


**STATE OF ALABAMA)
SHELBY COUNTY)**


20100325000086350 1/4 \$21.00
Shelby Cnty Judge of Probate, AL
03/25/2010 11:33:40 AM FILED/CERT

WARRANTY DEED IN LIEU OF FORECLOSURE

KNOW ALL MEN BY THESE PRESENTS, that:

WHEREAS, the undersigned Polo Farms Investments, LLC (Grantors) are the owners and record title holders of all that real property situated in Shelby County, Alabama, and more particularly described in Exhibit "A" attached hereto and incorporated herein by referenced (Property); and

WHEREAS, Grantors have heretofore executed and delivered to Regions Bank (successors to Amsouth Bank) that certain mortgage recorded in Instrument Number 20061024000523570 in the Office of the Judge of Probate of Shelby County, Alabama (Mortgage), conveying the Property as security for the indebtedness recited therein; and

WHEREAS, the Mortgage has been assigned by Regions Bank to The Crossings Investment Co., LLC (Grantee); and

WHEREAS, Grantors have requested that they be permitted to, and have agreed to, convey the Property to Grantee in consideration of a credit by Grantee to Grantors from and against the indebtedness secured by the Mortgage; and

WHEREAS, the Grantors and the Grantee have mutually agreed upon the amount of the credit and Grantors acknowledge that such credit and other considerations given to Grantors by Grantee are fair, equitable, beneficial to and in the best interest of Grantors; and

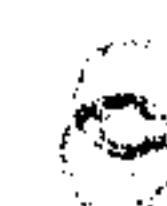
WHEREAS, the Grantee, by the acceptance of this Deed, shall in consideration thereof, credit the agreed amount of the indebtedness secured by the Mortgage.

NOW, THEREFORE, in consideration of the premises and of the sum of Ten Dollars (\$10.00) cash in hand paid to the Grantors by the Grantee, the receipt of which the Grantors hereby acknowledge, and the aforesaid agreement of the Grantee to credit the agreed amount of the indebtedness secured by the Mortgage, the Grantors do hereby GRANT, BARGAIN, SELL and CONVEY unto The Crossings Investment Co., LLC, all of that certain real property situated in Shelby County, Alabama, and more particularly described in Exhibit "A" attached hereto and made a part hereof, together with any and all rights of redemption, statutory or equitable, of the Grantors with respect thereto. Grantors expressly make this conveyance without reservation or retention of any fights of redemption, statutory or equitable.

TO HAVE AND TO HOLD to The Crossings Investment Co., LLC, its successors and assigns, in fee simple forever.

The undersigned Grantors and Guarantors covenant with the Grantee that they are the owners of the Property and have a good right to sell and convey the same; that the same is free of all encumbrances except the Mortgage; and that the Grantors and Guarantors will forever warrant and defend its title to the Property to the Grantee, its successors and assigns, forever. All covenants and agreements made herein shall bind the Grantors and their heirs and assigns.

It is understood and agreed that the lien and title of the Mortgage shall not be merged in the title hereby conveyed, and that if for any reason this conveyance shall be held ineffective in any particular, or in the event of the setting aside of this conveyance in any proceeding instituted under any bankruptcy or other law, or in the event the survival of the lien and title of the Mortgage is necessary or appropriate to protect the interest and complete title of Grantee, the Grantee shall be subrogated to, or shall be considered to have retained, all of its



lien, title and rights under the Mortgage and the indebtedness secured thereby, and in any such event the Grantee shall have the right to proceed to a foreclosure of the Mortgage as determined by Grantee in all respects as if this instrument had not been executed.

IN WITNESS WHEREOF, the undersigned Grantors and Guarantors have executed this instrument and set their hands and their seals hereunto, all on this 12th day of MARCH, 2010.

WITNESS:

Polo Farms Investments, LLC

By: [Signature]
Courtney H. Mason, Jr. Member & Guarantor

By: [Signature]
Billy Gossett, Member & Guarantor

By: [Signature]
Roger Wilkins, Member & Guarantor

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SHELBY COUNTY)

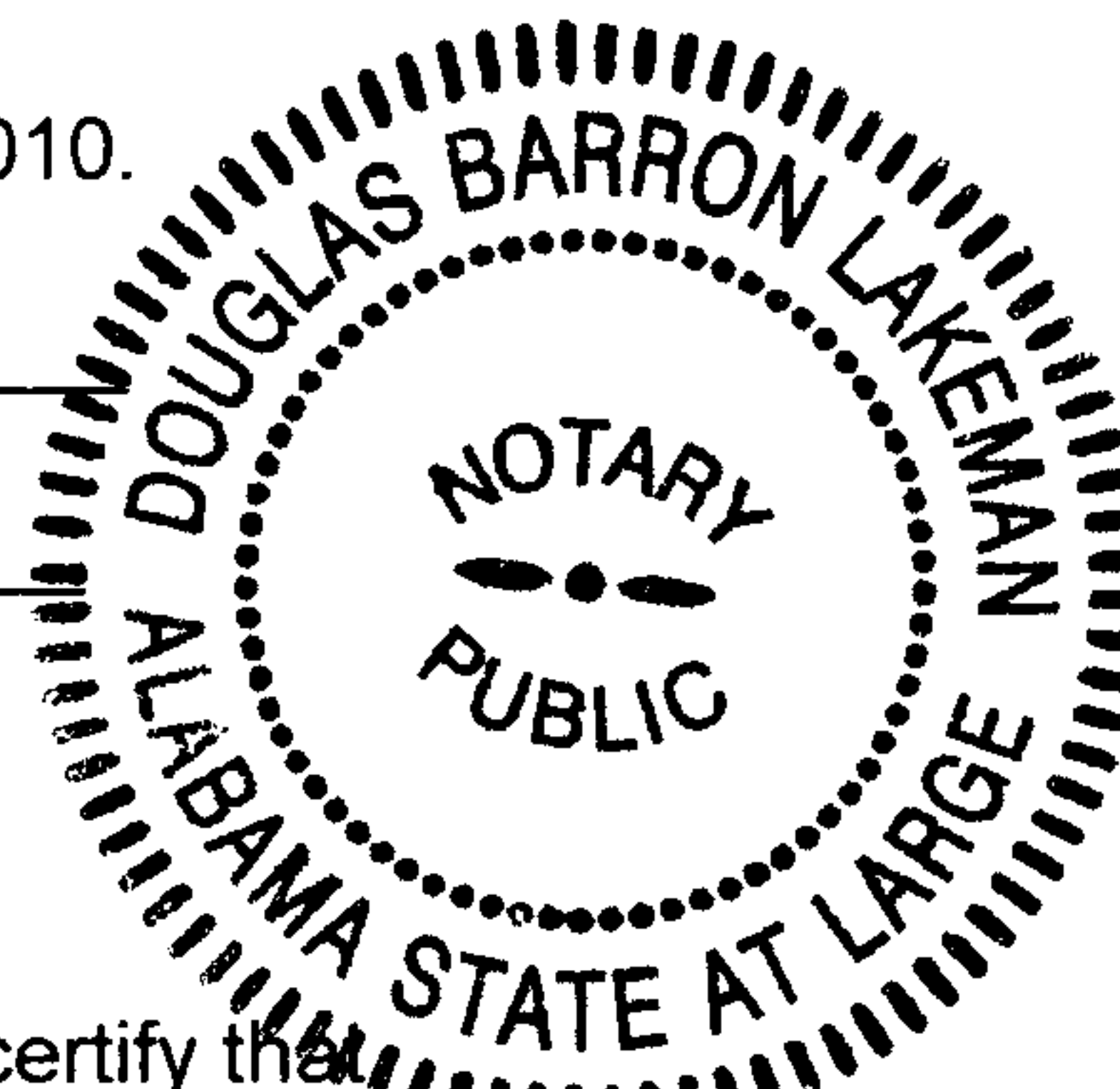
LLC ACKNOWLEDGMENT

I, the undersigned, a Notary Public, in and for said County in said State, hereby certify that Courtney H. Mason as Member and Guarantor of Polo Farms Investments, LLC, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of this instrument, he, in their capacity as such member, executed the same voluntarily, for and as the act of said limited liability company.

Given under my hand and official seal this 12th day of MARCH, 2010.

DOUGLAS BARRON LAKEMAN
COMMISSION EXPIRES 3/3/12

[Signature]
Notary Public
My Commission Expires: 3-3-12



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SHELBY COUNTY)

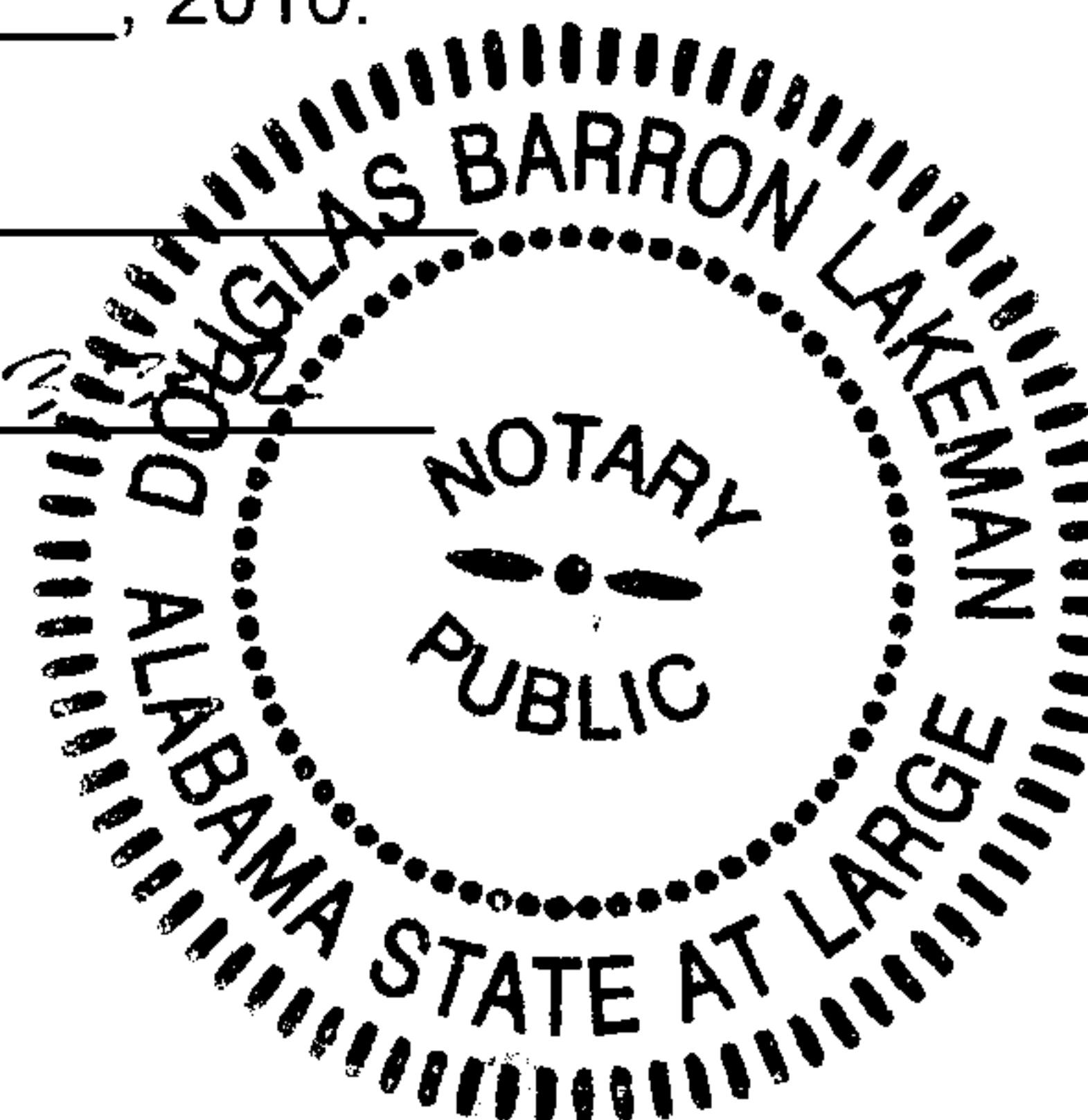
LLC ACKNOWLEDGMENT

I, the undersigned, a Notary Public, in and for said County in said State, hereby certify that Billy Gossett as Member and Guarantor of Polo Farms Investments, LLC, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of this instrument, he, in their capacity as such member, executed the same voluntarily, for and as the act of said limited liability company.

Given under my hand and official seal this 12th day of MARCH, 2010.

DOUGLAS BARRON LAKEMAN
COMMISSION EXPIRES 3/3/12

[Signature]
Notary Public
My Commission Expires: 3-3-12



STATE OF ALABAMA)
SHELBY COUNTY)

LLC ACKNOWLEDGMENT

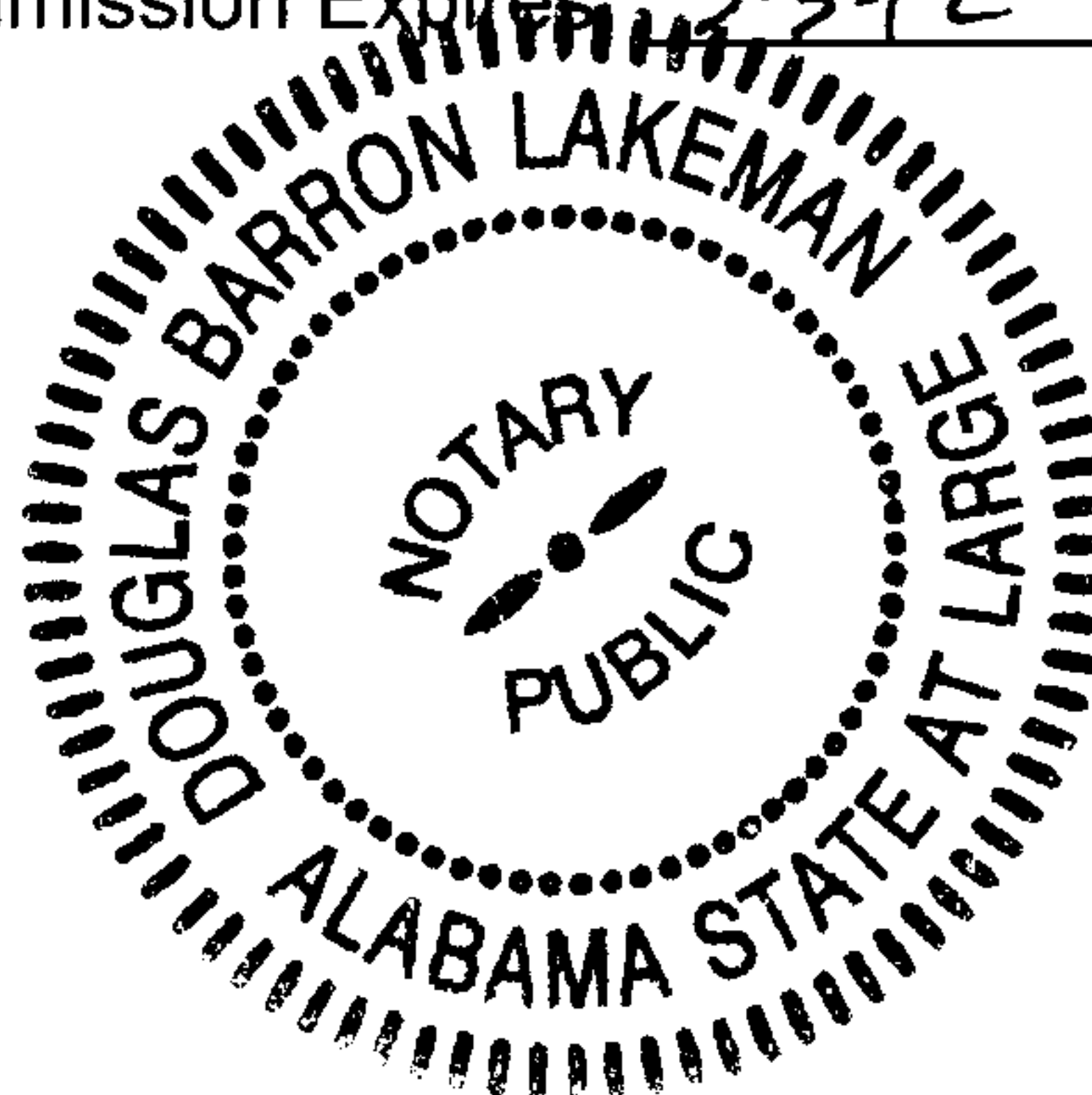
I, the undersigned, a Notary Public, in and for said County in said State, hereby certify that Roger Wilkins as Member and Guarantor of Polo Farms Investments, LLC, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of this instrument, he, in his capacity as such member, executed the same voluntarily, for and as the act of said limited liability company.

Given under my hand and official seal this 12th day of MARCH, 2010.



Notary Public
My Commission Expires: 3-3-12

DOUGLAS BARRON LAKEMAN
COMMISSION EXPIRES 3/3/12



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A parcel of land being part of the North half of the Northeast $\frac{1}{4}$ of Section 26, Township 19 South, Range 1 West, Shelby County, Alabama, lying North of Old Highway 280 and also part of the South half of the East half of Section 23, Township 19 South, Range 1 West that is South of Signal Valley Estates, Said parcel more particularly described as follows:

Commence and begin at the Northwest corner of the Northeast $\frac{1}{4}$ of Section 26, Township 19 South, Range 1 West; thence run S $02^{\circ} 12' 45''$ E a distance of 1323.07 feet along the East line of those properties owned by J.C. Clark and J.F. Melton; thence run N $87^{\circ} 11' 35''$ E a distance of 593.54 feet along the North line of those properties owned by S.P. Williamson, A.S. Ruth, D.W. Smith and Bellsouth; thence run N $02^{\circ} 40' 26''$ W a distance of 289.72 feet along the West line of that property owned by Hazel Elliott Williamson; thence run N $87^{\circ} 57' 26''$ E a distance of 737.05 feet along the North line of that property owned by Hazel Elliott Williamson; thence run S $01^{\circ} 09' 25''$ E a distance of 356.17 feet along the East line of that property owned by Hazel Elliott Williamson to the Northerly right-of-way line of Old U.S. Highway 280; thence run N $69^{\circ} 00' 00''$ E along the Northerly right-of-way line of Old U.S. Highway 280 a distance of 1236.71 feet; thence run N $02^{\circ} 03' 14''$ W a distance of 420.07 feet to a $\frac{1}{2}$ inch pipe found; thence run N $69^{\circ} 09' 30''$ E a distance of 210.67 feet to a 1-1/2 inch pipe found; thence run N $01^{\circ} 57' 38''$ W a distance of 527.35 feet to a concrete monument found at the Northeast corner of Section 26, Township 19 South, Range 1 West, Shelby County, Alabama; thence run N $04^{\circ} 50' 37''$ W a distance of 498.10 feet along the West line of the Randall Ridge Family Subdivision as recorded in Map Book 28, Page 95 in the Judge of Probate Office of Shelby County, Alabama to a $\frac{1}{2}$ inch capped rebar set (Marked "Carr 00010 LS"); thence run S $87^{\circ} 31' 08''$ W a distance of 2682.00 feet along the South line of the Dogwood Lakes Subdivision as recorded in Map Book 23, Page 34 in the Judge of Probate Office of Shelby County, Alabama and the Signal Valley Estates Subdivision as recorded in Map Book 23, Page 152 in the Judge of Probate Office of Shelby County, Alabama; thence run S $02^{\circ} 47' 41''$ E a distance of 512.49 feet to the point of beginning.

Less and except the lots conveyed by grantor to Savannah Building Co., Inc. in the statutory warranty deed recorded in Inst. No. 20071008000469280 recorded on October 8, 2007 and Inst. No. 20080401000131890 recorded on April 1, 2008 and Inst. No. 20090519000188330 recorded on May 19, 2009 in the Probate Office of Shelby County, Alabama (consisting of 107 lots).

The following lots are specifically included in the metes and bounds conveyance hereinabove:

Lots 7, 8, 9, 10, 11, 12, 13, 14, 15, 77, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 149, 150, 151, 152, 153 and 154 according to the Survey of Polo Crossings, Sector 1, as recorded in Map Book 39, Page 41, in the Probate Office of Shelby County, Alabama.

Lots 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253 and 254, according to the Survey of the Village at Polo Crossings, Sector 1, as recorded in Map book 39, Page 42 A, B and C, in the Probate Office of Shelby County, Alabama.