

**THIS INSTRUMENT PREPARED BY:**

**M. Lee Johnsey, Jr., Esq.  
Balch & Bingham LLP  
Post Office Box 306  
Birmingham AL 35201-0306**

**SEND TAX NOTICE TO:**

**Compass Bank  
Attn: Ron Hendrix  
15 South 20th Street  
Birmingham, AL 35233**

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

**MORTGAGE FORECLOSURE DEED**

**KNOW ALL MEN BY THESE PRESENTS:** Stag Run Development, LLC and Homer Dobbs, Sr. did, to-wit, on the 23rd day of January, 2007, execute that certain Accommodation Future Advance Mortgage, Assignment of Rents and Leases and Security Agreement (Alabama) to Compass Bank, which mortgage is recorded in Instrument Number 20070223000083100 in the Office of the Judge of Probate of Shelby County, Alabama and in Instrument Number 20070403000526350, Book LR200705, Page 23851 in the Office of the Judge of Probate of Jefferson County, Alabama; 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 September 15, 2010, September 22, 2010, and September 29, 2010; and

**WHEREAS,** on the 8th day of October, 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, Compass Bank announced at public outcry, in front of the courthouse door of the Shelby County Courthouse in Columbiana, Alabama, that the foreclosure sale was continued to October 29, 2010, between the legal hours of sale, and did give due and proper notice of the continuance of 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 October 13, 2010 issue; and

**WHEREAS,** on the 29th day of October, 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:

**PARCEL ONE:**

The West ½ of the Northeast ¼ of the Northwest ¼; the South ½ of the East ½ of the Northeast ¼ of the Northwest ¼; and the North ½ of the Southeast ¼ of the Northwest ¼ of Section 33, Township 19 South, Range 2 West, Shelby County, Alabama. Including Lot 1, Burr's Addition to Indian Springs, as recorded in Map Book 23, Page 1, in the Probate Office of Shelby County, Alabama.

Less and Except the following parcels:

**PARCEL I:**

Proposed Lot 8, Stag Run (CELL TOWER)

A parcel of land situated in the Northeast quarter of the Northwest quarter of Section 33, Township 19 South, Range 2 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the Southeast corner of the Northeast quarter of the Northwest quarter of said Section 33; thence run in a Northerly direction along the East line of said quarter-quarter section an assumed bearing of North 00 degrees, 03 minutes, 51 seconds East for a distance of 48.57 feet to the point of beginning, also being the Southeast corner of proposed Lot 8, Stag Run, also being the Northeast corner of proposed Lot 7, Stag Run; thence run North 90 degrees, 00 minutes, 00



seconds West along the South line of said Lot 8, and also along the North Line of said Lot 7, for a distance of 258.73 feet to a point on the East right-of-way line of proposed Stagg Run Trail, also being on a curve to the right having a central angle of 13 degrees, 47 minutes, 03 seconds, a radius of 350.00 feet, and a chord bearing of North 05 degrees, 39 minutes, 21 seconds East; thence run in a Northeasterly direction along the arc of said curve and also said right-of-way line for a distance of 84.20 feet to a reverse curve to the left having a central angle of 39 degrees, 49 minutes, 40 seconds, a radius of 270.00 feet, and a chord bearing of North 07 degrees, 21 minutes, 58 seconds West; thence run in a northwesterly direction along the arc of said curve and also along said right-of-way line for a distance of 187.68 feet to a reverse curve to the right having a central angle of 70 degrees, 25 minutes, 00 seconds and a radius of 30.00 feet and a chord bearing of North 07 degrees, 55 minutes, 42 seconds East; thence run in a Northeasterly direction along the arc of said curve and also along said right-of-way line for a distance of 36.87 feet to a point; thence run North 43 degrees, 08 minutes, 11 seconds East along said right-of-way line for a distance of 7.20 feet to the Northwest corner of said Lot 8, also being the Southwest corner of proposed Lot 9 Stagg Run; thence run North 89 degrees, 22 minutes, 15 seconds East along the North line of said Lot 8, also along the South line of said Lot 9, for a distance of 264.70 feet to the Northeast corner of said Lot 8, also being the Southeast corner of said Lot 9, also being on the East line of said quarter-quarter section; thence run South 00 degrees, 03 minutes, 51 seconds West along the East line of said Lot 8, also along the East line of said quarter-quarter line for a distance of 308.42 feet to the point of beginning. Said parcel of land containing 78,541 square feet, more or less.

PARCEL II:

PROPOSED LOT 21, STAGG RUN (BURR LOT)

A parcel of land situated in the East one half of the Northwest quarter of Section 33, Township 19 South, Range 2 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the Southwest corner of the Northeast quarter of the Northwest quarter of said Section 33; thence run in an Easterly direction along the South line of said quarter-quarter section, an assumed bearing of South 87 degrees, 41 minutes, 42 seconds East, for a distance of 304.95 feet to the point of beginning, also being on the West line of proposed Lot 21 Stagg Run, also being on the East line of Proposed Lot 22 Stagg Run; thence run North 03 degrees, 53 minutes, 52 seconds East along the West line of said Lot 21, and also along the East line of said Lot 22, for a distance of 37.12 feet to the Northwest corner of said Lot 21, also being on the South line of proposed Lot 20 Stagg Run; thence run South 90 degrees, 00 minutes, 00 seconds East along the South line of proposed Lots 20 and 19 Stagg Run, and also along the North line of said Lot 21, for a distance of 251.40 feet to the Northeast corner of said Lot 21, also being on the West right-of-way line of proposed Stagg Run Circle, also being on a curve to the left, having a central angle of 89 degrees, 06 minutes, 13 seconds, a radius of 54.00 feet, and a chord bearing of South 22 degrees, 33 minutes, 04 seconds East; thence run in a Southeasterly direction along the arc of said curve, and also along said right-of way line, for a distance of 83.98 feet to the Easternmost corner of said Lot 21, also being the Northwest corner of a proposed park and common area of Stagg Run; thence run South 22 degrees, 53 minutes, 50 seconds West along the East line of said Lot 21, and also along the West line of said park and common area, for a distance of 160.84 feet to the Southeast corner of said Lot 21, also being the Northeast corner of proposed Lot 24 Stagg Run; thence run North 90 degrees, 00 minutes, 00 seconds West along the South line of said Lot 21, also along the North line of said Lot 24, for a distance of 232.74 feet to the Southwest corner of said Lot 21, also being the Southeast corner of said Lot 22; thence run North 03 degrees, 53 minutes, 52 seconds East along the East line of said Lot 21, and also along the West line of said Lot 22, for a distance of 181.53 feet to the point of beginning. Said parcel of land containing 56,339 square feet, more or less.

Also Less and Except the following:

Lots 6, 17, 25 & 27 according to the survey of Stagg Run, as recorded in Map Book 39, pages 67 A & B, in the Probate Office of Shelby County, Alabama.





**WHEREAS**, the highest and best bid obtained for the above described parcel of property described in the aforementioned mortgage was the bid of Compass Bank in the amount of One Million One Hundred Eighty Four Thousand Nine Hundred and Sixty and NO/100 Dollars (\$1,184,960.00), 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**, M. Lee Johnsey, Jr. conducted said sale on behalf of Stagg Run Development, 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 One Million One Hundred Eighty Four Thousand Nine Hundred and Sixty and NO/100 Dollars (\$1,184,960.00), Stagg Run Development, LLC, acting by and through Compass Bank, Mortgagee or Transferee of Mortgagee, by and through the said M. Lee Johnsey, Jr., 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:

**PARCEL ONE:**

The West  $\frac{1}{2}$  of the Northeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$ ; the South  $\frac{1}{2}$  of the East  $\frac{1}{2}$  of the Northeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$ ; and the North  $\frac{1}{2}$  of the Southeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of Section 33, Township 19 South, Range 2 West, Shelby County, Alabama. Including Lot 1, Burr's Addition to Indian Springs, as recorded in Map Book 23, Page 1, in the Probate Office of Shelby County, Alabama.

Less and Except the following parcels:

**PARCEL I:**

Proposed Lot 8, Stagg Run (CELL TOWER)

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East line of said quarter-quarter section; thence run South 00 degrees, 03 minutes, 51 seconds West along the East line of said Lot 8, also along the East line of said quarter-quarter line for a distance of 308.42 feet to the point of beginning. Said parcel of land containing 78,541 square feet, more or less.

**PARCEL II:**

**PROPOSED LOT 21, STAGG RUN (BURR LOT)**

A parcel of land situated in the East one half of the Northwest quarter of Section 33, Township 19 South, Range 2 West, Shelby County, Alabama, being more particularly described as follows:

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Also Less and Except the following:

Lots 6, 17, 25 & 27 according to the survey of Stagg Run, as recorded in Map Book 39, pages 67 A & B, in the Probate Office of Shelby County, Alabama.

**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 M. Lee Johnsey, Jr., as auctioneer and the person conducting said sale for the Mortgagee or Transferee of Mortgagee, and in witness whereof the said M. Lee Johnsey, Jr. has executed this instrument in his capacity as such auctioneer on October 29, 2010.

20101029000362890 5/5 \$26.00  
Shelby Cnty Judge of Probate, AL  
10/29/2010 11:26:54 AM FILED/CERT

**Stagg Run Development, LLC**  
**Mortgagor**

By: Compass Bank  
Mortgagee or Transferee of Mortgagee

By: M. Lee Johnsey, Jr.  
M. Lee Johnsey, Jr., as Auctioneer and the person  
conducting said sale for the Mortgagee or Transferee  
of Mortgagee

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

By: M. Lee Johnsey, Jr.  
M. Lee Johnsey, Jr., as Auctioneer and the person  
conducting said sale for the Mortgagee or Transferee  
of Mortgagee

M. Lee Johnsey, Jr.  
M. Lee Johnsey, Jr., as Auctioneer and the person  
conducting said sale for the Mortgagee or Transferee  
of Mortgagee

STATE OF ALABAMA       )  
                                      )  
JEFFERSON COUNTY       )

I, the undersigned Notary Public in and for said County in said State, hereby certify that M. Lee Johnsey, Jr., 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 29th day of October, 2010.

Christie M. Duff  
Notary Public

My Commission Expires:

10-3-2014

[NOTARY SEAL]