


This Instrument Prepared by:
Timothy D. Davis, Esq.
Sirote & Permutt, P.C.
2311 Highland Avenue South
Birmingham, Alabama 35203
(205) 930-5132


20121213000476750 1/5 \$26.00
Shelby Cnty Judge of Probate, AL
12/13/2012 12:01:40 PM FILED/CERT

MORTGAGE FORECLOSURE DEED

STATE OF ALABAMA)
 :
SHELBY COUNTY)

KNOW ALL MEN BY THESE PRESENTS: That K&C Properties, LLC, which is one and the same company as K & C Properties, L.L.C., an Alabama limited liability company ("Mortgagor"), did on, to-wit, April 24, 2006, execute a Mortgage and Security Agreement in favor of Frontier Bank, a Georgia banking corporation ("Frontier Bank" or "Mortgagee"), which instrument was filed for record on May 1, 2006, in Instrument No. 20060501000202910, in the Office of the Judge of Probate of Shelby County, Alabama (the "Mortgage"); and

WHEREAS, default was made in the payment of the indebtedness secured by said Mortgage and said Mortgagee 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*, a newspaper published in Shelby County, Alabama, in its issues of November 21, 2012, November 28, 2012, and December 5, 2012; and

WHEREAS, on December 13, 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 Mortgagee did offer for sale and did sell at public outcry in front of the main entrance of the Shelby County, Alabama Courthouse in the City of Columbiana, Alabama, the property hereinafter described; and

WHEREAS, the highest and best bid for cash obtained for the property described in the aforementioned Mortgage was the bid of the Mortgagee in the amount of One Hundred Ninety-Eight Thousand and No/100 Dollars (\$198,000.00), which sum the said Mortgagee offered to credit on the indebtedness secured by said Mortgage, and said property was thereupon sold to the said Mortgagee; and

WHEREAS, said Mortgage expressly authorized the Mortgagee to bid at the sale and purchase said property, if the highest bidder therefor, and authorized the Mortgagee or Auctioneer or any person conducting said sale for the Mortgagee to execute to the purchaser at said sale a deed to the property purchased.

NOW, THEREFORE, in consideration of the premises and a credit of One Hundred Ninety-Eight Thousand and No/100 Dollars (\$198,000.00) on the indebtedness secured by said Mortgage, the said Mortgagee, acting by and through Crystal H. Holmes, as Auctioneer and the person conducting the said sale for the Mortgagee or Transferee of Mortgagee, does hereby grant, bargain, sell and convey unto Frontier Bank, a Georgia banking corporation, the following described real estate situated in Shelby County, Alabama, to-wit:

COMMENCING AT THE NE CORNER OF THE NE 1/4 OF THE SW 1/4 OF
SECTION 1, TOWNSHIP 20 SOUTH, RANGE 1 WEST, SHELBY COUNTY,

ALABAMA; THENCE NORTH 0 DEGREES 17 MINUTES 31 SECONDS WEST ALONG THE EAST LINE OF SAID 1/4-1/4 SECTION A DISTANCE OF 120.00 FEET; THENCE NORTH 88 DEGREES 19 MINUTES 03 SECONDS EAST A DISTANCE OF 64.41 FEET TO THE WESTERLY RIGHT-OF-WAY OF SHELBY COUNTY HIGHWAY 447 AND A POINT ON A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 08 DEGREES 06 MINUTES 37 SECONDS AND A RADIUS OF 663.47 FEET, SAID CURVE SUBTENDED BY A CHORD BEARING SOUTH 7 DEGREES 38 MINUTES 36 SECONDS WEST AND A CHORD DISTANCE OF 93.84 FEET; THENCE ALONG THE ARC OF SAID CURVE AND ALONG SAID RIGHT-OF-WAY A DISTANCE OF 93.91 FEET; THENCE SOUTH 3 DEGREES 35 MINUTES 17 SECONDS WEST ALONG SAID RIGHT-OF-WAY A DISTANCE OF 217.22 FEET TO A POINT ON A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 00 DEGREES 45 MINUTES 03 SECONDS AND A RADIUS OF 1560.24 FEET; THENCE ALONG THE ARC OF SAID CURVE AND ALONG SAID RIGHT-OF-WAY A DISTANCE OF 20.44 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 74 DEGREES 48 MINUTES 7 SECONDS WEST AND LEAVING SAID RIGHT-OF-WAY A DISTANCE OF 284.55 FEET; THENCE SOUTH 60 DEGREES 30 MINUTES 28 SECONDS WEST A DISTANCE OF 558.71 FEET; THENCE NORTH 84 DEGREES 40 MINUTES 44 SECONDS WEST A DISTANCE OF 590.66 FEET; THENCE SOUTH 0 DEGREES 4 MINUTES 59 SECONDS EAST A DISTANCE OF 618.40 FEET; THENCE NORTH 88 DEGREES 16 MINUTES 00 SECONDS EAST A DISTANCE OF 790.19 FEET; THENCE NORTH 86 DEGREES 46 MINUTES 53 SECONDS EAST A DISTANCE OF 528.03 FEET; THENCE NORTH 0 DEGREES 17 MINUTES 31 SECONDS WEST A DISTANCE OF 788.05 FEET; THENCE NORTH 88 DEGREES 19 MINUTES 3 SECONDS EAST A DISTANCE OF 33.23 FEET TO THE WESTERLY RIGHT-OF-WAY OF SHELBY COUNTY HIGHWAY 447 AND A POINT ON A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 02 DEGREES 35 MINUTES 53 SECONDS AND A RADIUS OF 1560.24 FEET, SAID CURVE SUBTENDED BY A CHORD BEARING NORTH 1 DEGREE 32 MINUTES 19 SECONDS EAST AND A CHORD DISTANCE OF 70.74 FEET; THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 70.75 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT ANY PORTION OF SUBJECT PROPERTY THAT LIES WITHIN THE RIGHT OF WAY OF A ROAD.

SITUATED IN SHELBY COUNTY, ALABAMA.

THE ABOVE PROPERTY NOW KNOWN AS PART OF FINAL PLAT OF GLENSTONE COTTAGES, AS RECORDED IN MAP BOOK 38, PAGE 48, SHELBY COUNTY, ALABAMA; LESS AND EXCEPT THAT PART OF LOTS 1 AND 23, ACCORDING TO THE FINAL PLAT OF GLENSTONE COTTAGES, AS RECORDED IN MAP BOOK 38, PAGE 48, SHELBY COUNTY, ALABAMA, MORE PARTICULARLY DESCRIBED AS:

COMMENCE AT THE NE CORNER OF THE NE 1/4 OF THE SW 1/4 OF SECTION 1, TOWNSHIP 20 SOUTH, RANGE 1 WEST, SHELBY COUNTY, ALABAMA; THENCE NORTH 0 DEGREES 17 MINUTES 31 SECONDS WEST ALONG THE EAST LINE OF SAID 1/4-1/4 SECTION A DISTANCE OF 120.00 FEET; THENCE NORTH 88 DEGREES 19 MINUTES 3 SECONDS EAST A DISTANCE OF 64.41 FEET TO THE WESTERLY RIGHT-OF-WAY OF SHELBY COUNTY HWY 447

AND A POINT ON A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 08 DEGREES 06 MINUTES 37 SECONDS AND A RADIUS OF 663.47 FEET, SAID CURVE SUBTENDED BY A CHORD BEARING SOUTH 7 DEGREES 38 MINUTES 36 SECONDS WEST AND A CHORD DISTANCE OF 93.84 FEET; THENCE ALONG THE ARC OF SAID CURVE AND ALONG SAID RIGHT-OF-WAY A DISTANCE OF 93.91 FEET; THENCE SOUTH 3 DEGREES 35 MINUTES 17 SECONDS WEST ALONG SAID RIGHT-OF-WAY A DISTANCE OF 217.22 FEET TO A POINT ON A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 03 DEGREES 20 MINUTES 55 SECONDS AND A RADIUS OF 1560.24 FEET; THENCE ALONG THE ARC OF SAID CURVE AND ALONG SAID RIGHT-OF-WAY A DISTANCE OF 91.19 FEET TO THE POINT OF BEGINNING, SAID POINT BEING A COMPOUND CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 17 DEGREES 22 MINUTES 43 SECONDS AND A RADIUS OF 1560.24 FEET; THENCE ALONG THE ARC OF SAID CURVE AND ALONG SAID RIGHT-OF-WAY A DISTANCE OF 473.24 FEET; THENCE NORTH 88 DEGREES 15 MINUTES 43 SECONDS WEST AND LEAVING SAID RIGHT-OF-WAY A DISTANCE OF 100.11 FEET; THENCE NORTH 0 DEGREES 17 MINUTES 31 SECONDS WEST A DISTANCE OF 468.38 FEET; THENCE NORTH 88 DEGREES 19 MINUTES 3 SECONDS EAST A DISTANCE OF 33.23 FEET TO THE POINT OF BEGINNING.

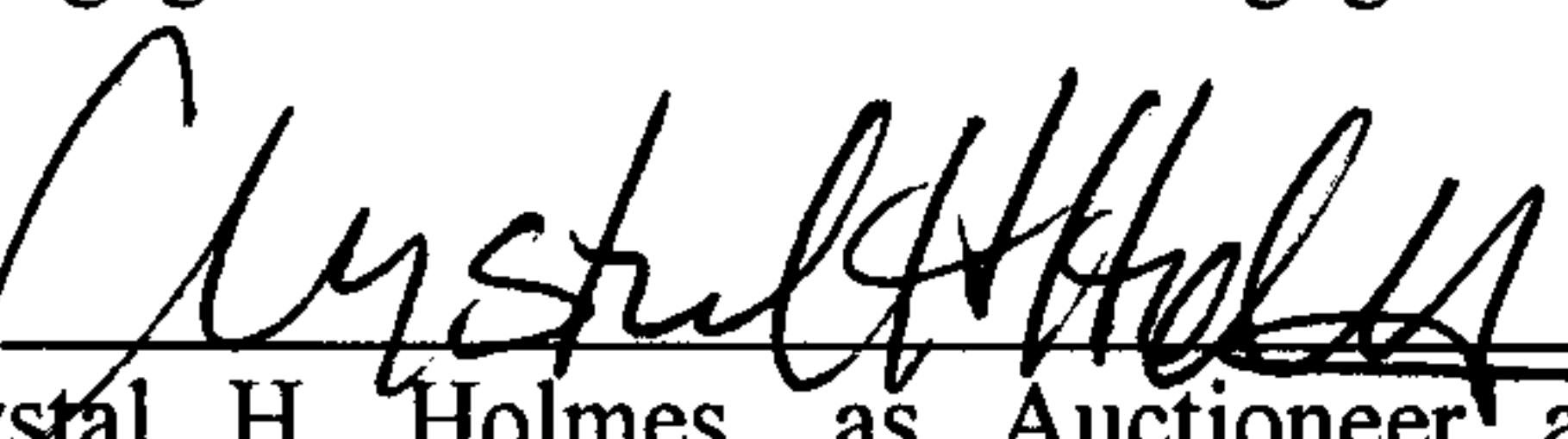
ALSO LESS AND EXCEPT: LOTS 5, 8, 9, 15, 17, 20 AND 21, ACCORDING TO THE FINAL PLAT OF GLENSTONE COTTAGES, AS RECORDED IN MAP BOOK 38, PAGE 48, SHELBY COUNTY, ALABAMA.

Together with all rights, privileges, easements, tenements, interests, improvements, and appurtenances thereunto belonging and all fixtures now attached to and used in connection with the premises herein described.

TO HAVE AND TO HOLD the above-described property unto the said Frontier Bank, its successors and assigns, forever; subject, however to any and all prior liens and encumbrances, the rights of way, easements and restrictions of record in the Office of the Judge of Probate of Shelby County, Alabama, existing assessments, the statutory rights of redemption on the part of those entitled to redeem as provided by the laws of the State of Alabama, and any taxes which may be due.

IN WITNESS WHEREOF, the said Mortgagee has caused this instrument to be executed by Crystal H. Holmes, as Auctioneer and the person conducting said sale for the Mortgagee or Transferee of Mortgagee, and in witness whereof the said Crystal H. Holmes has executed this instrument in her capacity as such Auctioneer on the 13th day of December, 2012.

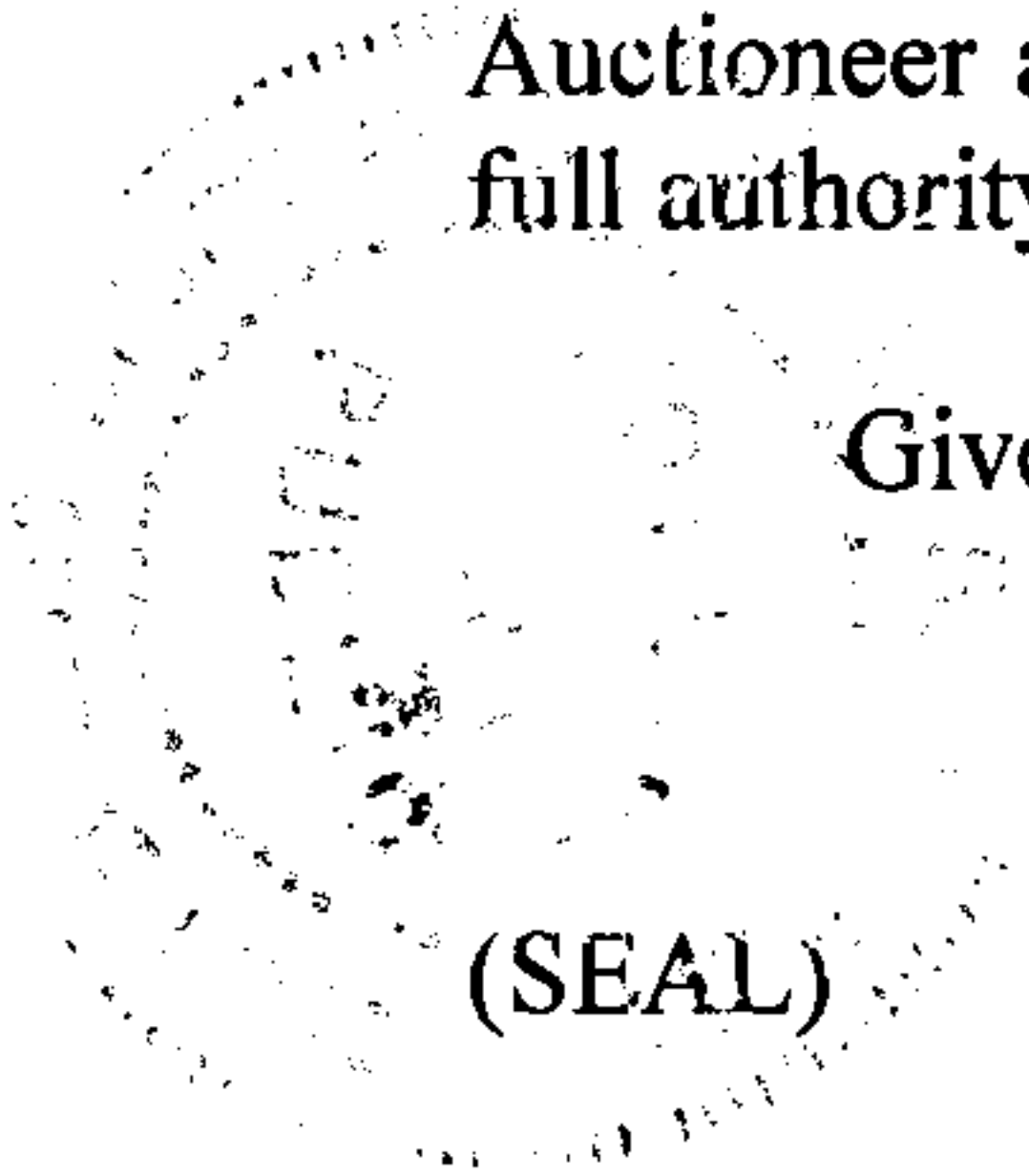
FRONTIER BANK
Mortgagee or Transferee of Mortgagee

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

STATE OF ALABAMA)
COUNTY OF JEFFERSON)

I, Cynthia S. Bailey, a Notary Public in and for said State and County, hereby certify that Crystal H. Holmes, whose name as Auctioneer and the person conducting said sale for the Mortgagee or Transferee of 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, she, in her capacity as such Auctioneer and the person conducting said sale for the Mortgagee or Transferee of Mortgagee, and with full authority, executed said conveyance voluntarily on the day the same bears date.

Given under my hand and official seal this the 13th day of December, 2012.



Cynthia S. Bailey
NOTARY PUBLIC
My Commission Expires: _____

MY COMMISSION EXPIRES JANUARY 24, 2016

GRANTEE'S ADDRESS:

Frontier Bank
134 Foothills Parkway
Chelsea, Alabama 35043
Attention: Jan Kromer
Telephone No. (205) 380-0049

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. Drawer 630
Sylacauga, AL 35150

Grantee's Name Frontier Bank
Mailing Address 134 Foothills Parkway
Chelsea, Alabama 35043
Attn: Jan Kromer

Property Address Various Unimproved Lots -
Glenstone Drive
Columbiana, AL 35051

Date of Sale 12/12/12
Total Purchase Price \$ 198,000.00
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 Bid

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 _____

Print Crystal H. Holmes, Attorney

____ Unattested

Sign _____

(verified by)

(Grantor/Grantee/Owner/Agent) Circle one

Print Form



20121213000476750 5/5 \$26.00
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Form RT-1