

This instrument was prepared by:
Frank C. Galloway III
Galloway & Somerville, LLC
11 Oak Street
Birmingham, Alabama 35213

Send tax notice to:
Bryant Bank
2700 Cahaba Village Plaza
Mountain Brook, AL 35243

MORTGAGE FORECLOSURE DEED

STATE OF ALABAMA)

:

SHELBY COUNTY)

KNOW ALL MEN BY THESE PRESENTS

THAT, on May 18, 2006, Deer Ridge Development, LLC executed a mortgage in favor of Bryant Bank, which mortgage is recorded as Instrument # 20060602000261290 in the Office of the Judge of Probate of Shelby County, Alabama (said office is henceforth referred to as the "Probate Office" and said instrument as the "Mortgage"); and

WHEREAS, in and by the Mortgage, the mortgagee is authorized and empowered in case of default in the payment of the indebtedness thereby secured, according to the terms thereof, to sell all or part of the property secured by the Mortgage (the "Property") before the front door of the Shelby County Courthouse in the City of Columbiana, Shelby County, Alabama, after giving notice of the time, place and terms of said sale in a 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 the 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 is authorized to execute a foreclosure deed conveying title of the Property (or part thereof) to the purchaser at said sale; and it is further provided in and by the Mortgage that the mortgagee may bid at the sale, and purchase the Property (or the part thereof sold at the foreclosure sale) if it is the highest bidder therefor; and

WHEREAS, default was made in the payment of the indebtedness secured by the Mortgage, and Bryant Bank did declare all of the indebtedness secured by the Mortgage due and payable and the Mortgage subject to foreclosure as therein provided and did give due and proper notice of the scheduled April 30, 2010 foreclosure of the Mortgage by publication in the *Shelby County Reporter*, a newspaper published in Shelby County, Alabama, in its issues of April 7, 14 and 21, 2010; and

WHEREAS, on April 30, 2010, Bryant Bank continued the foreclosure sale until June 4, 2010 (which continuation was duly noticed by publication in the *Shelby County Reporter* in its May 19, 2010 issue); and



WHEREAS, on May 19, 2010, Bryant Bank continued the foreclosure sale until June 18, 2010 (which continuation was duly noticed by publication in the *Shelby County Reporter* in its June 9, 2010 issue); and

WHEREAS, at the sale Bryant Bank elected to sell a portion of the Property; and

WHEREAS, on June 18, 2010 P. Scott Murner was the Auctioneer who conducted the said sale for Bryant Bank; and

WHEREAS, the highest and best bid for the hereinafter described portion of the Property that was sold at said sale was the credit bid of Bryant Bank in the amount of One Hundred Eighty-one Thousand Six Hundred Fifty and 00/100 Dollars (\$181,650.00) on the indebtedness secured by the Mortgage, Bryant Bank, by and through P. Scott Murner as Auctioneer conducting said sale, does hereby GRANT, BARGAIN, SELL AND CONVEY unto Bryant Bank the following described portion of the Property situated in Shelby County Alabama:

See Exhibit A (the "Sale Property").

The Sale Property is sold in an "as-is, where-is" condition.

- Subject to:
- 1) Any easements, encumbrances and exceptions reflected in the Mortgage;
 - 2) all zoning ordinances;
 - 3) matters which would be disclosed by an accurate survey or by an inspection of the Sale Property;
 - 4) any outstanding taxes, including, but not limited to, ad valorem taxes which constitute liens upon the Sale Property;
 - 5) special assessments;
 - 6) all outstanding bills for public utilities that constitute liens upon the Sale Property;
 - 7) all restrictive covenants, encumbrances, easements, and rights of way that prime the Mortgage, whether of record or unrecorded, including, but not limited to, any railroad right of way set forth in Deed Book T at page 655 in the Probate Office, any easements, rights of way or other restrictions, limitations or encumbrances set out or referred to in Instrument #20030908000599100 and Instrument #1994-29305 in the Probate Office;
 - 8) all statutory rights of redemption pursuant to Alabama law;

- 9) any other matters of record superior to the Mortgage; and
- 10) any mineral, mining, oil, gas and/or other form of subsurface rights and/or interests not conveyed by the Mortgage, as well as any waivers.

Except for the warranties of title existing at law by virtue of the conveyance effected via this statutory warranty deed (and subject to the exceptions and limitations noted herein), the Sale Property is sold without warranty or recourse expressed or implied as to title, use and/or enjoyment.

TO HAVE AND TO HOLD the Sale Property unto Bryant Bank, its successors and assigns forever.

IN WITNESS WHEREOF, Bryant Bank has caused this instrument to be executed by and through P. Scott Murner, as Auctioneer, conducting said sale, and P. Scott Murner as both attorney in fact, and Auctioneer conducting said sale has hereto set his hand and seal on this the 21st day of June, 2010.

BRYANT BANK

BY: P. Scott Murner (Seal)
P. Scott Murner
As Auctioneer

STATE OF ALABAMA)
:
JEFFERSON COUNTY)

I, the undersigned Notary Public in and for said County, in said State, hereby certify that P. Scott Murner, whose name as Auctioneer for Bryant Bank, 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 the conveyance, he, in his capacity as such Auctioneer, with full authority, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 21st day of June, 2010.

Bertram H. Hef
Notary Public
My Commission Expires: 12/8/10

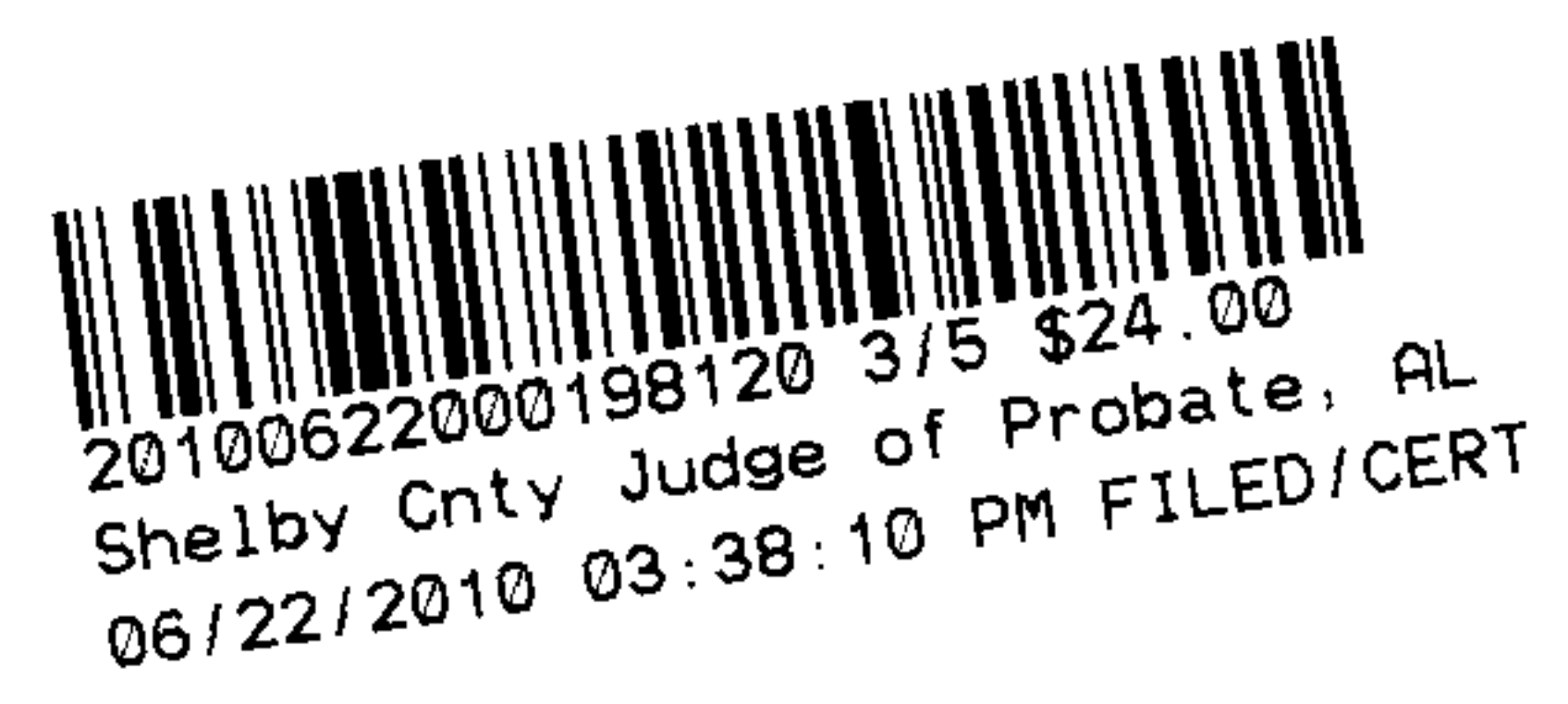


EXHIBIT A

Commence at the Northeast corner of Section 14, Township 20 South, Range 2 West; thence North 87 degrees 47 minutes 47 seconds West along the North line of said section a distance of 1,335.52 feet; thence North 87 degrees 49 minutes 46 seconds West and along the North line of said section a distance of 656.03 feet to the POINT OF BEGINNING; thence South 35 degrees 15 minutes 26 seconds West, a distance of 23.87 feet; thence South 02 degrees 10 minutes 14 seconds West, a distance of 200.00 feet; thence South 41 degrees 32 minutes 11 seconds West, a distance of 83.41 feet; thence South 54 degrees 07 minutes 36 seconds West, a distance of 191.59 feet; thence South 77 degrees 40 minutes 11 seconds West, a distance of 50.71 feet; thence North 64 degrees 59 minutes 57 seconds West, a distance of 25.62 feet; thence North 00 degrees 55 minutes 54 seconds East, a distance of 46.81 feet; thence North 36 degrees 02 minutes 40 seconds East, a distance of 139.05 feet; thence North 74 degrees 50 minutes 37 seconds West, a distance of 102.62 feet; thence North 87 degrees 49 minutes 46 seconds West, a distance of 68.65 feet; thence South 39 degrees 28 minutes 19 seconds West, a distance of 432.07 feet; thence South 76 degrees 06 minutes 34 seconds West, a distance of 374.37 feet; thence North 87 degrees 45 minutes 56 seconds West, a distance of 111.52 feet; thence South 04 degrees 32 minutes 45 seconds West, a distance of 19.42 feet; thence South 86 degrees 47 minutes 03 seconds East, a distance of 158.03 feet; thence South 30 degrees 14 minutes 19 seconds East, a distance of 47.48 feet; thence South 17 degrees 58 minutes 42 seconds West, a distance of 93.59 feet; thence South 26 degrees 31 minutes 21 seconds West, a distance of 104.14 feet; thence South 52 degrees 23 minutes 47 seconds West, a distance of 106.46 feet; thence South 73 degrees 43 minutes 13 seconds West, a distance of 79.87 feet; thence North 78 degrees 49 minutes 18 seconds West, a distance of 150.48 feet; thence North 24 degrees 04 minutes 54 seconds West, a distance of 100.39 feet; thence North 77 degrees 22 minutes 44 seconds West, a distance of 263.37 feet; thence North 34 degrees 54 minutes 23 seconds West, a distance of 136.35 feet; thence North 50 degrees 04 minutes 27 seconds East, a distance of 135.96 feet; thence North 32 degrees 59 minutes 36 seconds East, a distance of 216.40 feet; thence North 53 degrees 57 minutes 32 seconds East, a distance of 163.55 feet; thence North 62 degrees 00 minutes 45 seconds East, a distance of 339.77 feet; thence North 48 degrees 31 minutes 03 seconds East, a distance of 527.44 feet; thence North 67 degrees 10 minutes 41 seconds East, a distance of 46.35 feet; thence South 87 degrees 49 minutes 46 seconds East, a distance of 659.86 feet; thence South 02 degrees 10 minutes 14 seconds West, a distance of 160.00 feet; thence South 35 degrees 15 minutes 26 seconds West, a distance of 47.74 feet to the POINT OF BEGINNING. Situated in Shelby County, Alabama

The Sale Property is deemed to include all rights, easements, appurtenances, royalties, mineral rights, oil and gas rights, crops, timber, all diversion payments or third party payments made to crop producers, all water and riparian rights, wells, ditches, reservoirs, and water stock and all existing improvements, structures, fixtures and replacements which are appurtenant to the Sale Property.



LESS AND EXCEPT:

Part of Sections 11 & 14, Township 20 South, Range 2 West, Shelby County, Alabama being more particularly described as follows:

Beginning at the Southwest corner of Lot 687, Deer Ridge Lakes, Sector 6 Phase 2, a Map of which is recorded in the Office of the Judge of Probate, Shelby County, Alabama, in Map Book 37, Page 59, run in a Northerly direction along the West line of said Lot 687 for a distance of 160.00 feet to an existing Arrington iron rebar being the locally excepted Northwest corner of said Lot 687; thence turn a measured angle to the left of $90^{\circ} 00' 02''$ and run in a Westerly direction for a measured distance 659.86 feet to an existing iron rebar set by Weygand; thence turn an angle to the left of $24^{\circ} 59' 04''$ and run in a Southwesterly direction for a distance of 46.35 feet to an existing iron rebar set by Weygand; thence turn an angle to the left of $18^{\circ} 29' 54''$ and run in a Southwesterly direction for a distance of 528.05 feet to an existing iron rebar set by Weygand; thence turn an angle to the right $13^{\circ} 12' 54''$ and run in a Southwesterly direction for a distance of 339.77 feet to an existing iron rebar set by Weygand; thence turn an angle to the left of $8^{\circ} 3' 13''$ and run in a Southwesterly direction for a distance of 163.55 feet to an existing iron rebar set by Weygand; thence turn an angle to the left of $20^{\circ} 57' 56''$ and run in a Southwesterly direction for a distance of 216.40 feet to an existing #4 iron rebar; thence turn an angle to the right of $17^{\circ} 04' 51''$ and run in a Southwesterly direction for a distance of 135.81 feet to an existing #4 iron rebar and being the most Northerly corner of Lot 627, Deer Ridge Lakes, Sector 6 Phase 1, as recorded in the Office of the Judge of Probate, Shelby County, Alabama in Map Book 37, Page 58; thence turn an angle to the left of $84^{\circ} 57' 18''$ and run in a Southeasterly direction along the Northeast line of said Lot 627 for a distance of 25.10 feet; thence turn an angle to the left of $95^{\circ} 02' 42''$ and run in a Northeasterly direction for a distance of 141.77 feet; thence turn an angle to the left of $17^{\circ} 04' 51''$ and run in a Northeasterly direction for a distance of 215.53 feet; thence turn an angle to the right of $20^{\circ} 57' 56''$ and run in a Northeasterly direction for a distance of 157.16 feet; thence turn an angle to the right of $8^{\circ} 03' 13''$ and run in a Northeasterly direction for a distance of 340.91 feet; thence turn an angle to the left of $13^{\circ} 12' 54''$ and run in a Northeasterly direction for a distance of 526.87 feet; thence turn an angle to the right of $18^{\circ} 29' 54''$ and run in a Northeasterly direction for a distance of 36.74 feet; thence turn an angle to the right of $24^{\circ} 59' 04''$ and run in an Easterly direction for a distance of 629.32 feet; thence turn an angle to the right of $90^{\circ} 00' 02''$ and run in a Southerly direction for a distance of 135.00 feet; thence turn an angle to the left of 90° and run in an Easterly direction for a distance of 25.00 feet, more or less, to the point of beginning.



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Shelby Cnty Judge of Probate, AL
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