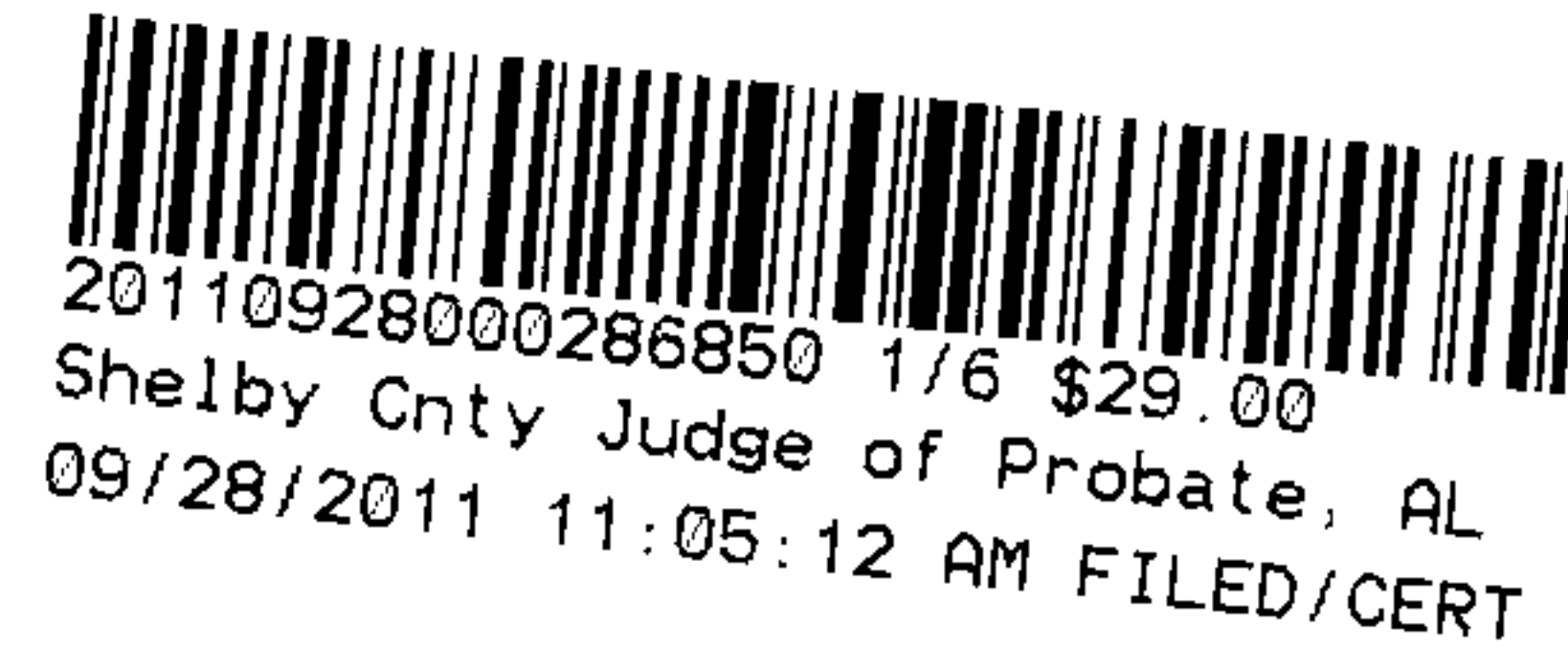


Send tax notice to:
Frontier Bank
Post Office Box 414
Chelsea, Alabama 35043
Attn: Bill Logan

STATE OF ALABAMA)
 :
SHELBY COUNTY)



MORTGAGE FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, S&M Development, LLC, an Alabama limited liability company ("S&M"), entered into that certain Mortgage and Security Agreement: Open End with Future Advance Assignment of Rents and Leases dated November 28, 2006 from S&M to Frontier Bank, a Georgia banking corporation (the "Mortgagee") recorded at 20061206000591370, that certain Mortgage and Security Agreement: Open End with Future Advance Assignment of Rents and Leases dated January 18, 2007 from S&M to Mortgagee recorded at 20070131000047930, and that certain Mortgage and Security Agreement: Open End with Future Advance Assignment of Rents and Leases dated October 1, 2007 from S&M to Mortgagee recorded at 20071010000472380, as assumed by that certain Assumption and Amendment to Loan Documents Agreement by and between Mortgagee, S&M and Valley Grande Farms, LLC, an Alabama limited liability company (the "Mortgagor") (collectively, the "Mortgage"); and

WHEREAS, default was made in the payment of said indebtedness secured by the Mortgage, and Mortgagee did declare all of the indebtedness secured by the Mortgage due and payable and did give due and proper notice of the foreclosure of the Mortgage in accordance with the terms thereof and as required by law by publication in the *Shelby County Reporter*, a newspaper of general circulation published in Shelby County, Alabama, in its issues of September 7, 2011, September 14, 2011 and September 21, 2011; and

WHEREAS, on September 28, 2011, the day on which the foreclosure sale was to be held according to said notice, beginning at 11:00 a.m., said foreclosure sale was duly and properly conducted, and the Mortgagee did offer for sale and did sell at public outcry, in front of the main door to the Courthouse of Shelby County, Alabama, the property described below (the "Property"); and

WHEREAS, the highest and best bid obtained for the Property was the bid of Mortgagee in the amount of Three Hundred Seventy-Eight Thousand and 00/100 Dollars (\$ 378,000), which sum was paid to the Mortgagee to be applied to the indebtedness secured by the Mortgage, and the Property was thereupon sold to Mortgagee; and

WHEREAS, William C. Byrd, II conducted said sale on behalf of the Mortgagee; and

WHEREAS, the Mortgage expressly authorized the person conducting said sale to execute to the purchaser at said sale a deed to the Property;

NOW, THEREFORE, in consideration of the premises and the sum of Three Hundred Seventy-Eight Thousand and 60/100 Dollars (\$ 378,000.00), the Mortgagee, by William C. Byrd, II, its duly authorized agent and auctioneer conducting said sale, does hereby grant, bargain, sell, and convey unto Mortgagee the following described property situated in Shelby County, Alabama, to-wit:

PARCEL 1:

A part of the SE ¼ of the SE ¼ of Section 2, Township 24 North, Range 12 East, more particularly described as follows:

Beginning at the SW corner of the SE ¼ of the SE ¼ of Section 2, Township 24 North, Range 12 East, Shelby County, Alabama, and run North 00 degrees 20 minutes 45 seconds West along the West line of said ¼-¼ section and along an existing barbed wire fence a distance of 944.38 feet to a set steel rebar corner at a fence corner; thence run North 85 degrees 12 minutes 57 seconds East along an existing barbed wire fence a distance of 606.15 feet to a steel rebar corner at a fence corner; thence run South 02 degrees 04 minutes 21 seconds East along an existing barbed wire fence a distance of 474.98 feet to a found 3 inch open top pipe corner at a fence corner; thence run South 82 degrees 15 minutes 22 seconds West along an up and down barbed wire fence a distance of 283.59 feet to a found 3 inch open pipe corner; thence run South 01 degree 58 minutes 03 seconds West along an up and down barbed wire fence a distance of 488.31 feet to a set steel rebar corner on the South line of said ¼-¼ section; thence run North 88 degrees 55 minutes 11 seconds West along said South line of said ¼-¼ section a distance of 317.80 feet to the point of beginning; situated in Shelby County, Alabama.

PARCEL 2:

A part of the NE ¼ of the NE ¼ of Section 11, Township 24 North, Range 12 East, more particularly described as follows:

Commence at the NE corner of Section 11, Township 24 North, Range 12 East, Shelby County, Alabama, and run thence North 88 degrees 55 minutes 11 seconds West along the North line of said section a distance of 684.17 feet to a steel rebar corner and the point of beginning of the property being described; thence continue last described course along an existing fence line a distance of 268.35 feet to a steel rebar corner; thence run South 03 degrees 11 minutes 49 seconds East along the East line of White Oak Street a distance of 240.86 feet to a found steel corner; thence run North 78 degrees 51 minutes 05 seconds East a distance of 107.79 feet to a found steel corner; thence run South 84 degrees 33 minutes 02 seconds East a distance of 160.25 feet to a found steel corner; thence run North 02 degrees 35 minutes 34 seconds West a distance of 230.04 feet to the point of beginning; situated in Shelby County, Alabama.

A 60 foot right of way easement for ingress and egress being described as follows: Commence at the NE corner of the NE ¼ of the NE ¼ of Section 11, Township 24 North, Range 12 East,; thence run North 88 degrees 55 minutes 11 seconds West along the North line of said ¼-1/4 for 1017.79 feet to a found ½ inch rebar; thence continue on the last described course for 30.00 feet to the point of beginning of a 60 foot right of way for ingress and egress lying 30 feet on either side of the following described centerline; thence run South 01 degree 04 minutes 49 seconds West for 163.72 feet; thence run South 83 degrees 42 minutes 29 seconds East for 78.29 feet; thence run South 03 degrees 11 minutes 49 seconds East for 242.11 feet; thence run South 02 degrees 55 minutes 21 seconds West for 264.12 feet; thence run South 34 degrees 28 minutes 53 seconds West for 55.04 feet to its intersection with the centerline of Shelby County Highway No. 155 and the end of said right of way being situated in Shelby County, Alabama.

PARCEL NO.3:

A parcel of land situated in the South 1/2 of Fractional Section 1, Township 24 North, Range 12 East, described as follows:

Commence at a 2 1/2" pipe in place accepted as the Southeast corner of Fractional Section 1, Township 24 North, Range 12 East, Shelby County, Alabama, said point being the point of beginning. From this beginning point proceed North 02 degrees 13 minutes 28 seconds West for a distance of 1264.44 feet to a 2 1/2" pipe in place; thence proceed North 65 degrees 29 minutes 33 seconds West along a fence for a distance of 904.71 feet to a 2 1/2" pipe in place being located on the easterly right of way of Shelby County Highway No. 19; thence proceed southeasterly along the easterly right of way of said highway and along the curvature of a concave curve right having a delta angle of 27 degrees 06 minutes 03 seconds and a radius of 714.01 feet for a chord bearing and distance of South 26 degrees 51 minutes 59 seconds East, 334.59 feet to the P.T. of said curve; thence proceed South 13 degrees 19 minutes 16 seconds East along the easterly right of way of said road for a distance of 1009.16 feet to a 1/2" capped rear in place, said point being the P.C. of a concave curve right having a delta angle of 10 degrees 02 minutes 12 seconds and a radius of 1522.61 feet; thence proceed southeasterly along the easterly right of way of said road and along the curvature of said curve for a chord bearing and distance of South 18 degrees 21 minutes 12 seconds East, 266.38 feet to a 1/2" capped rebar in place; thence proceed South 75 degrees 23 minutes 32 seconds East for a distance of 418.20 feet to the point of beginning.

LESS AND EXCEPT THE FOLLOWING DESCRIBED PROPERTY TO-WIT:

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, and 11, according to the survey of Valley Grande Farms, as recorded in Map Book 40, Page 55, in the Probate Office of Shelby County, Alabama.

PARCEL NO. 4:

A parcel of land in the South 1/2 of Fractional Section 1, and part in the SE 1/4 of the SE 1/4 of Section 2, Township 24 North, Range 12 East, described as follows:

Commence at a 2 1/2" open top pipe in place accepted as the Southwest corner of Fractional Section 1, Township 24 North, Range 12 East, Shelby County, Alabama, said point being the point of beginning. From this beginning point, proceed North 88 degrees 02 minutes 46 seconds West for a distance of 443.36 feet to a 1" open top pipe in place; thence proceed North 88 degrees 44 minutes 43 seconds West for a distance of 554.57 feet (set 1/2" rebar); thence proceed North 01 degree 34 minutes 51 seconds East for a distance of 513.51 feet to a 2 1/2" open top pipe in place; thence proceed North 84 degrees 11 minutes 20 seconds East along a fence for a distance of 283.63 feet to a 2 1/2" open top pipe in place; thence proceed North 45 degrees 09 minutes 22 seconds East along a fence for a distance of 202.15 feet to a 2 1/2" open top pipe in place; thence proceed North 01 degree 32 minutes 49 seconds West for a distance of 320.50 feet to a 2 1/2" open top pipe in place; thence proceed South 65 degrees 33 minutes 28 seconds East for a distance of 476.35 feet to a 1/2" capped rebar in place, said point being located on the westerly right of way of Shelby County Highway No. 19; thence proceed South 45 degrees 17 minutes 14 seconds East along the westerly right of way of said highway for a distance of 150.34 feet to a 1/2" capped rebar in place, said point being the P.C. of a concave curve right having a delta angle of 31 degrees 57 minutes 33 seconds and a radius of 634.07 feet; thence proceed southwesterly along the westerly right of way of said road and along the curvature of said curve for a chord bearing and distance of South 29 degrees 17 minutes 55 seconds East, 349.11 feet to the P.T. of said curve being a 1/2" capped rebar in place; thence proceed south 13 degrees 19 minutes 34 seconds East along the westerly right of way of said road for a distance of 1009.23 feet to a 1/2" capped rebar in place, said point being the P.C. of a concave curve right having a delta angle of 07 degrees 24 minutes 15 seconds and a radius of 1602.61 feet; thence proceed southeasterly along the westerly right of way of said road and along the curvature of said curve for a chord bearing and distance of South 16 degrees 56 minutes 01 second East, 206.96 feet to a 3/4" rebar in place; thence proceed North 65 degrees 03 minutes 54 seconds West along a fence for a distance of 342.36 feet; thence proceed North 68 degrees 38 minutes 21 seconds West along a fence for a distance of 101.64 feet; thence proceed North 69 degrees 37 minutes 11 seconds West along a fence for a distance of 42.57 feet; thence proceed North 65 degrees 24 minutes 33 seconds West along a fence for a distance of 34.33 feet; thence proceed North 61 degrees 22 minutes 12 seconds West along a fence for a distance of 45.10 feet; thence proceed North 59 degrees 30 minutes 10 seconds West along a fence for a distance of 225.11 feet to a 1/2" rebar in place; thence proceed North 58 degrees 38 minutes 57 seconds West along a fence for a distance of 286.79 feet to the point of beginning.

According to the survey of James M. Ray, Ala. Reg. No. 18383, dated February 16, 2006.



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Shelby Cnty Judge of Probate, AL
09/28/2011 11:05:12 AM FILED/CERT

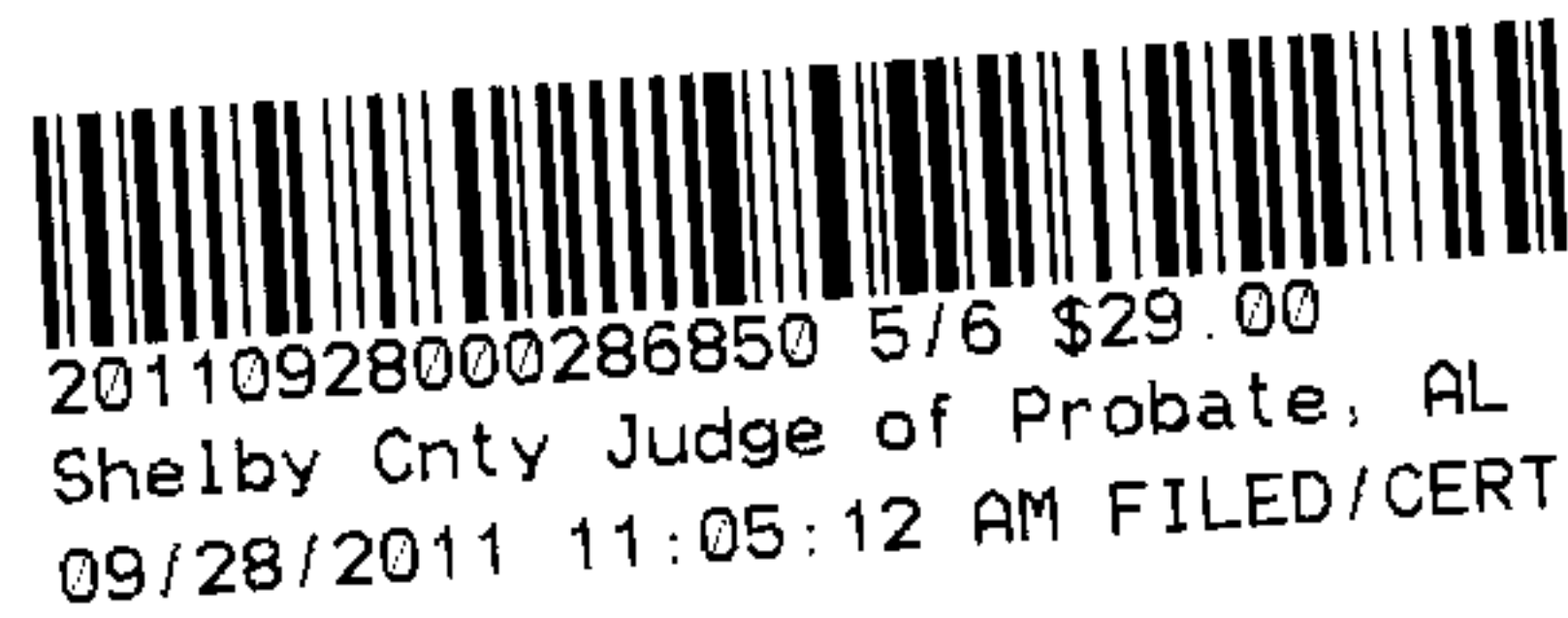
Parcel 5:

Lots 1, 2, 3, 4, 5, 10, and 11, according to the survey of Valley Grande Farms, as recorded in Map Book 40, Page 55, in the Probate Office of Shelby County, Alabama.

TO HAVE AND TO HOLD unto Mortgagee forever; subject, however, to the statutory right of redemption in favor of those who may be entitled to redeem the Property as provided by the laws of the State of Alabama.

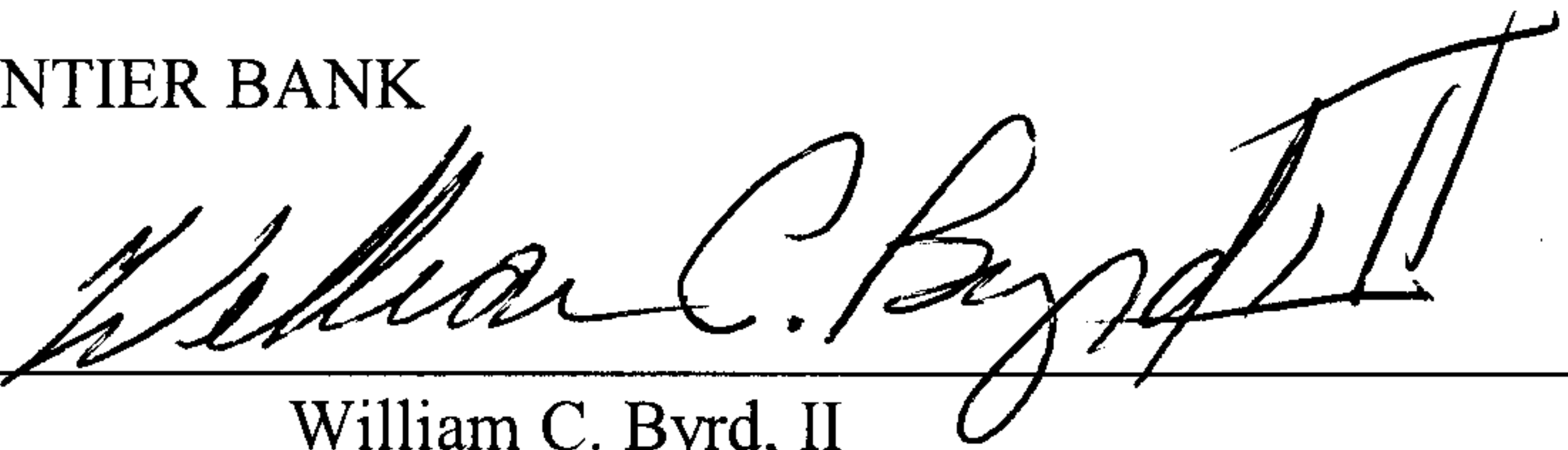
THE PROPERTY IS SOLD IN ITS "AS-IS" CONDITION, WITHOUT ANY REPRESENTATIONS OR WARRANTIES WHATSOEVER AS TO ITS CONDITION OR THE TITLE THERETO.

[Signature page follows.]



IN WITNESS WHEREOF, the Mortgagee by William C. Byrd, II, as auctioneer conducting said sale, caused these presents to be executed on this the 28th day of September, 2011.

FRONTIER BANK

By: 
William C. Byrd, II
Agent and Auctioneer

STATE OF ALABAMA)

)

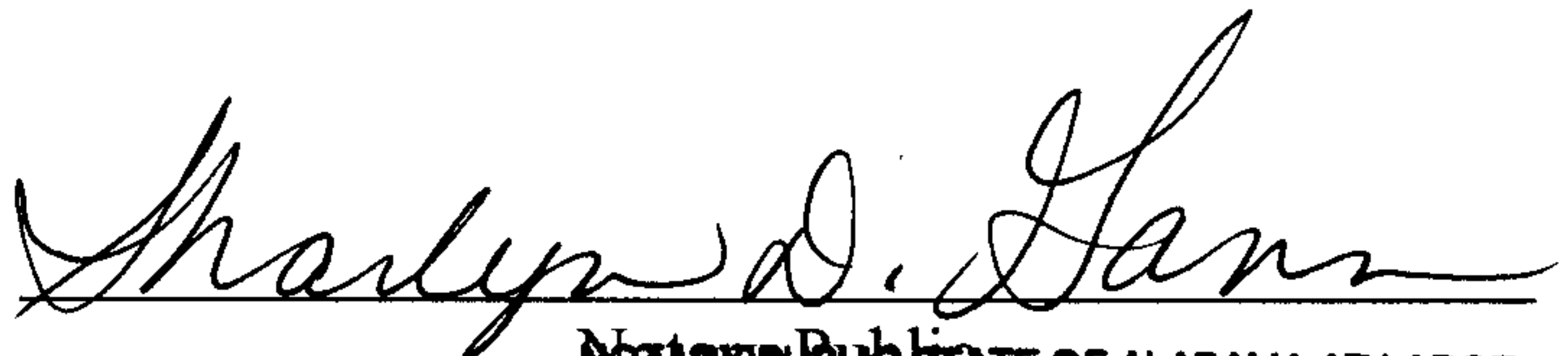
:

SHELBY COUNTY)

)

I, the undersigned, a notary public in and for said county in said state, hereby certify that William C. Byrd, II, whose name as auctioneer and agent for Frontier Bank, a Georgia banking corporation, 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 and agent, and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and seal this the 28th day of September, 2011.




NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: June 1, 2015
BONDED THRU NOTARY PUBLIC UNDERWRITERS

[NOTARIAL SEAL]

My commission expires _____

This instrument prepared by:
William C. Byrd, II
Bradley Arant Boult Cummings LLP
One Federal Place
1819 Fifth Avenue North
Birmingham, Alabama 35203-2104


20110928000286850 6/6 \$29.00
Shelby Cnty Judge of Probate, AL
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