

**THIS INSTRUMENT PREPARED BY:**

Clark A. Cooper, Esq.  
Balch & Bingham LLP  
Post Office Box 306  
Birmingham AL 35201-0306

**SEND TAX NOTICE TO:**

Dan McArthur  
First United Security Bank  
PO Box 1763  
Calera, AL 35080

STATE OF ALABAMA )

SHELBY COUNTY )

**MORTGAGE FORECLOSURE DEED**

**KNOW ALL MEN BY THESE PRESENTS:** RM Properties, LLC did, to-wit, on the 11th day of July, 2006, execute that certain Real Estate Mortgage to First United Security Bank, which mortgage is recorded at Instrument Number 20060714000340750 and amended on September 12, 2007 at Instrument Number 20070918000438380 in the Office of the Judge of Probate of Shelby County, Alabama; and

**WHEREAS,** default was made in the payment of the indebtedness secured by said mortgage and First United Security 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 February 15, 2012, February 22, 2012 and February 29, 2012; and

**WHEREAS,** on the 13th day of April, 2012, 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 First United Security 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 tract of land located in Sections 26 and 27, Township 20 South, Range 4 West, of the Huntsville, Principal Meridian, Shelby County, Alabama, more particularly described as follows:

Commence at the Northwest corner of Section 26; thence east along the northern boundary of Section 26, 170 feet, more or less, to the centerline of the Norfolk Southern Railway, said point being the point of beginning of a tract of land herein described; thence continue east along the northern boundary of Section 26, 225 feet, more or less, to the centerline of Shelby County Road # 93; thence south and southeasterly along the centerline of County Road # 93, 1740 feet, more or less, to the centerline of Hurricane Creek; thence south and southwesterly along the centerline of Hurricane Creek to a point 215.0 feet north of the southern boundary of the South-West quarter of the North-West quarter of Section 26; thence west and parallel to the southern boundary of the SouthWest quarter of the North-West quarter of Section 26 and the South-East quarter of the North-East quarter of Section 27 to a point on the west boundary of the South-East quarter of the North-East quarter of Section 27, said point being 215.0 feet north of the Southwest corner of said quarter-quarter; thence north along the west boundary of the South-East quarter of the North-East quarter of Section 27, 400 feet, more or less, to the centerline of the Norfolk Southern Railway; thence northeasterly 900 feet, more or less, along the centerline of the Norfolk Southern Railway to the north boundary of the SouthEast quarter of the North-East quarter of Section 27; thence east 800 feet, more or less, along the north boundary of the South-East quarter of the North-East quarter of Section 27 to the Southwest corner of the North-West quarter of the North-West quarter of Section 26; thence north 1100 feet, more or less, along the west boundary of the NorthWest quarter of the North-West quarter of Section 26 to the centerline of the Norfolk Southern Railway; thence northeasterly along the centerline of said railway to the point of beginning.

Said legal includes

Lots 3, 4, 8, 9, 10, 15, 16 and 18, according to the Survey of Creekwater Phase One, as recorded in Map Book 38, Page 138, in the Probate Office of Shelby County, Alabama.



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Shelby Cnty Judge of Probate, AL  
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Lots 22, 23, 36 and 39, according to the Survey of Creekwater Phase Two A, as recorded in Map Book 40, Page 81, in the Probate Office of Shelby County, Alabama.

Lots 4A and 23A, according to the Survey of Creekwater Resurvey 1, as recorded in Map Book 42, Page 103, in the Probate Office of Shelby County, Alabama.

Less and except:

A parcel of land situated in Section 26, Township 20 South, Range 4 West, Shelby County, Alabama, being more particularly described as follows:

Beginning at the NE corner of Lot 25 of Creekwater Phase Two A as recorded in Map Book 40 Page 81 in the Office of the Judge of Probate in Shelby County, Alabama, said point being the POINT OF BEGINNING; thence S64°57'10"W along the northerly line of said lot 25 a distance of 283.95 feet to the NW corner of said Lot 25; thence continue southwesterly along said bearing, a distance of 50.00 feet to the NE corner of Lot 36 of said Creekwater; thence continue southwesterly along said bearing and along the northerly line of said Lot 36. a distance of 311.28 feet to the NW corner of said Lot 36 and the west line of the NW 1/4 of the NW 1/4 of Section 26, Township 20 South, Range 4 West, Shelby County, Alabama; thence N00°11'27"W along said 1/4-1/4 line, a distance of 728.72 feet to the southeasterly right-of-way of Shelby County Highway 277; thence northeasterly along said right-of-way. a distance of 476 feet more or less to the westerly right-of-way of Shelby County Highway 93; thence southeasterly along said Highway 93 and leaving said Highway 476 right-of-way, a distance of 628 feet to the NE corner of the Common Area of said Creekwater; thence S54°45'58"W along the northwesterly line of said Common Area, a distance of 141.22 feet; thence S21°32'28"E along the westerly line of said Common Area, a distance of 84.73 feet; thence S33°42'03"E along the westerly line of said Common Area, a distance of 105.74 feet to the POINT OF BEGINNING.

This legal includes Lots 26, 28, 31, 32, 33, and 35, according to the Survey of Creekwater Phase Two B, as recorded in Map Book 42, Page 69, in the Probate Office of Shelby County, Alabama.

Less and except:

Lots 1, 2, 5, 6, 7, 11, 12, 13, 14, 17 and 19, according to the Survey of Creekwater Phase One, as recorded in Map Book 38, Page 138, in the Probate Office of Shelby County, Alabama.

Less and except:

Lots 20, 21, 24, 25, 37 and 38, according to the Survey of Creekwater Phase Two A, as recorded in Map Book 40, Page 81, in the Probate Office of Shelby County, Alabama.

Less and except:

Part of the Southwest ¼ of the Northwest ¼ of Section 26, Township 20, Range 4 West, Shelby County, Alabama, more particularly described as follows: Commence at the Southwest corner of Lot 20 of Creekwater Phase Two A as recorded in Map Book 40, Page 81, in the Office of the Judge of Probate in Shelby County, Alabama; thence N 39°46'04" W along the west line of said Lot 20, a distance of 223.00 feet to the point of beginning; thence S 50°13'56" W, a distance of 135.00 feet; thence N 39°46'04" W, a distance of 55.00 feet; thence N 50°13'56" E, a distance of 135.00 feet to a point on the west line of said Lot 20; thence S 39°46'04" E along the west line of said Lot 20, a distance of 55.00 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 First United Security Bank in the amount of Three Hundred Twenty One Thousand Two Hundred



Ninety Six and 00/100 Dollars (\$321,296.00), which sum was offered to be credited against the indebtedness secured by said mortgage, and said property was thereupon sold to the said First United Security Bank; and

**WHEREAS**, Clark A. Cooper conducted said sale on behalf of RM Properties, LLC and First United Security 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 Three Hundred Twenty One Thousand Two Hundred Ninety Six and 00/100 Dollars (\$321,296.00), RM Properties, LLC, acting by and through First United Security Bank, Mortgagee, by and through the said Clark A. Cooper, as auctioneer and the person conducting the sale on behalf of the Mortgagee, does hereby grant, bargain, sell and convey unto First United Security Bank, the following real estate situated in Shelby County, Alabama, to-wit:

A tract of land located in Sections 26 and 27, Township 20 South, Range 4 West, of the Huntsville, Principal Meridian, Shelby County, Alabama, more particularly described as follows:

Commence at the Northwest corner of Section 26; thence east along the northern boundary of Section 26, 170 feet, more or less, to the centerline of the Norfolk Southern Railway, said point being the point of beginning of a tract of land herein described; thence continue east along the northern boundary of Section 26, 225 feet, more or less, to the centerline of Shelby County Road # 93; thence south and southeasterly along the centerline of County Road # 93, 1740 feet, more or less, to the centerline of Hurricane Creek; thence south and southwesterly along the centerline of Hurricane Creek to a point 215.0 feet north of the southern boundary of the South-West quarter of the North-West quarter of Section 26; thence west and parallel to the southern boundary of the SouthWest quarter of the North-West quarter of Section 26 and the South-East quarter of the North-East quarter of Section 27 to a point on the west boundary of the South-East quarter of the North-East quarter of Section 27, said point being 215.0 feet north of the Southwest corner of said quarter-quarter; thence north along the west boundary of the South-East quarter of the North-East quarter of Section 27, 400 feet, more or less, to the centerline of the Norfolk Southern Railway; thence northeasterly 900 feet, more or less, along the centerline of the Norfolk Southern Railway to the north boundary of the SouthEast quarter of the North-East quarter of Section 27; thence east 800 feet, more or less, along the north boundary of the South-East quarter of the North-East quarter of Section 27 to the Southwest corner of the North-West quarter of the North-West quarter of Section 26; thence north 1100 feet, more or less, along the west boundary of the NorthWest quarter of the North-West quarter of Section 26 to the centerline of the Norfolk Southern Railway; thence northeasterly along the centerline of said railway to the point of beginning.

Said legal includes

Lots 3, 4, 8, 9, 10, 15, 16 and 18, according to the Survey of Creekwater Phase One, as recorded in Map Book 38, Page 138, in the Probate Office of Shelby County, Alabama.

Lots 22, 23, 36 and 39, according to the Survey of Creekwater Phase Two A, as recorded in Map Book 40, Page 81, in the Probate Office of Shelby County, Alabama.

Lots 4A and 23A, according to the Survey of Creekwater Resurvey 1, as recorded in Map Book 42, Page 103, in the Probate Office of Shelby County, Alabama.

Less and except:

A parcel of land situated in Section 26, Township 20 South, Range 4 West, Shelby County, Alabama, being more particularly described as follows:



Beginning at the NE corner of Lot 25 of Creekwater Phase Two A as recorded in Map Book 40 Page 81 in the Office of the Judge of Probate in Shelby County, Alabama, said point being the POINT OF BEGINNING; thence S64°57'10"W along the northerly line of said lot 25 a distance of 283.95 feet to the NW corner of said Lot 25; thence continue southwesterly along said bearing, a distance of 50.00 feet to the NE corner of Lot 36 of said Creekwater; thence continue southwesterly along said bearing and along the northerly line of said Lot 36, a distance of 311.28 feet to the NW corner of said Lot 36 and the west line of the NW 1/4 of the NW 1/4 of Section 26, Township 20 South, Range 4 West, Shelby County, Alabama; thence N00°11'27"W along said 1/4-1/4 line, a distance of 728.72 feet to the southeasterly right-of-way of Shelby County Highway 277; thence northeasterly along said right-of-way, a distance of 476 feet more or less to the westerly right-of-way of Shelby County Highway 93; thence southeasterly along said Highway 93 and leaving said Highway 476 right-of-way, a distance of 628 feet to the NE corner of the Common Area of said Creekwater; thence S54°45'58"W along the northwesterly line of said Common Area, a distance of 141.22 feet; thence S21°32'28"E along the westerly line of said Common Area, a distance of 84.73 feet; thence S33°42'03"E along the westerly line of said Common Area, a distance of 105.74 feet to the POINT OF BEGINNING.

This legal includes Lots 26, 28, 31, 32, 33, and 35, according to the Survey of Creekwater Phase Two B, as recorded in Map Book 42, Page 69, in the Probate Office of Shelby County, Alabama.

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Lots 1, 2, 5, 6, 7, 11, 12, 13, 14, 17 and 19, according to the Survey of Creekwater Phase One, as recorded in Map Book 38, Page 138, in the Probate Office of Shelby County, Alabama.

Less and except:


Lots 20, 21, 24, 25, 37 and 38, according to the Survey of Creekwater Phase Two A, as recorded in Map Book 40, Page 81, in the Probate Office of Shelby County, Alabama.

Less and except:

Part of the Southwest 1/4 of the Northwest 1/4 of Section 26, Township 20, Range 4 West, Shelby County, Alabama, more particularly described as follows: Commence at the Southwest corner of Lot 20 of Creekwater Phase Two A as recorded in Map Book 40, Page 81, in the Office of the Judge of Probate in Shelby County, Alabama; thence N 39°46'04" W along the west line of said Lot 20, a distance of 223.00 feet to the point of beginning; thence S 50°13'56" W, a distance of 135.00 feet; thence N 39°46'04" W, a distance of 55.00 feet; thence N 50°13'56" E, a distance of 135.00 feet to a point on the west line of said Lot 20; thence S 39°46'04" E along the west line of said Lot 20, a distance of 55.00 feet to the point of beginning.

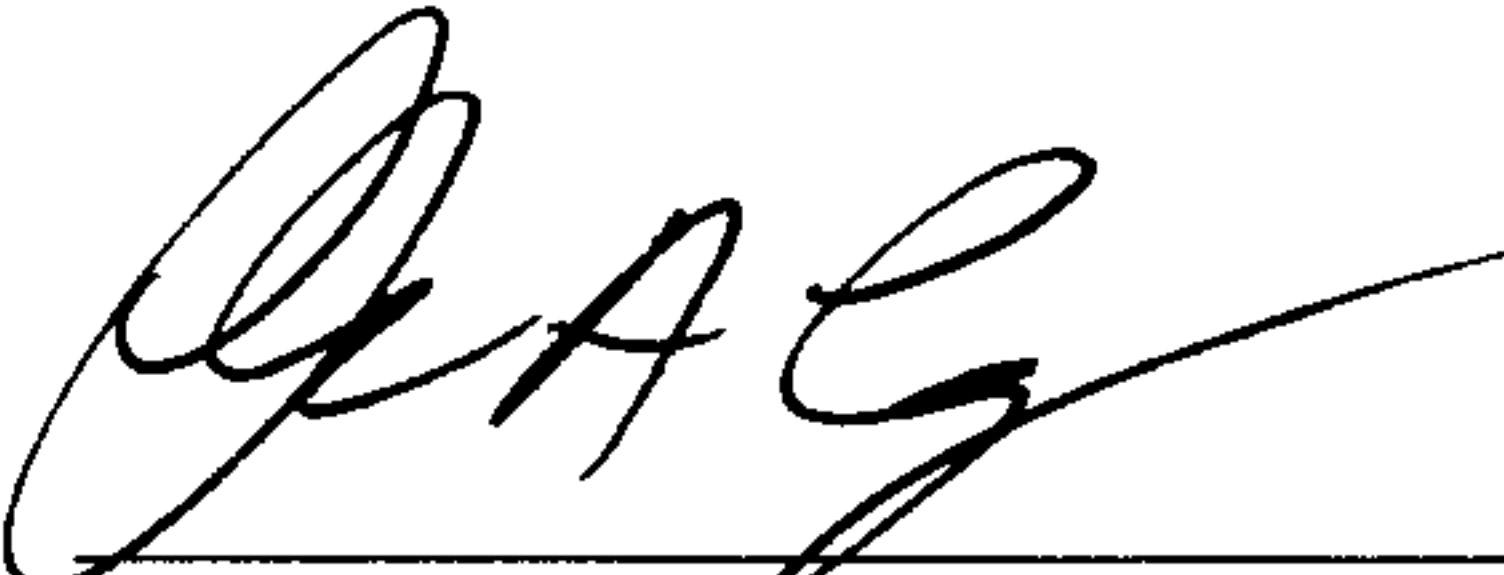
**TO HAVE AND TO HOLD THE** above described property unto First United Security Bank, its successors and assigns forever; subject, however, to the statutory rights of redemption on the part of those entitled to redeem, and any taxes which may be due.

**IN WITNESS WHEREOF**, the said First United Security Bank has caused this instrument to be executed by Clark A. Cooper, as auctioneer and the person conducting said sale for the Mortgagee, and in witness whereof the said Clark A. Cooper has executed this instrument in his capacity as such auctioneer on April 13, 2012.

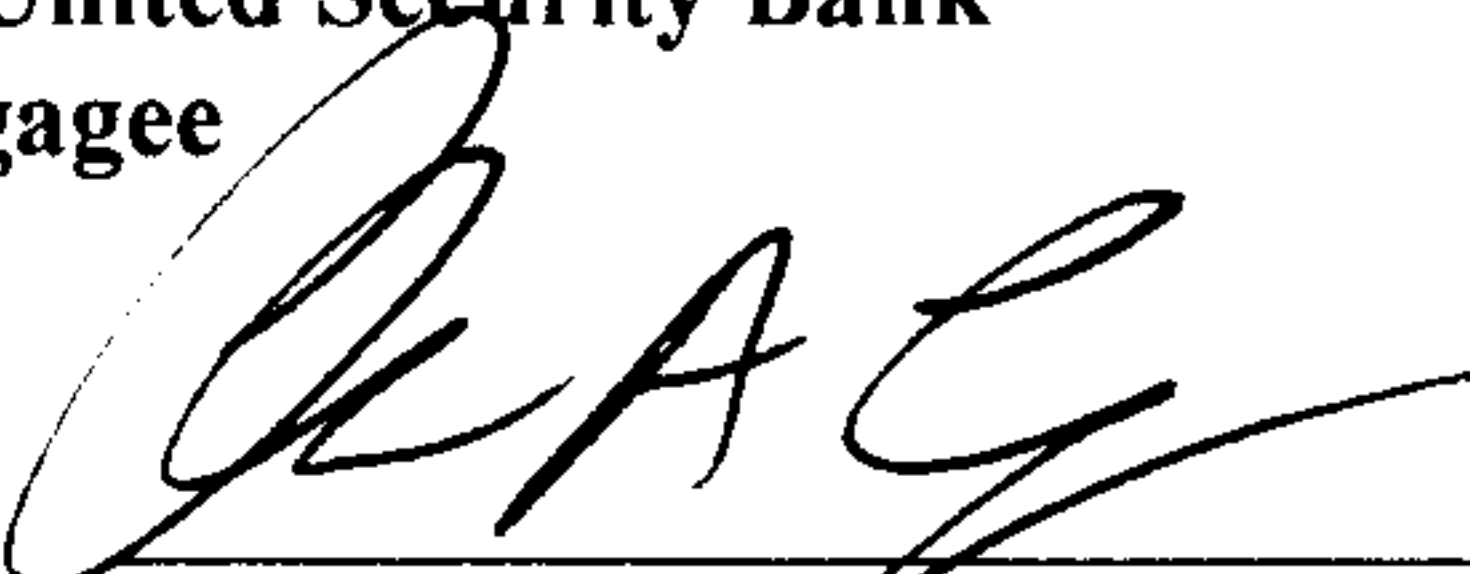
  
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**RM Properties, LLC**  
**Mortgagor**


By: First United Security Bank  
Mortgagee

By:   
Clark A. Cooper, as Auctioneer and the person  
conducting said sale for the Mortgagee

**First United Security Bank**  
**Mortgagee**

By:   
Clark A. Cooper, as Auctioneer and the person  
conducting said sale for the Mortgagee

  
Clark A. Cooper, as Auctioneer and the person  
conducting said sale for the Mortgagee

  
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STATE OF ALABAMA       )  
                                      )  
JEFFERSON COUNTY       )

I, the undersigned Notary Public in and for said County in said State, hereby certify that Clark A. Cooper, whose name as Auctioneer and the person conducting said sale for 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, and with full authority, executed this instrument voluntarily on the day that bears the same date.

Given under my hand this 13th day of April, 2012.

My Commission Expires:

10/13/13

  
Notary Public

[NOTARY SEAL]