

MORTGAGE FORECLOSURE DEED

STATE OF ALABAMA)

SHELBY COUNTY)

I

WHEREAS, on, to-wit: February 4, 2005, BENT CREEK, LLC, A LIMITED LIABILITY COMPANY, (herein called MORTGAGOR), did execute and deliver to FIRST FINANCIAL BANK, a corporation, (hereinafter called MORTGAGEE), a certain mortgage on

Parcel I

A parcel of land lying in the North ½ of Section 12, Township 20 South, Range 2 West, the Southeast ¼ of the Southeast ¼ of Section 1, Township 20 South, Range 2 West, the Northwest ¼ of the Northwest ¼ of Section 7, Township 20 South, Range 1 West, and the Southwest ¼ of the Southwest ¼ of Section 6, Township 20 South, Range 1 West, Shelby County, Alabama and being more particularly described as follows:

Beginning at a 1 ½ inch open top pipe found at the Northeast corner of the Southwest ¼ of the Northeast ¼ of said Section 12; thence S 00 deg. 49 min. 58 sec. E along the East line or said ¼ ¼ a distance of 1327.32 feet to a ½ inch rebar found at the Southeast corner of said ¼ ¼; thence N 89 deg. 05 min. 55 sec. W along the South line of the North 1/2 of said Section 12 a distance of 3318.86 feet to a 5/8 inch capped rebar set "SMW LS 19753"; thence leaving said South line N 55 deg. 20 min. 36 sec. E a distance of 4546.14 feet to a 5/8 inch capped rebar set "SMW LS 19753" on the Southerly right of way of County Highway 36; thence along said right of way the following courses and distances of N 84 deg. 43 min. 14 sec. E a distance of 120.86 feet to a 5/8 inch capped rebar set SMW LS 19753; thence N 05 deg. 16 min. 46 sec. W a distance of 10.00 feet to a 5/8 inch capped rebar set SMW LS 19753; thence N 84 deg. 43 min. 14 sec. E a distance of 733.77 feet to a 5/8 inch capped rebar set SMW LS 19753; thence with a curve to the right having an arc length of 1195.36 feet, a radius of 480.87 feet and a chord bearing and distance of S 24 deg. 03 min. 56 sec E for 910.50 feet to a 5/8 inch capped rebar set "SMW LS 19753"; thence S 46 deg. 54 min. 13 sec. W a distance of 502.71 feet to a concrete monument found; thence with a curve to the left having an arc length of 279.30 feet, a radius of 512.78 feet, and a chord bearing and distance of S 31 deg. 17 min. 58 sec. W for 275.86 feet to a 5/8 inch capped rebar set "SMW LS 19753" on the South line of the Northeast ¼ of the Northeast ¼ of said Section 12; thence leaving said right of way N 89 deg. 24 min. 58 sec. W along said South line a distance of 1151.42 feet to the point of beginning.

Parcel II

A parcel of land lying in the Northeast ¼ of the Northeast ¼ of Section 12, Township 20 South, Range 2 West, the Southeast ¼ of the Southeast ¼ of Section 1, Township 20 South, Range 2 West, the Northwest ¼ of the Northwest ¼ of Section 7, Township 20 South, Range 1 West, and the Southwest ¼ of the Southwest ¼ of Section 6, Township 20 South, Range 1 West, Shelby County, Alabama, and being more particularly described as follows:

Beginning at a 3 inch open top pipe found at the Northeast corner of the Northwest ¼ of the Northwest ¼ of said Section 7; thence S 00 deg. 32 min. 38 sec. E a distance of 1331.69 feet to a 1 inch open top pipe found at the Southeast corner of said ¼ ¼; thence S 89 deg. 32 min. 37 sec. W along the South line of said ¼ ¼ a distance of 1320.00 feet to a 5/8 inch capped rebar set "SMW LS 19753"; thence N 89 deg. 24 min. 58 sec. W along the South line of the Northeast ¼ of the Northeast ¼ of said Section 12 a distance of 84.91 feet to a 5/8 inch capped rebar set "SMW LS 19753" on the Easterly right of way of County Highway 36; thence leaving said South line and along said right of way the following courses and distances: with a curve to the right having an arc length of 213.97 feet, a radius of 432.78 feet, and a chord bearing and distance of N 32 deg. 44 min. 23 sec. E for 211.80 feet to a 5/8 Inch capped rebar set "SMW LS 19753"; thence N 46 deg. 54 min. 13 sec. E a distance of 502.37 feet to a 5/8 inch capped rebar set "SMW LS 19753"; thence with the curve to the left having an arc length 1394.23 feet, a radius of 560.87 feet and a chord bearing and

RECORDER'S MEMORANDUM
At the time of recordation, this instrument was found to be inadequate for the best photographic reproduction.

distance of N 24 deg. 03 min. 56 sec. W for 1061.98 feet to a 5/8 inch capped rebar set SMW LS 19753; thence S 84 deg. 43 min. 14 West a distance of 377.28 feet to a 5/8 inch capped rebar set SMW LS 19753; thence leaving said right of way North 00 deg. 18 min. 36 sec. E parallel to the West line of the SW ¼ of the SW ¼ of said Section 6 a distance of 96.00 feet to a 5/8 Inch capped rebar set SMW LS 19753; thence N 51 deg. 24 min. 16 sec. E a distance or 514.02 feet to a 5/8 inch capped rebar set SMW LS 19753 on said West line; thence N 57 deg. 19 min. 02 sec. E a distance of 1506.21 feet to a 5/8 inch capped rebar set SMW LS 19753 on the North line of the SW ¼ of the SW ¼ of said Section 6; thence S 89 deg. 36 min. 10 sec. E along said North line a distance of 55.08 feet to a 5/8 inch capped rebar set SMW LS 19753; thence leaving said North line S 00 deg. 14 min. 05 sec. W along the West line of said ¼ ¼ a distance of 1344.67 feet to the point of beginning.

Less and except that right of way of Pickle Drive over and across said described property.

Less and except Lots 3, 4, 5, 6, 7, 11, 12, 13, 14, 15, 16, 17, 18, 20, 21, 28, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46 and 47, according to the Survey of Bent Creek Subdivision-Sector 1, as recorded in Map Book 36, Page 23, in the Probate Office of SHELBY County, ALABAMA.

Less and except Lots 88 and 89, according to the Survey of Bent Creek Subdivision-Sector 2 Phase 1, as recorded in Map Book 39, Page 135, in the Probate Office of SHELBY County, ALABAMA.

Less and except Lot 8-A, according to the Resurvey of Lots 8 and 9 of Bent Creek Subdivision-Sector 1, as recorded in Map Book 40, Page 3, in the Probate Office of SHELBY County, ALABAMA

NOTE: A portion of the above legal has been subdivided into a recorded subdivision known as Bent Creek. The mortgage to be foreclosed shall include the lots listed below.

Parcel IV

Lots 1, 2, 19, 22, 23, 24, 25, 26, 27 and 29, according to the Survey of Bent Creek Subdivision-Sector 1, as recorded in Map Book 36, Page 23, in the Probate Office of SHELBY County, ALABAMA.

Parcel V

Lots 48-A and 50-A, according to the Resurvey of Lots 48, 49 and 50 of Bent Creek Subdivision, as recorded in Map Book 39, Page 33, in the Probate Office of SHELBY County, ALABAMA.

Parcel VI

Lots 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 90, 91, 94, 95, 98, 99, 100, 101, 102, 103, 104, 105 and 106, according to the Survey of Bent Creek Subdivision-Sector 2 Phase 1, as recorded in Map Book 39, Page 135, in the Probate Office of SHELBY County, ALABAMA,

to secure an indebtedness of **\$3,010,000.00** therein described, said mortgage being of record in **Instrument #20050204000058350 on February 4, 2005, in the Probate Court of Shelby County, Alabama, and**

II

WHEREAS, on, to-wit: **February 24, 2006, BENT CREEK, LLC, A LIMITED LIABILITY COMPANY**, (herein called MORTGAGOR), did execute and deliver to **FIRST FINANCIAL BANK**, a corporation, (hereinafter called MORTGAGEE), a second mortgage on

PARCEL I

A PARCEL OF LAND LYING IN THE NORTH 1/2 OF SECTION 12, TOWNSHIP 20 SOUTH, RANGE 2 WEST, THE NW 1/4 OF THE NW 1/4 OF SECTION 7, TOWNSHIP 20 SOUTH, RANGE 1 WEST, AND THE SW 1/4 OF THE SW 1/4 OF SECTION 6, TOWNSHIP 20 SOUTH, RANGE 1 WEST, SHELBY COUNTY, ALABAMA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1 1/2 INCH OPEN TOP PIPE FOUND AT THE NE CORNER OF THE SW 1/4 OF THE NE 1/4 OF SAID SECTION 12; THENCE S 00 DEGREES 49 MINUTES 58 SECONDS E ALONG THE EAST LINE OF SAID 1/4-1/4 A DISTANCE OF 1327.32 FEET TO A 1/2 INCH REBAR FOUND AT THE SE CORNER OF SAID 1/4-1/4; THENCE N 89 DEGREES 05 MINUTES 55 SECONDS W ALONG THE SOUTH LINE OF THE NORTH 1/2 OF SAID SECTION 12 A DISTANCE OF 3318.86 FEET TO A 5/8 INCH CAPPED REBAR SET "SMW LS 19753"; THENCE LEAVING SAID SOUTH LINE N 55 DEGREES 20 MINUTES 36 SECONDS E A DISTANCE OF 4546.14 FEET TO A 5/8 INCH CAPPED REBAR SET "SMW LS 19573", THENCE N 05 DEG. 16 MIN 46 SEC. E A DISTANCE OF 733.77 FEET TO A 5/8 INCH CAPPED REBAR SET SMW LS 19753, THENCE WITH A CURVE TO THE RIGHT HAVING AN ARC LENGTH OF 1195.36 FEET, A RADIUS OF 480.87 FEET AND A CHORD BEARING AND DISTANCE OF S 24 DEGREES 03 MINUTES 56 SEC E FOR 910.50 FEET TO A 5/8 INCH CAPPED REBAR SET "SMW LS 19753"; THENCE S 46 DEGREES 54 MIN. 13 SEC. W A DISTANCE OF 502.71 FEET TO A CONCRETE MONUMENT FOUND; THENCE WITH A CURVE TO THE LEFT HAVING AN ARC LENGTH OF 279.30 FEET, A RADIUS OF 512.78 FEET AND A CHORD BEARING AND DISTANCE OF S 31 DEG 17 MIN. 58 SEC W FOR 275.86 FEET TO A 5/8 INCH CAPPED REBAR SET "SMW LS 19753" ON THE SOUTH LINE OF THE NE 1/4 OF THE NE 1/4 OF SAID SECTION 12; THENCE LEAVING SAID RIGHT OF WAY N 89 DEG. 24 MIN. 58 SEC W ALONG SAID SOUTH LINE A DISTANCE OF 1151.42 FEET TO THE POINT OF BEGINNING.

PARCEL II

A PARCEL OF LAND LYING IN THE NE 1/4 OF THE NE 1/4 OF SECTION 12, TOWNSHIP 20 SOUTH, RANGE 2 WEST, THE SE 1/4 OF THE SE 1/4 OF SECTION 1, TOWNSHIP 20 SOUTH, RANGE 2 WEST, THE N 1/4 OF THE NE 1/4 OF SECTION 7, TOWNSHIP 20 SOUTH, RANGE 1 WEST, SHELBY COUNTY, ALABAMA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 3 INCH OPEN TOP PIPE FOUND AT THE NE CORNER OF THE NW 1/4 OF THE NW 1/4 OF SAID SECTION 7; THENCE S 00 DEG. 32 MIN. 38 SEC. E A DISTANCE OF 1331.69 FEET TO A 1 INCH OPEN TOP PIPE FOUND AT THE SE CORNER OF SAID 1/4-1/4; THENCE S 89 DEG. 32 MIN 37 SEC. W ALONG THE SOUTH LINE OF SAID 1/4-1/4 A DISTANCE OF 1320.00 FEET TO A 5/8 INCH CAPPED REBAR SET "SMW LS 19753"; THENCE N 89 DEG 24 MIN. 58 SEC. W ALONG THE SOUTH LINE OF THE NE 1/4 OF THE NE 1/4 OF SAID SECTION 12 A DISTANCE OF 84.91 FEET TO A 5/8 INCH CAPPED REBAR SET "SMW LS 19753" ON THE EASTERLY RIGHT OF WAY OF COUNTY HIGHWAY 36; THENCE LEAVING SAID SOUTH LINE AND ALONG SAID RIGHT OF WAY THE FOLLOWING COURSES AND DISTANCES: WITH A CURVE TO THE RIGHT HAVING AN ARC LENGTH OF 213.97 FEET, A RADIUS OF 432.78 FEET, AND A CHORD BEARING AND DISTANCE OF N 2 DEG. 44 MIN 23 SEC. E FOR 211.80 FEET TO A 5/8 INCH CAPPED REBAR SET "SMW LS 19753"; THENCE N 46 DEG 54 MIN 13 SEC. E A DISTANCE OF 502.37 FEET TO A 5/8 INCH CAPPED REBAR SET "SMW LS 19753", THENCE WITH THE CURVE TO THE LEFT HAVING AN ARC LENGTH 1394.23 FEET, A RADIUS OF 560.87 FEET AND A CHORD BEARING AND DISTANCE OF N 24 DEG. 03 MIN. 56 SEC. W FOR 1061.98 FEET TO A 5/8 INCH CAPPED REBAR SET SMW LS 19753; THENCE S 84 DEG. 43 MIN. 14 SEC. WEST A DISTANCE OF 377.28 FEET TO A 5/8 INCH CAPPED REBAR SET SMW LS 19753; THENCE LEAVING SAID RIGHT OF WAY NORTH 00 DEG. 18 MIN. 36 SEC E PARALLEL TO THE WEST LINE OF THE SW 1/4 OF THE SW 1/4 OF SAID SECTION 6 A DISTANCE OF 96.00 FEET TO A 5/8 INCH CAPPED REBAR SET SMW LS 19753, THENCE N 51 DEG. 24 MIN. 16 SEC. E

A DISTANCE OF 514.02 FEET TO A 5/8 INCH CAPPED REBAR SET SMW LS 19753 ON SAID WEST LINE; THENCE N 57 DEG. 19 MIN. 02 SEC. E A DISTANCE OF 1506.21 FEET TO A 5/8 INCH CAPPED REBAR SET SMW LS 19753 ON THE NORTH LINE OF THE SW 1/4 OF THE SW 1/4 OF SAID SECTION 6; THENCE S 89 DEG. 36 MIN 10 SEC. E ALONG SAID NORTH LINE A DISTANCE OF 55.08 FEET TO A 5/8 INCH CAPPED REBAR SET SMW LS 19753; THENCE LEAVING SAID NORTH LINE S 00 DEG. 14 MIN. 05 SEC W ALONG THE WEST LINE OF SAID 1/4-1/4 A DISTANCE OF 1344.67 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT THAT RIGHT OF WAY OF PICKLE DRIVE OVER AND ACROSS SAID DESCRIBED PROPERTY.

ALL BEING SITUATED IN SHELBY COUNTY, ALABAMA.

LESS & EXCEPT BENT CREEK SECTOR 1 36-23.

PARCEL III

LOTS 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 90, 91, 94, 95, 98, 99, 100, 101, 102, 103, 104, 105 AND 106, ACCORDING TO THE SURVEY OF BENT CREEK SUBDIVISION – SECTOR 2 PHASE 1, RECORDED IN MAP BOOK 39, PAGE 135, IN THE OFFICE OF THE JUDGE OF PROBATE OF SHELBY COUNTY, ALABAMA.

NOTE: THESE LOTS ARE A PORTION OF THE ABOVE DESCRIBED LEGAL DESCRIPTION THAT HAS BEEN SUBDIVIDED INTO THE STATED SUBDIVISION.

to secure an indebtedness of **\$1,186,643.00** therein described, said mortgage being of record in **Instrument #20060512000224490** on **May 12, 2006**, in the Probate Court of **Shelby County, Alabama**, and

III

WHEREAS, on, to-wit: **October 3, 2007**, **BENT CREEK, LLC, A LIMITED LIABILITY COMPANY**, (herein called MORTGAGOR), did execute and deliver to **FIRST FINANCIAL BANK**, a corporation, (hereinafter called MORTGAGEE), a third mortgage on

Parcel I:

A parcel of land lying in the North 1/2 of Section 12, Township 20 South, Range 2 West, the Southeast 1/4 of the Southeast 1/4 of Section 1, Township 20 South, Range 2 West, the Northwest 1/4 of the Northwest 1/4 of Section 7, Township 20 South, Range 1 West, and the Southwest 1/4 of the Southwest 1/4 of Section 6, Township 20 South, Range 1 West, Shelby County, Alabama, and being more particularly described as follows:

Beginning at a 1 1/2 Inch open top pipe found at the Northeast corner of the Southwest 1/4 of the Northeast 1/4 of said Section 12; thence South 00°49'58" East along the East line of said 1/4 - 1/4 a distance of 1327.32 feet to a 1/2 Inch rebar found at the Southeast corner of said 1/4 - 1/4; thence North 89°05'55" West along the South line of the North 1/2 of said Section 12 a distance of 3318.86 feet to a 5/8 inch capped rebar set "SMW LS 19753"; thence leaving said South line North 55°20'36" East a distance of 4546.14 feet to a 5/8 inch capped rebar set "SMW LS 19753" on the Southerly right of way of County Highway 36; thence along said right of way the following courses and distances of North 84°43'14" East a distance of 120.86 feet to a 5/8 inch capped rebar set SMW LS 19753; thence North 05°16'46" West a distance of 10.00 feet to a 5/8 inch capped rebar set SMW LS 19753; thence North 84°43'14" East a distance of 733.77 feet to a 5/8 Inch capped rebar set SMW LS 19753; thence

with a curve to the right having an arc length of 1195.36 feet, a radius of 480.87 feet and a chord bearing and distance of South 24°03'56" East for 910.50 feet to a 5/8 inch capped rebar set "SMW LS 19753"; thence South 46°54'13" West a distance of 502.71 feet to a concrete monument found; thence with a curve to the left having an arc length of 279.30 feet, a radius of 512.78 feet, and a chord bearing and distance of South 31°17'58" West for 275.86 feet to a 5/8 Inch capped rebar set "SMW LS 19753" on the South line of the Northeast 1/4 of the Northeast 1/4 of said Section 12; thence leaving said right of way North 89°24'68" West along said South line a distance of 1151.42 feet to the point of beginning.

Note: A portion of the above legal has been subdivided into a recorded subdivision known as Bent Creek Subdivision Sector 1. This mortgage shall include all lots listed below.

Lots 1, 2, 19, 22, 23, 24, 25, 26, 27, 29, and 30, according to the Survey of Bent Creek Subdivision Sector 1, as recorded in Map Book 36, Page 23, in the Probate Office of Shelby County, Alabama.

AND:

Lots 48A and 50A, according to a Resurvey of Lots 48, 49 and 50 Bent Creek Subdivision – Sector 1, as recorded in Map Book 39, Page 33, in the Probate Office of Shelby County, Alabama.

Less and except the following lots from the mortgage:

Lots 3, 4, 5, 6, 7, 10, 11, 14, 15, 16, 17, 18, 20, 21, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 46 and 47, according to the Survey of Bent Creek Subdivision Sector 1, as recorded in Map Book 36, Page 23, in the Probate Office of Shelby County, Alabama.

Lot 8-A, according to the Resurvey of Lots 8 and 9 of Bent Creek Subdivision-Sector 1, as recorded in Map Book 40, Page 3, in the Probate Office of SHELBY County, ALABAMA

Note: The above subdivisions lie within the boundaries of the metes and bounds legal descriptions.

Parcel II:

A parcel of land lying In the Northeast 1/4 of the Northeast 1/4 of Section 12, Township 20 South, Range 2 West, the Southeast 1/4 of the Southeast 1/4 of Section 1, Township 20 South, Range 2 West, the Northwest 1/4 of the Northwest 1/4 of Section 7, Township 20 South, Range 1 West, and the Southwest 1/4 of the Southwest 1/4 of Section 6, Township 20 South, Range 1 West, Shelby County, Alabama, and being more particularly described as follows:

Beginning at a 3 inch open top pipe of said Section 7; thence the Southeast corner of the top pipe found at the Northeast corner of the Northwest 1/4 of the Northwest 1/4 South 00°32'38" East a distance of 1331.69 feet to a 1 inch open top pipe found at said 1/4 - 1/4; thence South 89°32'37" West along the South line of said 1/4 - 1/4 a distance of 1320.00 feet to a 5/8 inch capped rebar set "SMW LS 19753"; thence North 89°24'58" West along the South line of the Northeast 1/4 of the Northeast 1/4 of said Section 12 a distance of 84.91 feet to a 5/8 inch capped rebar set "SMW LS 19753" on the Easterly right of way of County Highway 36; thence leaving said South line and along said right of way the following courses and distances: with a curve to the right having an arc length of 213.97 feet, a radius of 432.78 feet, and a chord bearing and distance of North 32°44'23" East for 211.80; feet to a 5/8 inch capped rebar set "SMW LS 19753"; thence North 46°54'13" East a distance of 502.37 feet to a 5/8 inch capped rebar set "SMW LS 19753"; thence with the curve to the left having an arc length 1394.23 feet, a radius of 560.87 feet and a chord bearing and distance of North 24°03'56" West for 1061.98 feet to a 5/8 Inch capped rebar set SMW LS 19753; thence South 84°43'14" West a distance of 377.28 feet to a 5/8 Inch capped rebar set SMW LS 19753; thence leaving said right of way North 00°18'36" East parallel to the West line of the SW 1/4 of the SW 1/4 of said Section 6 a distance of 96.00 feet to a 5/8 inch capped rebar set SMW LS 19753; thence North 51°24'16" East a distance of 514.02 feet to a 5/8 Inch capped rebar set SMW LS 19753 on said West line; thence North 57°19'02" East a distance of 1506.26 feet to a 5/8 inch capped rebar set SMW LS 19753 on the North line of the SW 1/4 of the SW 1/4 of

said Section 6; thence South 89°36'10" East along said North line a distance of 55.08 feet to a 5/8 inch capped rebar set "SMW LS 19753"; thence leaving said North line South 00°14'05" West along the West line of said 1/4 -1/4 a distance of 1344.67 feet to the point of beginning.

Less and except that right of way of Pickle Drive over and across said described property. All being situated in Shelby County, Alabama.

Part of above subject property is now known as and includes Lots 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 90, 91, 94, 95, 98, 99, 100, 101, 102, 103, 104, 105 and 106, Bent Creek Subdivision – Sector 2 Phase I.

to secure an indebtedness of **\$400,000.00** therein described, said mortgage being of record in **Instrument #20071024000492220 on October 24, 2007, in the Probate Court of Shelby County, Alabama, and**

WHEREAS, under the terms and provisions of said mortgages the said Mortgagee was authorized and empowered upon default in the payment of said indebtedness, to sell said real estate at public sale at the **Main Street entrance of the Shelby County Courthouse at Columbiana, Alabama**, to the highest bidder for cash, after first having mailed a thirty (30) day written notice to Mortgagor as required by said mortgages and after first having given notice of the time, place and terms of sale by advertisement for three (3) successive weeks in **THE SHELBY COUNTY REPORTER**, newspaper published in **Shelby County, Alabama**; and

WHEREAS, Mortgagor did fail and default in the payment of the indebtedness described in and secured by said mortgages and said indebtedness did thereby become in default and said mortgages were thereby subject to foreclosure; and

WHEREAS, the said Mortgagee, upon default in the payment of the indebtedness did declare the entire indebtedness due and payable and elected to foreclose said mortgages; and

WHEREAS, Mortgagee did give said thirty (30) day written notice as required by said mortgages and did thereafter advertise and give notice of the sale of said real estate under the terms and conditions of said mortgages by advertising notice of the time, place and terms of sale in **THE SHELBY COUNTY REPORTER**, a newspaper of general circulation published in Shelby County, Alabama, said notices appearing in said newspaper once a week for three (3) successive weeks, on **September 9, September 16 and September 23, 2009**, which said notice stated that said real estate, describing it, would be sold at public auction to the highest bidder for cash during the legal hours of sale on **October 6, 2009**, at the **Main Street entrance of the Shelby County Courthouse, at Columbiana, Alabama**;

WHEREAS, on **October 6, 2009**, within the legal hours of sale at the **Main Street entrance of the Shelby County Courthouse, at Columbiana, Alabama**, said real estate securing the mortgages was offered for sale at public auction by V. Edward Freeman, II, who was and is the attorney for Mortgagee and acted as auctioneer in conducting said sale, and at said sale the subject property as follows:

III

Parcel I:

A parcel of land lying in the North 1/2 of Section 12, Township 20 South, Range 2 West, the Southeast 1/4 of the Southeast 1/4 of Section 1, Township 20 South, Range 2 West, the Northwest 1/4 of the Northwest 1/4 of Section 7, Township 20 South, Range 1 West, and the Southwest 1/4 of the Southwest 1/4 of Section 6, Township 20 South, Range 1 West, Shelby County, Alabama, and being more particularly described as follows:

Beginning at a 1 1/2 Inch open top pipe found at the Northeast corner of the Southwest 1/4 of the Northeast 1/4 of said Section 12; thence South 00°49'58" East along the East line of said 1/4 - 1/4 a distance of 1327.32 feet to a 1/2 Inch rebar found at the Southeast corner of said 1/4 - 1/4; thence North 89°05'55" West along the South line of the North 1/2 of said Section 12 a distance of 3318.86 feet to a 5/8 inch capped rebar set "SMW LS 19753"; thence leaving said South line North 55°20'36" East a distance of 4546.14 feet to a 5/8 inch capped rebar set "SMW LS 19753" on the Southerly right of way of County Highway 36; thence along said right of way the following courses and distances of North 84°43'14" East a distance of 120.86 feet to a 5/8 inch capped rebar set SMW LS 19753; thence North 05°16'46" West a distance of 10.00 feet to a 5/8 inch capped rebar set SMW LS 19753; thence North 84°43'14" East a distance of 733.77 feet to a 5/8 Inch capped rebar set SMW LS 19753; thence with a curve to the right having an arc length of 1195.36 feet, a radius of 480.87 feet and a chord bearing and distance of South 24°03'56" East for 910.50 feet to a 5/8 inch capped rebar set "SMW LS 19753"; thence South 46°54'13" West a distance of 502.71 feet to a concrete monument found; thence with a curve to the left having an arc length of 279.30 feet, a radius of 512.78 feet, and a chord bearing and distance of South 31°17'58" West for 275.86 feet to a 5/8 Inch capped rebar set "SMW LS 19753" on the South line of the Northeast 1/4 of the Northeast 1/4 of said Section 12; thence leaving said right of way North 89°24'68" West along said South line a distance of 1151.42 feet to the point of beginning.

Note: A portion of the above legal has been subdivided into a recorded subdivision known as Bent Creek Subdivision Sector 1. This mortgage shall include all lots listed below.

Lots 1, 2, 19, 22, 23, 24, 25, 26, 27, 29, and 30, according to the Survey of Bent Creek Subdivision Sector 1, as recorded in Map Book 36, Page 23, in the Probate Office of Shelby County, Alabama.

AND:

Lots 48A and 50A, according to a Resurvey of Lots 48, 49 and 50 Bent Creek Subdivision – Sector 1, as recorded in Map Book 39, Page 33, in the Probate Office of Shelby County, Alabama.

Less and except the following lots from the mortgage:

Lots 3, 4, 5, 6, 7, 10, 11, 14, 15, 16, 17, 18, 20, 21, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 46 and 47, according to the Survey of Bent Creek Subdivision Sector 1, as recorded in Map Book 36, Page 23, in the Probate Office of Shelby County, Alabama.

Lot 8-A, according to the Resurvey of Lots 8 and 9 of Bent Creek Subdivision-Sector 1, as recorded in Map Book 40, Page 3, in the Probate Office of SHELBY County, ALABAMA

Note: The above subdivisions lie within the boundaries of the metes and bounds legal descriptions.

Parcel II:

A parcel of land lying In the Northeast 1/4 of the Northeast 1/4 of Section 12, Township 20 South, Range 2 West, the Southeast 1/4 of the Southeast 1/4 of Section 1, Township 20 South, Range 2 West, the Northwest 1/4 of the Northwest 1/4 of Section 7, Township 20 South, Range 1 West, and the Southwest 1/4 of the Southwest 1/4 of Section 6, Township 20 South, Range 1 West, Shelby County, Alabama, and being more particularly described as follows:

Beginning at a 3 inch open top pipe of said Section 7; thence the Southeast corner of the top pipe found at the Northeast corner of the Northwest 1/4 of the Northwest 1/4 South 00°32'38" East a distance of 1331.69 feet to a 1 inch open top pipe found at said 1/4 - 1/4; thence South 89°32'37" West along the South line of said 1/4 - 1/4 a distance of 1320.00 feet to a 5/8 inch capped rebar set "SMW LS 19753"; thence North 89°24'58" West along the South line of the Northeast 1/4 of the Northeast 1/4 of said Section 12 a distance of 84.91 feet to a 5/8 inch capped rebar set "SMW LS 19753" on the Easterly right of way of County Highway 36; thence leaving said South line and along said right of way the following courses and distances: with a curve to the right having an arc length of 213.97 feet, a radius of 432.78 feet, and a chord bearing and distance of North 32°44'23" East for 211.80; feet to a 5/8 inch capped rebar set "SMW LS 19753"; thence North 46°54'13" East a distance of 502.37 feet to a 5/8 inch capped rebar set "SMW LS 19753"; thence with the curve to the left having an arc length 1394.23 feet, a radius of 560.87 feet and a chord bearing and distance of North 24°03'56" West for 1061.98 feet to a 5/8 Inch capped rebar set SMW LS 19753; thence South 84°43'14" West a distance of 377.28 feet to a 5/8 Inch capped rebar set SMW LS 19753; thence leaving said right of way North 00°18'36" East parallel to the West line of the SW 1/4 of the SW 1/4 of said Section 6 a distance of 96.00 feet to a 5/8 inch capped rebar set SMW LS 19753; thence North 51°24'16" East a distance of 514.02 feet to a 5/8 Inch capped rebar set SMW LS 19753 on said West line; thence North 57°19'02" East a distance of 1506.26 feet to a 5/8 inch capped rebar set SMW LS 19753 on the North line of the SW 1/4 of the SW 1/4 of said Section 6; thence South 89°36'10" East along said North line a distance of 55.08 feet to a 5/8 inch capped rebar set "SMW LS 19753"; thence leaving said North line South 00°14'05" West along the West line of said 1/4 -1/4 a distance of 1344.67 feet to the point of beginning.

Less and except that right of way of Pickle Drive over and across said described property. All being situated in Shelby County, Alabama.

Part of above subject property is now known as and includes Lots 77, 78, 79, 80, 81, 82, 83, 84, 85,86, 87, 90, 91, 94, 95, 98, 99, 100, 101, 102, 103, 104, 105 and 106, Bent Creek Subdivision – Sector 2 Phase I.

II

PARCEL I

A PARCEL OF LAND LYING IN THE NORTH 1/2 OF SECTION 12, TOWNSHIP 20 SOUTH, RANGE 2 WEST, THE NW 1/4 OF THE NW 1/4 OF SECTION 7, TOWNSHIP 20 SOUTH, RANGE 1 WEST, AND THE SW 1/4 OF THE SW 1/4 OF SECTION 6, TOWNSHIP 20 SOUTH, RANGE 1 WEST, SHELBY COUNTY, ALABAMA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1 1/2 INCH OPEN TOP PIPE FOUND AT THE NE CORNER OF THE SW 1/4 OF THE NE 1/4 OF SAID SECTION 12; THENCE S 00 DEGREES 49 MINUTES 58 SECONDS E ALONG THE EAST LINE OF SAID 1/4-1/4 A DISTANCE OF 1327.32 FEET TO A 1/2 INCH REBAR FOUND AT THE SE CORNER OF SAID 1/4-1/4; THENCE N 89 DEGREES 05 MINUTES 55 SECONDS W ALONG THE SOUTH LINE OF THE NORTH 1/2 OF SAID SECTION 12 A DISTANCE OF 3318.86 FEET TO A 5/8 INCH CAPPED REBAR SET "SMW LS 19753"; THENCE LEAVING SAID SOUTH LINE N 55 DEGREES

20 MINUTES 36 SECONDS E A DISTANCE OF 4546.14 FEET TO A 5/8 INCH CAPPED REBAR SET "SMW LS 19573", THENCE N 05 DEG. 16 MIN 46 SEC. E A DISTANCE OF 733.77 FEET TO A 5/8 INCH CAPPED REBAR SET SMW LS 19753, THENCE WITH A CURVE TO THE RIGHT HAVING AN ARC LENGTH OF 1195.36 FEET, A RADIUS OF 480.87 FEET AND A CHORD BEARING AND DISTANCE OF S 24 DEGREES 03 MINUTES 56 SEC E FOR 910.50 FEET TO A 5/8 INCH CAPPED REBAR SET "SMW LS 19753"; THENCE S 46 DEGREES 54 MIN. 13 SEC. W A DISTANCE OF 502.71 FEET TO A CONCRETE MONUMENT FOUND; THENCE WITH A CURVE TO THE LEFT HAVING AN ARC LENGTH OF 279.30 FEET, A RADIUS OF 512.78 FEET AND A CHORD BEARING AND DISTANCE OF S 31 DEG 17 MIN. 58 SEC W FOR 275.86 FEET TO A 5/8 INCH CAPPED REBAR SET "SMW LS 19753" ON THE SOUTH LINE OF THE NE 1/4 OF THE NE 1/4 OF SAID SECTION 12; THENCE LEAVING SAID RIGHT OF WAY N 89 DEG. 24 MIN. 58 SEC W ALONG SAID SOUTH LINE A DISTANCE OF 1151.42 FEET TO THE POINT OF BEGINNING.

PARCEL II

A PARCEL OF LAND LYING IN THE NE 1/4 OF THE NE 1/4 OF SECTION 12, TOWNSHIP 20 SOUTH, RANGE 2 WEST, THE SE 1/4 OF THE SE 1/4 OF SECTION 1, TOWNSHIP 20 SOUTH, RANGE 2 WEST, THE N 1/4 OF THE NE 1/4 OF SECTION 7, TOWNSHIP 20 SOUTH, RANGE 1 WEST, SHELBY COUNTY, ALABAMA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 3 INCH OPEN TOP PIPE FOUND AT THE NE CORNER OF THE NW 1/4 OF THE NW 1/4 OF SAID SECTION 7; THENCE S 00 DEG. 32 MIN. 38 SEC. E A DISTANCE OF 1331.69 FEET TO A 1 INCH OPEN TOP PIPE FOUND AT THE SE CORNER OF SAID 1/4-1/4; THENCE S 89 DEG. 32 MIN 37 SEC. W ALONG THE SOUTH LINE OF SAID 1/4-1/4 A DISTANCE OF 1320.00 FEET TO A 5/8 INCH CAPPED REBAR SET "SMW LS 19753"; THENCE N 89 DEG 24 MIN. 58 SEC. W ALONG THE SOUTH LINE OF THE NE 1/4 OF THE NE 1/4 OF SAID SECTION 12 A DISTANCE OF 84.91 FEET TO A 5/8 INCH CAPPED REBAR SET "SMW LS 19753" ON THE EASTERLY RIGHT OF WAY OF COUNTY HIGHWAY 36; THENCE LEAVING SAID SOUTH LINE AND ALONG SAID RIGHT OF WAY THE FOLLOWING COURSES AND DISTANCES: WITH A CURVE TO THE RIGHT HAVING AN ARC LENGTH OF 213.97 FEET, A RADIUS OF 432.78 FEET, AND A CHORD BEARING AND DISTANCE OF N 2 DEG. 44 MIN 23 SEC. E FOR 211.80 FEET TO A 5/8 INCH CAPPED REBAR SET "SMW LS 19753"; THENCE N 46 DEG 54 MIN 13 SEC. E A DISTANCE OF 502.37 FEET TO A 5/8 INCH CAPPED REBAR SET "SMW LS 19753", THENCE WITH THE CURVE TO THE LEFT HAVING AN ARC LENGTH 1394.23 FEET, A RADIUS OF 560.87 FEET AND A CHORD BEARING AND DISTANCE OF N 24 DEG. 03 MIN. 56 SEC. W FOR 1061.98 FEET TO A 5/8 INCH CAPPED REBAR SET SMW LS 19753; THENCE S 84 DEG. 43 MIN. 14 SEC. WEST A DISTANCE OF 377.28 FEET TO A 5/8 INCH CAPPED REBAR SET SMW LS 19753; THENCE LEAVING SAID RIGHT OF WAY NORTH 00 DEG. 18 MIN. 36 SEC E PARALLEL TO THE WEST LINE OF THE SW 1/4 OF THE SW 1/4 OF SAID SECTION 6 A DISTANCE OF 96.00 FEET TO A 5/8 INCH CAPPED REBAR SET SMW LS 19753, THENCE N 51 DEG. 24 MIN. 16 SEC. E A DISTANCE OF 514.02 FEET TO A 5/8 INCH CAPPED REBAR SET SMW LS 19753 ON SAID WEST LINE; THENCE N 57 DEG. 19 MIN. 02 SEC. E A DISTANCE OF 1506.21 FEET TO A 5/8 INCH CAPPED REBAR SET SMW LS 19753 ON THE NORTH LINE OF THE SW 1/4 OF THE SW 1/4 OF SAID SECTION 6; THENCE S 89 DEG. 36 MIN 10 SEC. E ALONG SAID NORTH LINE A DISTANCE OF 55.08 FEET TO A 5/8 INCH CAPPED REBAR SET SMW LS 19753; THENCE LEAVING SAID NORTH LINE S 00 DEG. 14 MIN. 05 SEC W ALONG THE WEST LINE OF SAID 1/4-1/4 A DISTANCE OF 1344.67 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT THAT RIGHT OF WAY OF PICKLE DRIVE OVER AND ACROSS SAID DESCRIBED PROPERTY.

ALL BEING SITUATED IN SHELBY COUNTY, ALABAMA.

LESS & EXCEPT BENT CREEK SECTOR 1 36-23.

PARCEL III

LOTS 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 90, 91, 94, 95, 98, 99, 100, 101, 102, 103, 104, 105 AND 106, ACCORDING TO THE SURVEY OF BENT CREEK SUBDIVISION – SECTOR 2 PHASE 1, RECORDED IN MAP BOOK 39, PAGE 135, IN THE OFFICE OF THE JUDGE OF PROBATE OF SHELBY COUNTY, ALABAMA.

NOTE: THESE LOTS ARE A PORTION OF THE ABOVE DESCRIBED LEGAL DESCRIPTION THAT HAS BEEN SUBDIVIDED INTO THE STATED SUBDIVISION.

I

Parcel I

A parcel of land lying in the North $\frac{1}{2}$ of Section 12, Township 20 South, Range 2 West, the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 1, Township 20 South, Range 2 West, the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 7, Township 20 South, Range 1 West, and the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 6, Township 20 South, Range 1 West, Shelby County, Alabama and being more particularly described as follows:

Beginning at a 1 $\frac{1}{2}$ inch open top pipe found at the Northeast corner of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 12; thence S 00 deg. 49 min. 58 sec. E along the East line or said $\frac{1}{4}$ $\frac{1}{4}$ a distance of 1327.32 feet to a $\frac{1}{2}$ inch rebar found at the Southeast corner of said $\frac{1}{4}$ $\frac{1}{4}$; thence N 89 deg. 05 min. 55 sec. W along the South line of the North $\frac{1}{2}$ of said Section 12 a distance of 3318.86 feet to a $\frac{5}{8}$ inch capped rebar set "SMW LS 19753"; thence leaving said South line N 55 deg. 20 min. 36 sec. E a distance of 4546.14 feet to a $\frac{5}{8}$ inch capped rebar set "SMW LS 19753" on the Southerly right of way of County Highway 36; thence along said right of way the following courses and distances of N 84 deg. 43 min. 14 sec. E a distance of 120.86 feet to a $\frac{5}{8}$ inch capped rebar set SMW LS 19753; thence N 05 deg. 16 min. 46 sec. W a distance of 10.00 feet to a $\frac{5}{8}$ inch capped rebar set SMW LS 19753; thence N 84 deg. 43 min. 14 sec. E a distance of 733.77 feet to a $\frac{5}{8}$ inch capped rebar set SMW LS 19753; thence with a curve to the right having an arc length of 1195.36 feet, a radius of 480.87 feet and a chord bearing and distance of S 24 deg. 03 min. 56 sec E for 910.50 feet to a $\frac{5}{8}$ inch capped rebar set "SMW LS 19753"; thence S 46 deg. 54 min. 13 sec. W a distance of 502.71 feet to a concrete monument found; thence with a curve to the left having an arc length of 279.30 feet, a radius of 512.78 feet, and a chord bearing and distance of S 31 deg. 17 min. 58 sec. W for 275.86 feet to a $\frac{5}{8}$ inch capped rebar set "SMW LS 19753" on the South line of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 12; thence leaving said right of way N 89 deg. 24 min. 58 sec. W along said South line a distance of 1151.42 feet to the point of beginning.

Parcel II

A parcel of land lying in the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 12, Township 20 South, Range 2 West, the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 1, Township 20 South, Range 2 West, the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 7, Township 20 South, Range 1 West, and the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 6, Township 20 South, Range 1 West, Shelby County, Alabama, and being more particularly described as follows:

Beginning at a 3 inch open top pipe found at the Northeast corner of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 7; thence S 00 deg. 32 min. 38 sec. E a distance of 1331.69 feet to a 1 inch open top pipe found at the Southeast corner of said $\frac{1}{4}$ $\frac{1}{4}$; thence S 89 deg. 32 min. 37 sec. W along the South line of said $\frac{1}{4}$ $\frac{1}{4}$ a distance of 1320.00 feet to a $\frac{5}{8}$ inch capped rebar set "SMW LS 19753"; thence N 89 deg. 24 min. 58 sec. W along the South line of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 12 a distance of 84.91 feet to a $\frac{5}{8}$ inch capped rebar set "SMW LS 19753" on the Easterly right of way of County Highway 36; thence leaving said South line and along said right of way the following courses and distances: with a curve to the right having an arc length of 213.97 feet, a radius of 432.78 feet, and a chord bearing and distance of N 32 deg. 44 min. 23 sec. E for 211.80 feet to a $\frac{5}{8}$ Inch capped rebar

set "SMW LS 19753"; thence N 46 deg. 54 min. 13 sec. E a distance of 502.37 feet to a 5/8 inch capped rebar set "SMW LS 19753"; thence with the curve to the left having an arc length 1394.23 feet, a radius of 560.87 feet and a chord bearing and distance of N 24 deg. 03 min. 56 sec. W for 1061.98 feet to a 5/8 inch capped rebar set SMW LS 19753; thence S 84 deg. 43 min. 14 West a distance of 377.28 feet to a 5/8 inch capped rebar set SMW LS 19753; thence leaving said right of way North 00 deg. 18 min. 36 sec. E parallel to the West line of the SW 1/4 of the SW 1/4 of said Section 6 a distance of 96.00 feet to a 5/8 Inch capped rebar set SMW LS 19753; thence N 51 deg. 24 min. 16 sec. E a distance of 514.02 feet to a 5/8 inch capped rebar set SMW LS 19753 on said West line; thence N 57 deg. 19 min. 02 sec. E a distance of 1506.21 feet to a 5/8 inch capped rebar set SMW LS 19753 on the North line of the SW 1/4 of the SW 1/4 of said Section 6; thence S 89 deg. 36 min. 10 sec. E along said North line a distance of 55.08 feet to a 5/8 inch capped rebar set SMW LS 19753; thence leaving said North line S 00 deg. 14 min. 05 sec. W along the West line of said 1/4 1/4 a distance of 1344.67 feet to the point of beginning.

Less and except that right of way of Pickle Drive over and across said described property.

Less and except Lots 3, 4, 5, 6, 7, 11, 12, 13, 14, 15, 16, 17, 18, 20, 21, 28, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46 and 47, according to the Survey of Bent Creek Subdivision-Sector 1, as recorded in Map Book 36, Page 23, in the Probate Office of SHELBY County, ALABAMA.

Less and except Lots 88 and 89, according to the Survey of Bent Creek Subdivision-Sector 2 Phase 1, as recorded in Map Book 39, Page 135, in the Probate Office of SHELBY County, ALABAMA.

Less and except Lot 8-A, according to the Resurvey of Lots 8 and 9 of Bent Creek Subdivision-Sector 1, as recorded in Map Book 40, Page 3, in the Probate Office of SHELBY County, ALABAMA

NOTE: A portion of the above legal has been subdivided into a recorded subdivision known as Bent Creek. The mortgage to be foreclosed shall include the lots listed below.

Parcel IV

Lots 1, 2, 19, 22, 23, 24, 25, 26, 27 and 29, according to the Survey of Bent Creek Subdivision-Sector 1, as recorded in Map Book 36, Page 23, in the Probate Office of SHELBY County, ALABAMA.

Parcel V

Lots 48-A and 50-A, according to the Resurvey of Lots 48, 49 and 50 of Bent Creek Subdivision, as recorded in Map Book 39, Page 33, in the Probate Office of SHELBY County, ALABAMA.

Parcel VI

Lots 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 90, 91, 94, 95, 98, 99, 100, 101, 102, 103, 104, 105 and 106, according to the Survey of Bent Creek Subdivision-Sector 2 Phase 1, as recorded in Map Book 39, Page 135, in the Probate Office of SHELBY County, ALABAMA.

was sold to **FIRST FINANCIAL BANK** for the following amount, said amount being the highest, best and only bid offered for said real estate **\$1,642,500.00**. There were no other bidders present.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS, that I, the undersigned V. Edward Freeman, II, as Attorney for Mortgagee and as auctioneer conducting said sale, for and in consideration of the premises and the sum of **\$1,642,500.00**, do hereby grant, bargain, sell and convey unto **FIRST FINANCIAL BANK**,

all of the right, title and interest of the said Mortgagors and of **FIRST FINANCIAL BANK**, as
Mortgagee in and to the following described real estate situated in **Shelby County**,
Alabama, to-wit:

III

Parcel I:

A parcel of land lying in the North 1/2 of Section 12, Township 20 South, Range 2 West, the Southeast 1/4 of the Southeast 1/4 of Section 1, Township 20 South, Range 2 West, the Northwest 1/4 of the Northwest 1/4 of Section 7, Township 20 South, Range 1 West, and the Southwest 1/4 of the Southwest 1/4 of Section 6, Township 20 South, Range 1 West, Shelby County, Alabama, and being more particularly described as follows:

Beginning at a 1 1/2 Inch open top pipe found at the Northeast corner of the Southwest 1/4 of the Northeast 1/4 of said Section 12; thence South 00°49'58" East along the East line of said 1/4 - 1/4 a distance of 1327.32 feet to a 1/2 Inch rebar found at the Southeast corner of said 1/4 - 1/4; thence North 89°05'55" West along the South line of the North 1/2 of said Section 12 a distance of 3318.86 feet to a 5/8 inch capped rebar set "SMW LS 19753"; thence leaving said South line North 55°20'36" East a distance of 4546.14 feet to a 5/8 inch capped rebar set "SMW LS 19753" on the Southerly right of way of County Highway 36; thence along said right of way the following courses and distances of North 84°43'14" East a distance of 120.86 feet to a 5/8 inch capped rebar set SMW LS 19753; thence North 05°16'46" West a distance of 10.00 feet to a 5/8 inch capped rebar set SMW LS 19753; thence North 84°43'14" East a distance of 733.77 feet to a 5/8 Inch capped rebar set SMW LS 19753; thence with a curve to the right having an arc length of 1195.36 feet, a radius of 480.87 feet and a chord bearing and distance of South 24°03'56" East for 910.50 feet to a 5/8 inch capped rebar set "SMW LS 19753"; thence South 46°54'13" West a distance of 502.71 feet to a concrete monument found; thence with a curve to the left having an arc length of 279.30 feet, a radius of 512.78 feet, and a chord bearing and distance of South 31°17'58" West for 275.86 feet to a 5/8 Inch capped rebar set "SMW LS 19753" on the South line of the Northeast 1/4 of the Northeast 1/4 of said Section 12; thence leaving said right of way North 89°24'68" West along said South line a distance of 1151.42 feet to the point of beginning.

Note: A portion of the above legal has been subdivided into a recorded subdivision known as Bent Creek Subdivision Sector 1. This mortgage shall include all lots listed below.

Lots 1, 2, 19, 22, 23, 24, 25, 26, 27, 29, and 30, according to the Survey of Bent Creek Subdivision Sector 1, as recorded in Map Book 36, Page 23, in the Probate Office of Shelby County, Alabama.

AND:

Lots 48A and 50A, according to a Resurvey of Lots 48, 49 and 50 Bent Creek Subdivision – Sector 1, as recorded in Map Book 39, Page 33, in the Probate Office of Shelby County, Alabama.

Less and except the following lots from the mortgage:

Lots 3, 4, 5, 6, 7, 10, 11, 14, 15, 16, 17, 18, 20, 21, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 46 and 47, according to the Survey of Bent Creek Subdivision Sector 1, as recorded in Map Book 36, Page 23, in the Probate Office of Shelby County, Alabama.

Lot 8-A, according to the Resurvey of Lots 8 and 9 of Bent Creek Subdivision-Sector 1, as recorded in Map Book 40, Page 3, in the Probate Office of SHELBY County, ALABAMA

Note: The above subdivisions lie within the boundaries of the metes and bounds legal descriptions.

Parcel II:

A parcel of land lying In the Northeast 1/4 of the Northeast 1/4 of Section 12, Township 20 South, Range 2 West, the Southeast 1/4 of the Southeast 1/4 of Section 1, Township 20 South, Range 2 West, the Northwest 1/4 of the Northwest 1/4 of Section 7, Township 20 South, Range 1 West, and the Southwest 1/4 of the Southwest 1/4 of Section 6, Township 20 South, Range 1 West, Shelby County, Alabama, and being more particularly described as follows:

Beginning at a 3 inch open top pipe of said Section 7; thence the Southeast corner of the top pipe found at the Northeast corner of the Northwest 1/4 of the Northwest 1/4 South 00°32'38" East a distance of 1331.69 feet to a 1 inch open top pipe found at said 1/4 - 1/4; thence South 89°32'37" West along the South line of said 1/4 - 1/4 a distance of 1320.00 feet to a 5/8 inch capped rebar set "SMW LS 19753"; thence North 89°24'58" West along the South line of the Northeast 1/4 of the Northeast 1/4 of said Section 12 a distance of 84.91 feet to a 5/8 inch capped rebar set "SMW LS 19753" on the Easterly right of way of County Highway 36; thence leaving said South line and along said right of way the following courses and distances: with a curve to the right having an arc length of 213.97 feet, a radius of 432.78 feet, and a chord bearing and distance of North 32°44'23" East for 211.80; feet to a 5/8 inch capped rebar set "SMW LS 19753"; thence North 46°54'13" East a distance of 502.37 feet to a 5/8 inch capped rebar set "SMW LS 19753"; thence with the curve to the left having an arc length 1394.23 feet, a radius of 560.87 feet and a chord bearing and distance of North 24°03'56" West for 1061.98 feet to a 5/8 Inch capped rebar set SMW LS 19753; thence South 84°43'14" West a distance of 377.28 feet to a 5/8 Inch capped rebar set SMW LS 19753; thence leaving said right of way North 00°18'36" East parallel to the West line of the SW 1/4 of the SW 1/4 of said Section 6 a distance of 96.00 feet to a 5/8 inch capped rebar set SMW LS 19753; thence North 51°24'16" East a distance of 514.02 feet to a 5/8 Inch capped rebar set SMW LS 19753 on said West line; thence North 57°19'02" East a distance of 1506.26 feet to a 5/8 inch capped rebar set SMW LS 19753 on the North line of the SW 1/4 of the SW 1/4 of said Section 6; thence South 89°36'10" East along said North line a distance of 55.08 feet to a 5/8 inch capped rebar set "SMW LS 19753"; thence leaving said North line South 00°14'05" West along the West line of said 1/4 -1/4 a distance of 1344.67 feet to the point of beginning.

Less and except that right of way of Pickle Drive over and across said described property. All being situated in Shelby County, Alabama.

Part of above subject property is now known as and includes Lots 77, 78, 79, 80, 81, 82, 83, 84, 85,86, 87, 90, 91, 94, 95, 98, 99, 100, 101, 102, 103, 104, 105 and 106, Bent Creek Subdivision – Sector 2 Phase I.

II

PARCEL I

A PARCEL OF LAND LYING IN THE NORTH 1/2 OF SECTION 12, TOWNSHIP 20 SOUTH, RANGE 2 WEST, THE NW 1/4 OF THE NW 1/4 OF SECTION 7, TOWNSHIP 20 SOUTH, RANGE 1 WEST, AND THE SW 1/4 OF THE SW 1/4 OF SECTION 6, TOWNSHIP 20 SOUTH, RANGE 1 WEST, SHELBY COUNTY, ALABAMA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1 1/2 INCH OPEN TOP PIPE FOUND AT THE NE CORNER OF THE SW 1/4 OF THE NE 1/4 OF SAID SECTION 12; THENCE S 00 DEGREES 49 MINUTES 58 SECONDS E ALONG THE EAST LINE OF SAID 1/4-1/4 A DISTANCE OF 1327.32 FEET TO A 1/2 INCH REBAR FOUND AT THE SE CORNER OF SAID 1/4-1/4; THENCE N 89 DEGREES 05 MINUTES 55 SECONDS W ALONG THE SOUTH LINE OF THE NORTH 1/2 OF SAID SECTION 12 A DISTANCE OF 3318.86 FEET TO A 5/8 INCH CAPPED REBAR SET "SMW LS 19753"; THENCE LEAVING SAID SOUTH LINE N 55 DEGREES 20 MINUTES 36 SECONDS E A DISTANCE OF 4546.14 FEET TO A 5/8 INCH CAPPED REBAR SET "SMW LS 19573", THENCE N 05 DEG. 16 MIN 46 SEC. E A DISTANCE OF 733.77 FEET TO A 5/8 INCH CAPPED REBAR SET SMW LS 19753, THENCE WITH A CURVE TO THE RIGHT HAVING AN ARC LENGTH OF 1195.36 FEET, A RADIUS OF 480.87 FEET AND A CHORD BEARING AND DISTANCE OF S 24 DEGREES 03 MINUTES 56 SEC E FOR 910.50 FEET TO A

5/8 INCH CAPPED REBAR SET "SMW LS 19753"; THENCE S 46 DEGREES 54 MIN. 13 SEC. W A DISTANCE OF 502.71 FEET TO A CONCRETE MONUMENT FOUND; THENCE WITH A CURVE TO THE LEFT HAVING AN ARC LENGTH OF 279.30 FEET, A RADIUS OF 512.78 FEET AND A CHORD BEARING AND DISTANCE OF S 31 DEG 17 MIN. 58 SEC W FOR 275.86 FEET TO A 5/8 INCH CAPPED REBAR SET "SMW LS 19753" ON THE SOUTH LINE OF THE NE 1/4 OF THE NE 1/4 OF SAID SECTION 12; THENCE LEAVING SAID RIGHT OF WAY N 89 DEG. 24 MIN. 58 SEC W ALONG SAID SOUTH LINE A DISTANCE OF 1151.42 FEET TO THE POINT OF BEGINNING.

PARCEL II

A PARCEL OF LAND LYING IN THE NE 1/4 OF THE NE 1/4 OF SECTION 12, TOWNSHIP 20 SOUTH, RANGE 2 WEST, THE SE 1/4 OF THE SE 1/4 OF SECTION 1, TOWNSHIP 20 SOUTH, RANGE 2 WEST, THE N 1/4 OF THE NE 1/4 OF SECTION 7, TOWNSHIP 20 SOUTH, RANGE 1 WEST, SHELBY COUNTY, ALABAMA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 3 INCH OPEN TOP PIPE FOUND AT THE NE CORNER OF THE NW 1/4 OF THE NW 1/4 OF SAID SECTION 7; THENCE S 00 DEG. 32 MIN. 38 SEC. E A DISTANCE OF 1331.69 FEET TO A 1 INCH OPEN TOP PIPE FOUND AT THE SE CORNER OF SAID 1/4-1/4; THENCE S 89 DEG. 32 MIN 37 SEC. W ALONG THE SOUTH LINE OF SAID 1/4-1/4 A DISTANCE OF 1320.00 FEET TO A 5/8 INCH CAPPED REBAR SET "SMW LS 19753"; THENCE N 89 DEG 24 MIN. 58 SEC. W ALONG THE SOUTH LINE OF THE NE 1/4 OF THE NE 1/4 OF SAID SECTION 12 A DISTANCE OF 84.91 FEET TO A 5/8 INCH CAPPED REBAR SET "SMW LS 19753" ON THE EASTERLY RIGHT OF WAY OF COUNTY HIGHWAY 36; THENCE LEAVING SAID SOUTH LINE AND ALONG SAID RIGHT OF WAY THE FOLLOWING COURSES AND DISTANCES: WITH A CURVE TO THE RIGHT HAVING AN ARC LENGTH OF 213.97 FEET, A RADIUS OF 432.78 FEET, AND A CHORD BEARING AND DISTANCE OF N 2 DEG. 44 MIN 23 SEC. E FOR 211.80 FEET TO A 5/8 INCH CAPPED REBAR SET "SMW LS 19753"; THENCE N 46 DEG 54 MIN 13 SEC. E A DISTANCE OF 502.37 FEET TO A 5/8 INCH CAPPED REBAR SET "SMW LS 19753", THENCE WITH THE CURVE TO THE LEFT HAVING AN ARC LENGTH 1394.23 FEET, A RADIUS OF 560.87 FEET AND A CHORD BEARING AND DISTANCE OF N 24 DEG. 03 MIN. 56 SEC. W FOR 1061.98 FEET TO A 5/8 INCH CAPPED REBAR SET SMW LS 19753; THENCE S 84 DEG. 43 MIN. 14 SEC. WEST A DISTANCE OF 377.28 FEET TO A 5/8 INCH CAPPED REBAR SET SMW LS 19753; THENCE LEAVING SAID RIGHT OF WAY NORTH 00 DEG. 18 MIN. 36 SEC E PARALLEL TO THE WEST LINE OF THE SW 1/4 OF THE SW 1/4 OF SAID SECTION 6 A DISTANCE OF 96.00 FEET TO A 5/8 INCH CAPPED REBAR SET SMW LS 19753, THENCE N 51 DEG. 24 MIN. 16 SEC. E A DISTANCE OF 514.02 FEET TO A 5/8 INCH CAPPED REBAR SET SMW LS 19753 ON SAID WEST LINE; THENCE N 57 DEG. 19 MIN. 02 SEC. E A DISTANCE OF 1506.21 FEET TO A 5/8 INCH CAPPED REBAR SET SMW LS 19753 ON THE NORTH LINE OF THE SW 1/4 OF THE SW 1/4 OF SAID SECTION 6; THENCE S 89 DEG. 36 MIN 10 SEC. E ALONG SAID NORTH LINE A DISTANCE OF 55.08 FEET TO A 5/8 INCH CAPPED REBAR SET SMW LS 19753; THENCE LEAVING SAID NORTH LINE S 00 DEG. 14 MIN. 05 SEC W ALONG THE WEST LINE OF SAID 1/4-1/4 A DISTANCE OF 1344.67 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT THAT RIGHT OF WAY OF PICKLE DRIVE OVER AND ACROSS SAID DESCRIBED PROPERTY.

ALL BEING SITUATED IN SHELBY COUNTY, ALABAMA.

LESS & EXCEPT BENT CREEK SECTOR 1 36-23.

PARCEL III

LOTS 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 90, 91, 94, 95, 98, 99, 100, 101, 102, 103, 104, 105 AND 106, ACCORDING TO THE SURVEY OF BENT CREEK SUBDIVISION – SECTOR 2 PHASE 1, RECORDED IN MAP BOOK 39, PAGE

135, IN THE OFFICE OF THE JUDGE OF PROBATE OF SHELBY COUNTY,
ALABAMA.

NOTE: THESE LOTS ARE A PORTION OF THE ABOVE DESCRIBED LEGAL
DESCRIPTION THAT HAS BEEN SUBDIVIDED INTO THE STATED
SUBDIVISION.

I

Parcel I

A parcel of land lying in the North $\frac{1}{2}$ of Section 12, Township 20 South, Range 2 West, the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 1, Township 20 South, Range 2 West, the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 7, Township 20 South, Range 1 West, and the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 6, Township 20 South, Range 1 West, Shelby County, Alabama and being more particularly described as follows:

Beginning at a 1 $\frac{1}{2}$ inch open top pipe found at the Northeast corner of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 12; thence S 00 deg. 49 min. 58 sec. E along the East line or said $\frac{1}{4}$ $\frac{1}{4}$ a distance of 1327.32 feet to a $\frac{1}{2}$ inch rebar found at the Southeast corner of said $\frac{1}{4}$ $\frac{1}{4}$; thence N 89 deg. 05 min. 55 sec. W along the South line of the North $\frac{1}{2}$ of said Section 12 a distance of 3318.86 feet to a $\frac{5}{8}$ inch capped rebar set "SMW LS 19753"; thence leaving said South line N 55 deg. 20 min. 36 sec. E a distance of 4546.14 feet to a $\frac{5}{8}$ inch capped rebar set "SMW LS 19753" on the Southerly right of way of County Highway 36; thence along said right of way the following courses and distances of N 84 deg. 43 min. 14 sec. E a distance of 120.86 feet to a $\frac{5}{8}$ inch capped rebar set SMW LS 19753; thence N 05 deg. 16 min. 46 sec. W a distance of 10.00 feet to a $\frac{5}{8}$ inch capped rebar set SMW LS 19753; thence N 84 deg. 43 min. 14 sec. E a distance of 733.77 feet to a $\frac{5}{8}$ inch capped rebar set SMW LS 19753; thence with a curve to the right having an arc length of 1195.36 feet, a radius of 480.87 feet and a chord bearing and distance of S 24 deg. 03 min. 56 sec E for 910.50 feet to a $\frac{5}{8}$ inch capped rebar set "SMW LS 19753"; thence S 46 deg. 54 min. 13 sec. W a distance of 502.71 feet to a concrete monument found; thence with a curve to the left having an arc length of 279.30 feet, a radius of 512.78 feet, and a chord bearing and distance of S 31 deg. 17 min. 58 sec. W for 275.86 feet to a $\frac{5}{8}$ inch capped rebar set "SMW LS 19753" on the South line of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 12; thence leaving said right of way N 89 deg. 24 min. 58 sec. W along said South line a distance of 1151.42 feet to the point of beginning.

Parcel II

A parcel of land lying in the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 12, Township 20 South, Range 2 West, the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 1, Township 20 South, Range 2 West, the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 7, Township 20 South, Range 1 West, and the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 6, Township 20 South, Range 1 West, Shelby County, Alabama, and being more particularly described as follows:

Beginning at a 3 inch open top pipe found at the Northeast corner of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 12; thence S 00 deg. 32 min. 38 sec. E a distance of 1331.69 feet to a 1 inch open top pipe found at the Southeast corner of said $\frac{1}{4}$ $\frac{1}{4}$; thence S 89 deg. 32 min. 37 sec. W along the South line of said $\frac{1}{4}$ $\frac{1}{4}$ a distance of 1320.00 feet to a $\frac{5}{8}$ inch capped rebar set "SMW LS 19753"; thence N 89 deg. 24 min. 58 sec. W along the South line of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 12 a distance of 84.91 feet to a $\frac{5}{8}$ inch capped rebar set "SMW LS 19753" on the Easterly right of way of County Highway 36; thence leaving said South line and along said right of way the following courses and distances: with a curve to the right having an arc length of 211.80 feet, a radius of 432.78 feet, and a chord bearing and distance of N 32 deg. 44 min. 12 sec. E for 211.80 feet to a $\frac{5}{8}$ Inch capped rebar set "SMW LS 19753"; thence N 05 deg. 54 min. 13 sec. E a distance of 502.37 feet to a $\frac{5}{8}$ inch capped rebar set "SMW LS 19753"; thence with the curve to the left having an arc length 1394.23 feet, a radius of 560.87 feet and a chord bearing and distance of N 24 deg. 03 min. 56 sec. W for 1061.98 feet to a $\frac{5}{8}$ inch capped rebar set SMW LS 19753; thence S 84 deg. 43 min. 14 West a distance of 377.28 feet to a

5/8 inch capped rebar set SMW LS 19753; thence leaving said right of way North 00 deg. 18 min. 36 sec. E parallel to the West line of the SW ¼ of the SW ¼ of said Section 6 a distance of 96.00 feet to a 5/8 Inch capped rebar set SMW LS 19753; thence N 51 deg. 24 min. 16 sec. E a distance of 514.02 feet to a 5/8 inch capped rebar set SMW LS 19753 on said West line; thence N 57 deg. 19 min. 02 sec. E a distance of 1506.21 feet to a 5/8 inch capped rebar set SMW LS 19753 on the North line of the SW ¼ of the SW ¼ of said Section 6; thence S 89 deg. 36 min. 10 sec. E along said North line a distance of 55.08 feet to a 5/8 inch capped rebar set SMW LS 19753; thence leaving said North line S 00 deg. 14 min. 05 sec. W along the West line of said ¼ ¼ a distance of 134.67 feet to the point of beginning.

Less and except that right of way of Pickle Drive over and across said described property.

Less and except Lots 3, 4, 5, 6, 7, 11, 12, 13, 14, 15, 16, 17, 18, 20, 21, 28, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46 and 47, according to the Survey of Bent Creek Subdivision-Sector 1, as recorded in Map Book 36, Page 23, in the Probate Office of SHELBY County, ALABAMA.

Less and except Lots 88 and 89, according to the Survey of Bent Creek Subdivision-Sector 2 Phase 1, as recorded in Map Book 39, Page 135, in the Probate Office of SHELBY County, ALABAMA.

Less and except Lot 8-A, according to the Resurvey of Lots 8 and 9 of Bent Creek Subdivision-Sector 1, as recorded in Map Book 40, Page 3, in the Probate Office of SHELBY County, ALABAMA.

NOTE: A portion of the above land has been subdivided into a recorded subdivision known as Bent Creek. The mortgage to be foreclosed shall include the lots listed below.

Parcel IV

Lots 1, 2, 19, 22, 23, 24, 25, 26, 27 and 29, according to the Survey of Bent Creek Subdivision-Sector 1, as recorded in Map Book 36, Page 23, in the Probate Office of SHELBY County, ALABAMA.

Parcel V

Lots 48-A and 50-A, according to the Resurvey of Lots 48, 49 and 50 of Bent Creek Subdivision, as recorded in Map Book 39, Page 33, in the Probate Office of SHELBY County, ALABAMA.

Parcel VI

Lots 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 90, 91, 94, 95, 98, 99, 100, 101, 102, 103, 104, 105 and 106, according to the Survey of Bent Creek Subdivision-Sector 2 Phase 1, as recorded in Map Book 39, Page 135, in the Probate Office of SHELBY County, ALABAMA.

SUBJECT TO:

Item 1. Defects, liens, encroachances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof.

Item 2. Rights or claims of parties in possession not shown by the public records.

Item 3. Easements, or claims of easements, not shown by the public records.

Item 4. Encroachments, overlaps, boundary line disputes, or other matters which would be disclosed by an accurate survey and inspection of the premises.

Item 5. Any lien, or right of lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the public records.

Item 6. Taxes or assessments which are not shown as existing liens by either the public records or the records of any taxing authority that levies taxes or assessments on real property.

Item 7. Taxes for the year 2009 and subsequent years.

Item 8. Right-of-way granted to Alabama Power Company recorded in Deed Book 126, Page 55.

Item 9. Railroad right-of-way by Deed Book "T", Page 655.

Item 10. Memorandum and Affidavit regarding oil and gas lease to Anschutz Corporation dated February 9, 1988 and recorded in Misc. Book 45, Page 303.

Item 11. Memorandum of Understanding regarding oil and gas lease to Atlantic Richfield Company as recorded in Deed Book 324, Page 324.

Item 12. Title to all mineral interests within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto, including release of damages.

Item 13. Less and except all other interests in right-of-way.

Item 14. Restrictions applicable to the use of Pickle Drive.

Item 15. Rights of others to use of Pickle Drive.

Item 16. Rights of others to use of Brasher Drive.

Item 17. The following easements as shown on the survey by the SMW Engineering Group, Inc. dated 12/29/04:

a) Encroachment of overhead power lines onto and/or off the westerly portion of Parcel 1.

b) Encroachment of a 8 foot by 6 foot building with chain link fence off of the land in the western portion of Parcel 2.

c) Encroachment of Brasher Drive onto and/or off of the Easterly side of Parcel 1.

d) Encroachment of Pickle Drive onto and/or off of the land in the mid portion of Parcel 2.

e) Encroachment of a gravel drive onto and/or off of the Northwesterly side of the land of Parcel 1.

f) Encroachment of an "Old Barbed Wire Fence" onto and/or off of the land on Parcel 1.

g) Encroachment of a "Log Wire Fence" onto and/or off of the land on the southerly side of parcel 1.

Item 18. All other existing easements, restrictions, current taxes, set-back lines, rights of way, limitations, etc. of record.

Item 19. Obligations in the Purchase and Sale Agreement dated January 4, 2005, all by and between Double Mountain, LLC and Gary L. Thompson.

Item 20. Easement granted to Alabama Power Company recorded in Inst. No. 2005-564180.

Item 21. Restrictions applicable to the use of Pickle Drive recorded in Inst. No. 2008-72590.

Item 22. All rights of others to use of Pickle Drive outstanding by virtue of foreclosure, said foreclosure.

Item 23. Any unpaid Homeowners Association dues, if any.

Item 24. Mortgage by Double Mountain, LLC to First Financial Bank, in the amount of \$3,010,000.00 dated February 1, 2005, and recorded in Instrument #200580204000058350.

Item 25. Mortgage by Double Mountain, LLC to First Financial Bank, in the amount of \$1,186,643.00, dated February 1, 2006, and recorded in Instrument #20060512000224430.

TO HAVE AND TO HOLD
heirs and assigns, FOREVER, as
authority vested in me as such as

IN WITNESS WHEREOF,
auctioneer aforesaid, on this 6th of

reserved by South and North Alabama Railroad

bidavit regarding oil and gas lease to Anschutz and recorded in Misc. Book 45, Page 303.

and gas lease to Atlantic Richfield Company as

within and underlying the premises, together with
privileges and immunities relating thereto,

part of subject property lying within any road

of record in Deed Book 244, Page 587.

use of Pickle Drive.

use of Brasher Drive.

ters as shown on the survey by the SMW
12/29/04:

f overhead power lines onto and/or off the

8 foot by 6 foot building with chain link fence
portion of Parcel 2.

Brasher Drive onto and/or off of the Easterly

Pickle Drive onto and/or off of the land in the

gravel drive onto and/or off of the Northwesterly

"Old Barbed Wire Fence" onto and/or off of the
Parcel 1.

"Log Wire Fence" onto and/or off of the land on

ements, restrictions, current taxes, set-back
of record.

se and Sale Agreement dated April 5, 2004, the
ent dated October 26, 2004 and the Addendum
and Reinstatement and Extension Agreement
between Double Mountain, LLC and Gary L.

abama Power Company recorded in Inst. No.

of record in Inst. No. 2007-464630 and Inst. No.

on outstanding by virtue of foreclosure, said
closure.

s Association dues, if any.

, LLC to First Financial Bank, in the amount of
2005, and recorded in Instrument

, LLC to First Financial Bank, in the amount of
2006, and recorded in Instrument

LAIR, FIRST FINANCIAL BANK, its, successors,

aforesaid, under and by virtue of the power and

cautioner by the terms of said mortgage.

hereunto set my hand and seal, as attorney and

tober, 2009.

FIRST FINANCIAL BANK (SEAL)

By V. Edward Freeman, II
V. Edward Freeman, II
As Attorney and Auctioneer Aforesaid

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, the undersigned authority, hereby certify that V. Edward Freeman, II, Auctioneer conducting the sale described in the foregoing conveyance, and on this day, that, being informed of the contents of the conveyance, he, in his capacity as such attorney and auctioneer, executed the same voluntarily on the day the same bears date.

This 6th day of October, 2009

Notary Public in and for said County, in said State, I, whose name as attorney for Mortgagee and in the above and foregoing conveyance, is signed and known to me, acknowledged before me on this day of the conveyance, he, in his capacity as such attorney and auctioneer, executed the same voluntarily on the day the same bears date.

Lora Beth Roberts

Notary Public – Lora Beth Roberts

My commission expires: 01-25-13

This Instrument prepared by:
V. Edward Freeman, II
Stone, Patton, Kierce & Freeman
118 18th Street North
Bessemer, AL 35020
(205) 424-1150