


Send tax notice to:

Attention: _____

This instrument prepared by:
Stephen R. Monk
Bradley Arant Boult Cummings LLP
One Federal Place
1819 Fifth Avenue North
Birmingham, Alabama 35203-2104

711
713
714

STATE OF ALABAMA)
 :
COUNTY OF SHELBY)


20121119000442840 1/10 \$42.00
Shelby Cnty Judge of Probate, AL
11/19/2012 12:16:03 PM FILED/CERT

MORTGAGE FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, South Grande View Development Co., Inc., an Alabama corporation, CSG Construction Company, Inc., an Alabama corporation, and Charles S. Givianpour, an individual (collectively, "Mortgagor"), executed that certain Mortgage and Security Agreement dated as of September 29, 2008 in favor of Frontier Bank, a Georgia banking corporation ("Mortgagee"), which has been recorded in BK:LR 200810, Page 27836 in the Office of the Judge of Probate of Jefferson County, Alabama and as Instrument 20080929000385340 in the Office of the Judge of Probate of Shelby County, Alabama, as amended (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: *Alabama Messenger*, a newspaper of general circulation published in Jefferson County, Alabama, in its issues of January 18, 2012, January 25, 2012 and February 1, 2012 and *The Shelby County Reporter*, a newspaper of general circulation published in Shelby County, Alabama, in its issues of January 18, 2012, January 25, 2012 and February 1, 2012.

WHEREAS, on February 22, 2012, 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 Jefferson County, Alabama Courthouse at 716 Richard Arrington, Jr. Blvd. North, Birmingham, Alabama in Jefferson County, Alabama, the county in which a substantial and material part of the mortgaged land is located, the Property, as such term is described below; and

WHEREAS, the highest and best bid obtained for the Property was the bid of **Cyrus Givianpour** in the amount of One Thousand and No/100 Dollars (\$1,000.00), which sum was paid to the Mortgagee, and the Property was thereupon sold to said purchaser; and

WHEREAS, Stephen R. Monk conducted said sale on behalf of the Mortgagee; and

Shelby County, AL 11/19/2012
State of Alabama
Deed Tax: \$1.00




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 bid of One Thousand and No/100 Dollars (\$1,000.00), which amount shall be applied as provided in the Mortgage, the Mortgagee, by Stephen R. Monk, its duly authorized auctioneer and the person conducting said sale for the Mortgagee, does hereby grant, bargain, sell, and convey unto **Cyrus Givianpour**, an unmarried man ("Purchaser"), that certain real property (the "Property") situated in Shelby County, Alabama which is more particularly described in Exhibit A attached hereto and incorporated herein by reference.

TO HAVE AND TO HOLD the Property unto Purchaser, forever; subject, however, to (i) the statutory rights of redemption in favor of those who may be entitled to redeem the Property as provided by the laws of the State of Alabama, (ii) all matters which would be disclosed by an accurate survey of the Property, (iii) ad valorem taxes and special assessments, and (iv) all easements, restrictions, reservations, rights-of-way, encumbrances and other matters appearing of record in the Office of the Judge of Probate of Shelby County, Alabama.


THE PROPERTY IS SOLD IN ITS "AS-IS, WHERE IS" CONDITION, WITHOUT ANY REPRESENTATIONS OR WARRANTIES WHATSOEVER AS TO ITS CONDITION OR THE TITLE THERETO OR THE ACREAGE COMPRISING THE PROPERTY AND WITHOUT WARRANTY OR RECOURSE, EITHER EXPRESS OR IMPLIED, AS TO TITLE, SURVEY MATTERS (INCLUDING THE ACREAGE COMPRISING THE PROPERTY), USE AND/OR ENJOYMENT.


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IN WITNESS WHEREOF, the Mortgagee has caused this instrument to be executed by Stephen R. Monk, as auctioneer and the person conducting said sale for the Mortgagee, and Stephen R. Monk has executed this instrument solely in his capacity as such auctioneer and the person conducting the said sale, as of the 22nd day of February, 2012.

FRONTIER BANK, a Georgia banking corporation

By: 
Stephen R. Monk,
As Auctioneer and the Person Conducting the Sale for the
Mortgagee

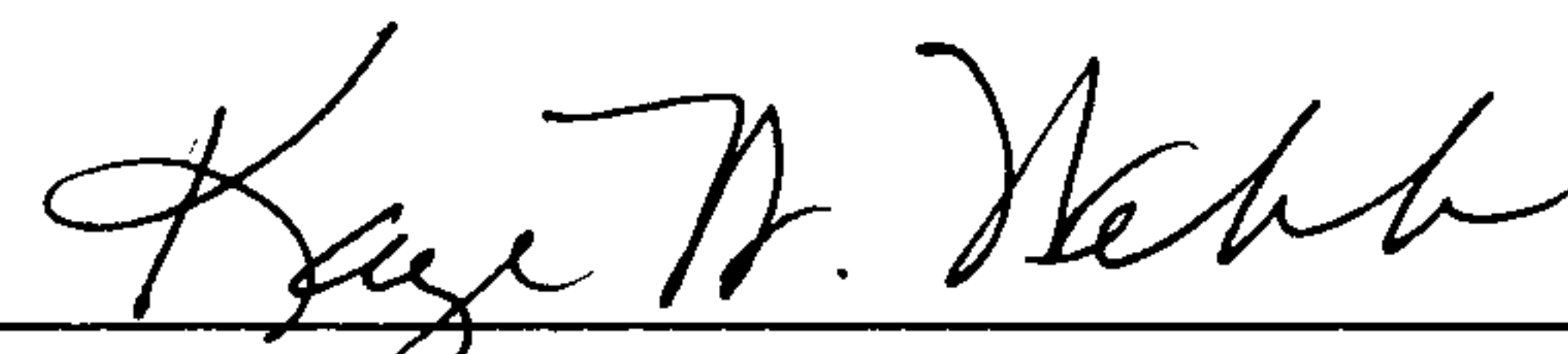
STATE OF ALABAMA)

:

JEFFERSON COUNTY)

I, the undersigned, a notary public in and for said county in said state, hereby certify that Stephen R. Monk, whose name as auctioneer and the person conducting the sale for Frontier Bank, a Georgia banking corporation, as Mortgagee, 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 as the person conducting the sale for the Mortgagee, and with full authority, executed the same voluntarily on the day the same bears date.

Given under my hand and seal this the 22nd day of February, 2011.



Notary Public
My commission expires 6-12-12

[NOTARIAL SEAL]



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Exhibit A

Legal Description of Property

Shelby County, Alabama Property

Parcel III:

A parcel of land being a part of the South one half of Section 16 and a part of the North one half of Section 21, all in Township 21 South, Range 3 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the Northeast corner of said Section 21, thence run in a Southerly direction along the East line of said Section 21 for a distance of 1,324.58 feet to an existing crimped iron pin; thence turn an angle to the left of 00 degrees 18 min. 01 sec. and run in a Southerly direction for a distance of 56.78 feet to an existing crimped iron pin and also being on the Northwest right-of-way line of Shelby County Highway #12; thence turn an angle to the right of 67 deg. 39 min. 34 sec. and run in a Southwesterly direction along said Northwest right-of-way line for a distance of 975.59 feet to an existing iron pin on a curve to the left having central angle of 21 deg. 01 min. 25 sec. and a radius of 1,949.87 feet; thence run in a Southwesterly direction along the arc of said curve and also along said Northwest right-of-way line for a distance of 715.47 feet to an existing iron pin; thence run tangent to last stated curve in a Southwesterly direction along said Northwest right-of-way line for a distance of 170.66 feet to an existing iron pin on a curve to the right having a central angle of 43 deg. 49 min. 36 sec. and a radius of 936.96 feet; thence run in a Southwesterly direction along the arc of said curve and also along said Northwest right-of-way line for a distance of 716.70 feet to an existing iron pin; thence run tangent to last stated curve in a Westerly direction along said Northwest right-of-way line for a distance of 170.75 feet to an existing iron pin, thence turn an angle to the right of 89 deg. 29 min. 21 sec. and run in a Northerly direction for distance of 232.43 feet to an existing iron pin; thence turn an angle to the left of 88 deg. 42 min. 11 sec. and run in a Westerly direction for a distance of 195.50 feet to an existing iron pin; thence turn an angle to the left of 69 deg. 16 min. 27 sec. and run in Southwesterly direction for a distance of 252.71 feet to an existing iron pin on the North right-of-way line of Shelby County Highway #12, thence turn an angle to the right of 68 deg. 29 min. 17 sec. and run in Westerly direction along said North right-of-way line for a distance of 710.68 feet to an existing iron pin being at the point of intersection with the Easterly right-of-way line of Southern Railroad right-of-way; thence an angle to the right of 73 deg. 16 min. 56 sec. and run in Northwesterly direction along said Easterly right-of-way line for a distance of 1,863.37 feet to an existing iron pin on a curve to the right having a central angle of 01 deg. 57 min. 22 sec. and a radius of 2,711.44 feet; thence run in a Northwesterly direction along the arc of said curve and also along said Easterly right-of-way line for a distance of 92.57 feet to an existing iron pin on a compound curve to the right having a central angle of 07 deg. 08 min. 34 sec. and a radius of 1,600.46 feet; thence run in a Northwesterly direction along the arc of said curve and also along said Easterly right-of-way line for a distance of 199.52 feet to a tree being at the property corner; thence turn an angle to the right from the chord of last stated curve of 91 deg. 53 min. 25 sec. and run in a Northeasterly direction for a distance of 311.40 feet to an existing rock pile marking the corner;



thence turn an angle to the left of 91 deg. 02 min. 56 sec. and run in a Northwesterly direction for a distance of 145.83 feet to the point of beginning; thence continue along last stated course for a distance of 210.00 feet to an existing old iron rebar; thence turn an angle to the right of 97 deg. 29 min. 31 sec. and run in an Easterly direction for a distance of 294.26 feet to an old open top iron pin; thence turn an angle to the left of 91 deg. 47 min. 47 sec. and run in a Northerly direction for a distance of 951.85 feet to an existing iron pin; thence turn an angle to the right of 90 deg. 00 min. 00 sec. and run in an Easterly direction for a distance of 175.00 feet to an existing iron pin; thence turn an angle to the left of 90 deg. 00 min. 00 sec. and run in a Northerly direction for a distance of 262.46 feet to an existing iron pin; thence turn an angle to the right of 90 deg. 27 min. 07 sec. and run in an Easterly direction for a distance of 103.28 feet to an existing iron pin; thence turn an angle to the left of 86 deg. 19 min. 26 sec. and run in a Northerly direction for a distance of 521.27 feet to an existing old iron rebar; thence turn an angle to the left of 01 deg. 45 min. 39 sec. and run in a Northerly direction for a distance of 465.54 feet to a point; thence turn an angle to the right of 102 deg. 45 min. 00 sec. and run in a Southeasterly direction for a distance of 200.00 feet to a point; thence turn an angle to the right of 10 deg. 15 min. 00 sec. and run in Southeasterly direction for a distance of 180.00 feet to a point; thence turn an angle to the left of 25 deg. 00 min. 00 sec. and run in a Northeasterly direction for a distance of 100.00 feet to a point; thence turn an angle to the left of 11 deg. 30 min. 00 sec. and run in a Northeasterly direction for a distance of 215.00 feet to a point; thence turn an angle to the left of 11 deg. 18 min. 12 sec. and run in a Northeasterly direction for a distance of 185.13 feet to a point; thence turn an angle to the right of 38 deg. 39 min. 58 sec. and run in a Southeasterly direction for a distance of 123.95 feet to a point; thence turn an angle to the right of 37 deg. 08 min. 53 sec. and run in a Southeasterly direction for a distance of 120.00 feet to a point; thence turn an angle to the right of 33 deg. 00 min. 00 sec. and run in a Southeasterly direction for a distance of 165.00 feet to a point; thence turn an angle to the right of 19 deg. 00 min. 00 sec. and run in a Southwesterly direction for a distance of 400.00 feet to a point; thence turn an angle to the left of 91 deg. 15 min. 00 sec. and run in a Southeasterly direction for a distance of 170.00 feet to a point on a curve to the left having a central angle of 45 deg. 14 min. 23 sec. and a radius of 650.00 feet; thence turn an angle to the right to the tangent of said curve of 90 deg. 00 min. 00 sec. and run in a Southeasterly direction along the arc of said curve for a distance of 513.23 feet to a point on a reverse curve to the right having a central angle of 47 deg. 09 min. 23 sec. and a radius of 750.00 feet; thence run in a Southeasterly to Southwesterly direction along the arc of said curve for a distance of 617.28 feet to a point; thence run tangent to last stated curve in a Southwesterly direction for a distance of 450.00 feet to a point on a curve to the left having a central angle of 25 deg. 27 min. 53 sec. and a radius of 450.00 feet; thence run in a Southeasterly to Southwesterly direction along the arc of said curve for a distance of 200.00 feet to a point; thence turn an angle to the right from the chord of last stated curve of 56 deg. 16 min. 03 sec. and run in a Southwesterly direction for a distance of 190.00 feet to a point; thence turn an angle to the left of 14 deg. 00 min. 00 sec. and run in a Southwesterly direction for a distance of 170.00 feet to a point; thence turn an angle to the left of 15 deg. 07 min. 43 sec. and run in a Southwesterly direction for a distance of 192.95 feet to a point; thence turn an angle to the left of 20 deg. 23 min. 49 sec. and run in a Southwesterly direction for a distance of 530.00 feet to a point; thence turn an angle to the right of 136 deg. 00 min. 00 sec. and run in a Northwesterly direction for a distance of 535.00 feet to a point; thence turn an angle to the left of 14 deg. 30 min. 00 sec. and run in a Northwesterly direction for a distance of 850.00 feet to a point; thence turn an angle to the left of 49 deg. 15 min. 00 sec. and run in a Southwesterly direction for a distance of 315.00 feet to the point of beginning; being situated in Shelby County, Alabama.



Less and Except

Lots 701, 702, 703, 704, 705, 706, 707, 708, 709 and 710, inclusive, Lot 712, Lots 714, 715, 716, 717, 718, 719 and 720, according to the Survey of Grande View Estates, Givianpour Addition to Alabaster, 7th Addition, as recorded in Map Book 21 Page 134 in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

Less and Except

Lots 1540, 1541, 1542, 1543, 1544, 1545, 1546, 1547 and 1548, inclusive, according to the Survey of Grande View Estates, Givianpour Addition to Alabaster, 15th Addition, as recorded in Map Book 32 Page 126 in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

Less and Except

Lot 980, according to the Survey of Grande View Estates, Givianpour Addition to Alabaster, 9th Addition, Phase 1 as recorded in Map Book 26 Page 86 in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

NOTE: The remaining acreage of Parcel III includes Lots 711 and 713 of Map Book 21 Page 134 in the Probate Office.

_____(end of legal description)



Real Estate Sales Validation Form

This Document must be filed in accordance with Code of Alabama 1975, Section 40-22-1

Grantor's Name FRONTIER BANK
 Mailing Address P.O. Box 414
Chesler AL
35043

Grantee's Name Cyrus Givianpour
 Mailing Address 1969 Rocky Brook Dr.
Birmingham AL 35243

Property Address See Attach
Legal Description
"Parcel 111"

Date of Sale Feb. 22 - 2012
 Total Purchase Price \$ 1,000.00

or
 Actual Value \$

or
 Assessor's Market Value \$

The purchase price or actual value claimed on this form can be verified in the following documentary evidence: (check one) (Recordation of documentary evidence is not required)

☐ Bill of Sale
☐ Sales Contract
☐ Closing Statement

☐ Appraisal
☒ Other Foreclosure Deed

If the conveyance document presented for recordation contains all of the required information referenced above, the filing of this form is not required.

Instructions

Grantor's name and mailing address - provide the name of the person or persons conveying interest to property and their current mailing address.

Grantee's name and mailing address - provide the name of the person or persons to whom interest to property is being conveyed.

Property address - the physical address of the property being conveyed, if available.

Date of Sale - the date on which interest to the property was conveyed.

Total purchase price - the total amount paid for the purchase of the property, both real and personal, being conveyed by the instrument offered for record.

Actual value - if the property is not being sold, the true value of the property, both real and personal, being conveyed by the instrument offered for record. This may be evidenced by an appraisal conducted by a licensed appraiser or the assessor's current market value.

If no proof is provided and the value must be determined, the current estimate of fair market value, excluding current use valuation, of the property as determined by the local official charged with the responsibility of valuing property for property tax purposes will be used and the taxpayer will be penalized pursuant to Code of Alabama 1975 § 40-22-1 (h).

I attest, to the best of my knowledge and belief that the information contained in this document is true and accurate. I further understand that any false statements claimed on this form may result in the imposition of the penalty indicated in Code of Alabama 1975 § 40-22-1 (h).

Date 11-19-2012

Print Cyrus Givianpour

Unattested

Sign Cyrus Givianpour

(verified by)

(Grantor/Grantee/Owner/Agent) circle one

Form RT-1



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Less and Except

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NOTE: The remaining acreage of Parcel III includes Lots 711 and 713 of Map Book 21 Page 134 in the Probate Office.

