



20100625000203390 1/7 \$30.00  
 Shelby Cnty Judge of Probate, AL  
 06/25/2010 02:48:55 PM FILED/CERT

**THIS INSTRUMENT PREPARED BY:**

**Paul H. Greenwood, Esq.  
 Balch & Bingham LLP  
 Post Office Box 306  
 Birmingham AL 35201-0306**

**SEND TAX NOTICE TO:**

**Compass Bank  
 Attn: Amy Satsky  
 8333 Douglas Ave, Suite 1100  
 Dallas, Texas 75225**

**STATE OF ALABAMA            )  
   )  
 SHELBY COUNTY                )**

**MORTGAGE FORECLOSURE DEED**

**KNOW ALL MEN BY THESE PRESENTS:** Bent River, LLC did, to-wit, on the 30th day of November, 2006, execute a mortgage to Compass Bank, which mortgage is recorded in Instrument Number 20061201000583530 in the Office of the Judge of Probate of Shelby County; and

**WHEREAS,** default was made in the payment of the indebtedness secured by said mortgage and the said Compass Bank did declare all of the indebtedness secured by said mortgage due and payable 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*, newspaper of general circulation published in Shelby County, Alabama, in its issues of June 2, 2010, June 9, 2010, and June 16, 2010; and

**WHEREAS,** on the 25th day of June, 2010, the day on which the foreclosure sale was due to be held under the terms of said notice, between the legal hours of sale, said foreclosure sale was duly and properly conducted, and Compass Bank did offer for sale and did sell at public outcry, in front of the courthouse door of the Shelby County Courthouse in Columbiana, Alabama, the property hereinafter described, to-wit:

A part of the Northwest quarter of Section 20, Township 19 South, Range 2 West, being more particularly described as follows:

**Parcel I:**

Commencing at the Southeast corner of the Northwest quarter of the Northwest quarter of said Section 20; thence North 01 degree 13 minutes 49 seconds West a distance of 297.14 feet to the point of beginning; thence North 89 degrees 27 minutes 19 seconds West a distance of 937.47 feet; thence North 25 degrees 40 minutes 26 seconds East a distance of 45.33 feet; thence North 12 degrees 29 minutes 11 seconds West a distance of 290.64 feet; thence North 17 degrees 01 minutes 24 seconds West a distance of 620.32 feet; thence South 87 degrees 00 minutes 36 seconds East a distance of 346.91 feet; thence South 25 degrees 36 minutes 20 seconds East a distance of 267.53 feet; thence South 13 degrees 14 minutes 41 seconds East a distance of 207.74 feet; thence North 61 degrees 04 minutes 03 seconds East a distance of 211.58 feet; thence North 44 degrees 19 minutes 55 seconds East a distance of 58.95 feet; thence North 61 degrees 49 minutes 30 seconds East a distance of 200 feet; thence South 36 degrees 06 minutes 39 seconds East a distance of 74.45 feet; thence North 57 degrees 42 minutes 41 seconds East a distance of 150.00 feet; thence North 24 degrees 54 minutes 01 seconds East a distance of 150.00 feet; thence North 85 degrees 43 minutes 49 seconds East a distance of 264.97 feet; thence South 42 degrees 36 minutes 40 seconds East a distance of 289.40 feet; thence South 02 degrees 20 minutes 41 seconds East a distance of 102.06 feet; thence South 04 degrees 25 minutes 27 seconds East a distance of 300.50 feet; thence South 26 degrees 34 minutes 53 seconds East a distance of 302.34 feet; thence North 89 degrees 27 minutes 16 seconds West a distance of 605.05 feet to the point of beginning.

**LESS AND EXCEPT FROM PARCEL I:**

A parcel to be known as Area "C", according to the Final Plat for Bent River, Phase IV, and described as follows:

Commence at the Northwest Corner of Section 20, Township 19 South, Range 2 West, Shelby County, Alabama; thence South 88 degrees 39 minutes 08 seconds East along North Line of Said Section a distance of 122.49 feet; thence South 16 degrees 50 minutes 24 seconds East a distance of 125.48 feet; thence South 87 degrees 02 minutes 38 seconds East a distance of 348.24 feet; thence South 25 degrees





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19 minutes 58 seconds East a distance of 267.95 feet; thence South 61 degrees 04 minutes 03 seconds West a distance of 9.41 feet; thence South 24 degrees 59 minutes 59 seconds East a distance of 180.42 feet; thence North 61 degrees 04 minutes 03 seconds East a distance of 173.70 feet; thence North 63 degrees 22 minutes 19 seconds East a distance of 53.59 feet; thence North 61 degrees 04 minutes 03 seconds East a distance of 204.67 feet; thence South 36 degrees 09 minutes 47 seconds East a distance of 78.38 feet; thence North 56 degrees 25 minutes 04 seconds East a distance of 56.36 feet; thence North 57 degrees 42 minutes 41 seconds East a distance of 42.98 feet to the point of beginning; thence North 57 degrees 42 minutes 41 seconds East a distance of 50.52 feet; thence North 24 degrees 54 minutes 01 seconds East a distance of 150.00 feet; thence North 85 degrees 42 minutes 46 seconds East a distance of 263.78 feet; thence South 42 degrees 36 minutes 40 seconds East a distance of 78.91 feet; thence South 20 degrees 18 minutes 18 seconds West a distance of 139.00 feet; thence South 27 degrees 23 minutes 45 seconds West a distance of 60.49 feet; thence South 15 degrees 04 minutes 29 seconds East a distance of 45.83 feet; thence South 24 degrees 52 minutes 31 seconds East a distance of 60.71 feet; thence South 01 degrees 58 minutes 09 seconds West a distance of 83.03 feet; thence North 30 degrees 41 minutes 51 seconds West a distance of 60.01 feet; thence South 58 degrees 19 minutes 57 seconds West a distance of 141.48 feet; thence North 31 degrees 43 minutes 42 seconds West a distance of 90.66 feet to a point on a curve to the right with a radius of 24.97 feet, with a delta angle of 82 degrees 14 minutes 56 seconds, with a chord bearing of North 07 degrees 38 minutes 42 seconds East, with a chord length of 32.85 feet; thence along the arc of said curve 35.85 feet to a point on a curve to the left with a radius of 49.99 feet, with a delta angle of 235 degrees 27 minutes 38 seconds, with a chord bearing of North 68 degrees 57 minutes 40 seconds West, with a chord length of 88.51 feet; thence along the arc of said curve 205.46 feet to a point on a curve of a curve right with a radius of 25.05 feet, with a delta angle of 54 degrees 58 minutes 37 seconds, with a chord bearing of South 20 degrees 32 minutes 36 seconds West, with a chord length of 23.13 feet; thence along the arc of said curve 24.04 feet; thence North 33 degrees 31 minutes 18 seconds West a distance of 173.43 feet to the point of beginning.

**Parcel II:**

Commence at the Southeast corner of the Northwest quarter of the Northwest of Section 20, Township 19 South, Range 2 West, Shelby County, Alabama and run North 01 degree 13 minutes 49 seconds West along the East line of said quarter-quarter Section for 297.14 feet to the point of beginning of the tract of land herein described; thence run North 89 degrees 27 minutes 19 seconds West for 937.47 feet to a point on the East right of way line of Interstate Highway No. 65; thence run South 09 degrees 32 minutes 41 seconds East along said right of way line for 35.00 feet; thence run South 02 degrees 58 minutes 00 seconds East along said right of way line for 87.68 feet to the centerline of the Cahaba River; thence run South 29 degrees 49 minutes 41 seconds East along the centerline of said river for 236.56 feet; thence run South 39 degrees 58 minutes 18 seconds East along the centerline of said river for 59.87 feet; thence run South 28 degrees 58 minutes 39 seconds East along the centerline of said river for 273.83 feet; thence run South 42 degrees 51 minutes 18 seconds East along the centerline of said river for 50.28 feet; thence run South 34 degrees 15 minutes 46 seconds East along the centerline of said river for 705.38 feet; thence run South 85 degrees 47 minutes 49 seconds East along the centerline of said river for 114.43 feet; thence run North 74 degrees 00 minutes 49 seconds East along the centerline of said river for 190.97 feet; thence run North 59 degrees 16 minutes 20 seconds East along the centerline of said river for 86.48 feet; thence run North 37 degrees 55 minutes 03 seconds East along the centerline of said river for 92.17 feet; thence run North 23 degrees 16 minutes 43 seconds East along the centerline of said river for 97.04 feet; thence run North 12 degrees 59 minutes 35 seconds East along the centerline of said river for 96.25 feet; thence run North 20 degrees 29 minutes 37 seconds East along the centerline of said river for 195.32 feet; thence run North 39 degrees 46 minutes 47 seconds East along the centerline of said river for 299.63 feet; thence run North 47 degrees 51 minutes 27 seconds East along the centerline of said river for 103.45 feet; thence run North 22 degrees 09 minutes 01 seconds East along the centerline of said river for 175.08 feet; thence run North 19 degrees 08 minutes 16 seconds West along the centerline of said river for 242.45 feet to a point on the North line of the Northeast 1/4 of the Northwest 1/4 of said Section 20; thence run North 89 degrees 27 minutes 19 seconds West along the North line of said quarter-quarter Section 605.05 feet to the point of beginning; being situated in Shelby County, Alabama.

LESS AND EXCEPT FROM PARCELS 1 AND 2:

Lots 133 and 134, according to the Final Plat for Bent River-Phase IV, as recorded in Map Book 41, Page



64 A & B, in the Probate Office of Shelby County, Alabama.

Lots 68 and 91 according to the Final Plat for Bent River-Phase IV, as recorded in Map Book 41, Page 64  
A & B, in the Probate Office of Shelby County, Alabama.

Lot 53 according to the Final Plat for Bent River-Phase IV, as recorded in Map Book 41, Page 64  
A & B, in the Probate Office of Shelby County, Alabama.

ALSO:

LESS AND EXCEPT THE FOLLOWING PARCEL OF LAND CONVEYED TO JEFFERSON COUNTY, ALABAMA IN INSTRUMENT NUMBER 200807250000301320. SAID PROPERTY BEING SITUATED IN SECTION 20, TOWNSHIP 19 SOUTH, RANGE 2 WEST, SHELBY COUNTY, ALABAMA DESCRIBED AS FOLLOWS:

Commence at the Northwest corner of Section 20, Township 19 South, Range 2 West, thence North 89 degrees 57 minutes, 41 seconds East along the northern line of said Section 20 a distance of 122.84 feet to a concrete monument and a point on the Easterly right of way of US Interstate 65; thence 73 degrees 14 minutes 21 seconds to the right and Southeasterly along said right of way a distance of 749.05 feet; thence 4 degrees 34 minutes 31 seconds to the right and Southeasterly along said right of way a distance of 178.37 feet; thence 99 degrees 41 minutes 24 seconds to the left and Northeasterly a distance of 346.94 feet to the Point of Beginning; thence 90 degrees 00 minutes 00 seconds to the right and Southeasterly a distance of 112.62 feet; thence 99 degrees 04 minutes 38 seconds to the left and Northeasterly a distance of 28.39 feet; thence 91 degrees 46 minutes 11 seconds to the right and Southeasterly a distance of 108.77 feet to a point on the Northerly right of way to be known as Bent River Parkway and on a curve to the right with a radius of 275.00 feet, a central angle of 05 degrees 15 minutes 45 seconds and a chord distance of 25.25 feet; thence 87 degrees 22 minutes 07 seconds left to the chord of said curve and Northeasterly along said right of way an arc distance of 25.26 feet; thence 85 degrees 11 minutes 40 seconds to the left from the chord and Northwesterly a distance of 213.97 feet; thence 90 degrees 07 minutes 46 seconds to the left and Southwesterly a distance of 67.52 feet to the Point of Beginning.

**WHEREAS**, the highest and best bid obtained for the property described in the aforementioned mortgage was the bid of Compass Bank in the amount of Two Million Twenty Three Thousand Eighty and NO/100 Dollars (\$2,023,080.00), which sum was offered to be credited against the indebtedness secured by said mortgage, and said property was thereupon sold to the said Compass Bank; and

**WHEREAS**, Paul H. Greenwood conducted said sale on behalf of Bent River, LLC and Compass Bank; and

**WHEREAS**, said mortgage expressly authorized the person conducting the 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 bid of Two Million Twenty Three Thousand Eighty and NO/100 Dollars (\$2,023,080.00), Bent River, LLC, acting by and through Compass Bank, Mortgagee or Transferee of Mortgagee, by and through the said Paul H. Greenwood, as auctioneer and the person conducting the sale on behalf of the Mortgagee or Transferee of Mortgagee, does hereby grant, bargain, sell and convey unto Compass Bank, the following real estate situated in Shelby County, Alabama, to-wit:

A part of the Northwest quarter of Section 20, Township 19 South, Range 2 West, being more particularly described as follows:

Parcel I:

Commencing at the Southeast corner of the Northwest quarter of the Northwest quarter of said Section 20; thence North 01 degree 13 minutes 49 seconds West a distance of 297.14 feet to the point of beginning; thence North 89 degrees 27 minutes 19 seconds West a distance of 937.47 feet; thence North 25 degrees 40 minutes 26 seconds East a distance of 45.33 feet; thence North 12 degrees 29 minutes 11





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**TO HAVE AND TO HOLD THE** above described property unto Compass Bank, its successors and assigns forever; subject, however, to the statutory rights of redemption on the part of those entitled to redeem, and any taxes which may be due.

**IN WITNESS WHEREOF**, the said Compass Bank has caused this instrument to be executed by Paul H. Greenwood, as auctioneer and the person conducting said sale for the Mortgagee or Transferee of Mortgagee, and in witness whereof the said Paul H. Greenwood has executed this instrument in his capacity as such auctioneer on June 25, 2010.

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**[Signatures on the Following Page]**







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**Bent River, LLC**  
**Mortgagor**

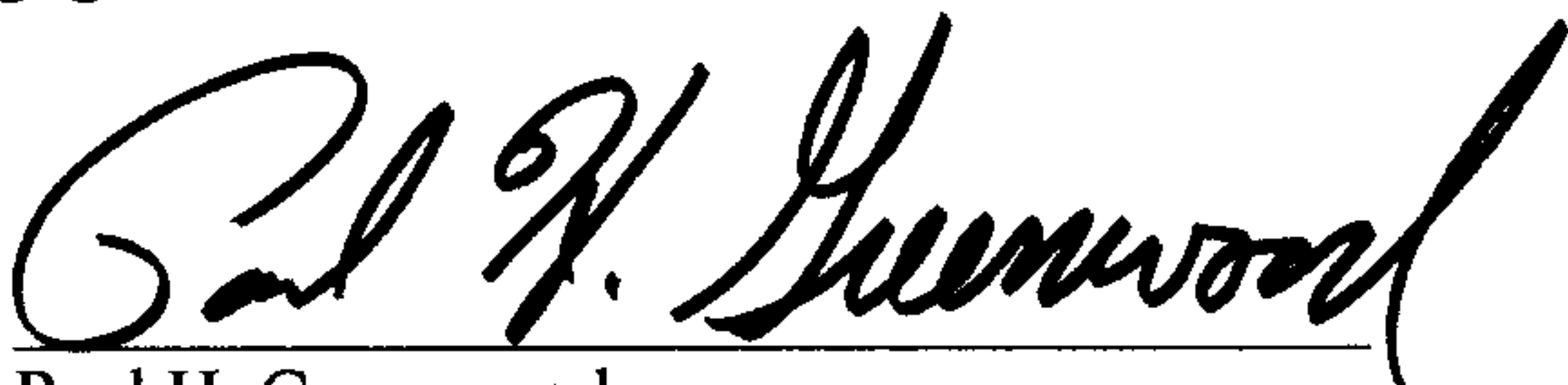
By: Compass Bank  
 Mortgagee or Transferee of Mortgagee

By:   
 Paul H. Greenwood, as Auctioneer and the person  
 conducting said sale for the Mortgagee or Transferee  
 of Mortgagee

**Compass Bank**  
**Mortgagee or Transferee of Mortgagee**

By:   
 Paul H. Greenwood, as Auctioneer and the person  
 conducting said sale for the Mortgagee or Transferee  
 of Mortgagee

**Paul H. Greenwood, as Auctioneer and the person**  
**conducting said sale for the Mortgagee or Transferee**  
**of Mortgagee**

  
 Paul H. Greenwood

STATE OF ALABAMA            )  
   )  
 JEFFERSON COUNTY         )

I, the undersigned Notary Public in and for said County in said State, hereby certify that Paul H. Greenwood, whose name as Auctioneer and the person conducting said sale for the Mortgagee or Transferee of the Mortgagee 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 the instrument, he, in his capacity as such Auctioneer and the person conducting said sale for the Mortgagee or Transferee of the Mortgagee, and with full authority, executed this instrument voluntarily on the day that bears the same date.

Given under my hand this 25th day of June, 2010.

  
 Notary Public

My Commission Expires:

9/11/2012

[NOTARY SEAL]