

This Instrument Prepared By:
Charles L. Denaburg, Esq.
Najjar Denaburg, PC
2125 Morris Avenue
Birmingham, AL 35203

Send Tax Notice To:
Shelby Investment Holdings, LLC
2830 Cahaba Road
Birmingham, AL 35223

FORECLOSURE DEED

STATE OF ALABAMA

COUNTY OF SHELBY

KNOW ALL MEN BY THESE PRESENTS, THAT:

WHEREAS, heretofore on, to-wit: December 27, 2004, Charles S. Givianpour, mortgagor, executed a certain mortgage to BancorpSouth Bank, which said mortgage is recorded in Instrument # 20050119000029280, in the Office of the Judge of Probate of Shelby County, Alabama; and

WHEREAS, default was made in the payment of the indebtedness secured by said mortgage, and the said BancorpSouth 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 the foreclosure of said mortgage, in accordance with the terms thereof, by publication in the Shelby County Reporter, a newspaper of general circulation in Shelby County, Alabama, in its issues of June 3, 10, 17, and 24, 2009; and

WHEREAS, on July 9, 2009, the day on which the foreclosure sale was due to be held under the terms of said notice, during the legal hours of sale, said foreclosure was duly and properly conducted and the said BancorpSouth Bank did offer for sale and sell at public outcry, in front of the main entrance of the Courthouse in Shelby County, Alabama, all of its rights, title and interest in the property hereinafter described; and

WHEREAS, the highest and best bid obtained for the property described in the aforementioned mortgage was the bid of Shelby Investment Holdings, LLC in the amount of Three Million Nine Hundred Five Thousand Dollars (\$3,905,000.00), which sum was offered to be credited to the indebtedness secured by said mortgage, and said property was thereupon sold to Shelby Investment Holdings, LLC; and

WHEREAS, Charles L. Denaburg, agent and attorney-in-fact for BancorpSouth Bank, acted as auctioneer as provided in said mortgage and conducted the said sale; and

WHEREAS, said mortgage expressly authorized the person conducting said sale to execute to the purchaser at said sale a deed to the property so purchased.

NOW, THEREFORE, in consideration of the premises and the credit of Three Million Nine Hundred Five Thousand Dollars (\$3,905,000.00), Charles S. Givianpour, mortgagor, by and through the said Charles L. Denaburg, agent and attorney-in-fact for BancorpSouth Bank, do grant, bargain, sell and convey unto the said Shelby Investment Holdings, LLC, all of their rights, title and interest in and to the following described real property, situated in Shelby County, Alabama, to-wit:

See Exhibit "A" attached hereto and incorporated herein by reference.

SUBJECT TO ad valorem taxes.

SUBJECT TO any and all easements, restrictions, encumbrances or other interests if record.

SUBJECT TO the statutory right of redemption on the part of those entitled to redeem.

TO HAVE AND TO HOLD, the above described property unto the said Shelby Investment Holdings, LLC, its successors and assigns forever; subject, however, to the statutory right of redemption on the part of those entitled to redeem.

[The remainder of the page is left blank intentionally.]

[Signature page follows.]

IN WITNESS WHEREOF, the said BancorpSouth Bank, by Charles L. Denaburg, agent and attorney-in-fact for BancorpSouth Bank, as auctioneer conducting said sale, has caused these presents to be executed on this, the 10 day of July, 2009.

BancorpSouth Bank

BY: Charles L. Denaburg, agent and attorney-in-fact for BancorpSouth Bank, as Auctioneer

Charles L. Denaburg, as Auctioneer conducting said sale

THE STATE OF ALABAMA

JEFFERSON COUNTY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Charles L. Denaburg, whose name as agent and attorney-in-fact for BancorpSouth Bank as auctioneer conducting said sale, 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 this conveyance, he/she, in his/her capacity as such auctioneer, executed the same voluntarily on the day the same bear date.

Given under my hand and official seal, this 10th day of July, 2009.

[SEAL]

NOTARY PUBLIC
My Commission Expires: 5-19-11

EXHIBIT "A"

LEGAL DESCRIPTION

Township 19 South, Range 1 East, Shelby County, Alabama.

PARCEL I:

Section 13:

The West One-half of the Northeast Quarter;

The Northwest Quarter;

The North One-half of the Southwest Quarter;

The Southwest Quarter of the Southwest Quarter;

The East One-half of the Northeast Quarter.

PARCEL II:

All of Section 14 EXCEPT the Northeast Quarter of the Southwest Quarter.

PARCEL III:

Section 15:

The Northeast Quarter of the Southeast Quarter, Less and except 5 acres on the North side of said quarter-quarter section.

The Northwest Quarter of the Southeast Quarter;

The Southeast Quarter of the Southeast Quarter;

The South One-half of the Northeast Quarter lying East of Shelby County Highway #55

LESS AND EXCEPT the following 2 parcels of land as follows:

(i) Beginning at the Southeast corner of the Northeast Quarter of the Northeast Quarter of said Section 15, thence run North 88° West for 903 feet to the POINT OF BEGINNING; thence South 2° West for 200 feet to a point; thence North 88° West for 435 feet to a point; thence North 2° East for 200 feet to a point; thence South 88° East for 435 feet to the POINT OF BEGINNING.

(ii) Commence at the Northwest corner of the Southwest Quarter of the Northeast Quarter of said Section 15; thence South 88° East for 11.64 chains (768.24 feet) to a point on the centerline of Shelby County Highway No. 55, which is the POINT OF BEGINNING of this parcel; from the point of beginning; thence South 25° West along the centerline of said Highway for 9.98 chains (658.68 feet); thence South 88° East for 9.65 chains (636.9 feet); thence South 48° East for 6.16 chains (406.56 feet); thence North 58° East for 7.11 chains (469.26 feet); thence North 2° East for 5.97 chains (394.02 feet); thence North 88° West for 6.59 chains (434.94 feet); thence North 2° East for 3.03 chains (199.98 feet); thence North 88° West for 9.46 chains (624.36 feet) back to the POINT OF BEGINNING.

PARCEL IV:

Section 22:

The South one half of the Northeast Quarter;

The South one half of the North one half of the Northeast Quarter;

The Northeast Quarter of the Southwest Quarter;

PARCEL V:

Section 23:

The North 30 acres of the Southwest Quarter of the Northeast Quarter;

The North one-half of the Northeast Quarter;

The Northwest Quarter, except 2 1/2 acres in the Southeast corner of the Southeast Quarter of the Northwest Quarter;

Non-exclusive 50 feet wide East and West and 600 feet long North and South right of way, situated on the West side and all being North of Highway No. 91 (now Shelby County Highway 280), and on the west side of the east one-half of the Northeast Quarter of the Southwest Quarter of said Section 23 described as follows:

Commence at the Northwest corner of the Northeast Quarter of the Southwest Quarter of said Section 23, run East along the forty line 660 feet to the POINT OF BEGINNING; thence South to the Highway right of way a distance of 600 feet; thence Northeast along the said highway right of way 50 feet; thence North 600 feet to the forty line; thence West 50 feet to the POINT OF BEGINNING.