
(205) 747-1970

  
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Shelby Cnty Judge of Probate, AL  
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