


## MORTGAGE FORECLOSURE DEED

STATE OF ALABAMA     )  
COUNTY OF SHELBY    )

  
20130726000304900 1/6 \$30.00  
Shelby Cnty Judge of Probate, AL  
07/26/2013 02:00:59 PM FILED/CERT

KNOW ALL MEN BY THESE PRESENTS, That,

WHEREAS, **South Grande View Development Co., Inc.**, an Alabama corporation, executed that certain Mortgage and Security Agreement to **Alamerica Bank** (herein referred to as "Grantee" or "Mortgagee"), dated January 30, 2003, and recorded in the Office of the Judge of Probate for Shelby County, Alabama, in **Instrument No. 20030204000065990**; that certain Mortgage and Security Agreement from **South Grande View Development Co., Inc.** to Mortgagee, dated October 3, 2005, and recorded in the Office of the Judge of Probate for Shelby County, Alabama, in **Instrument No. 20051006000521930**; and that certain Mortgage and Security Agreement from **Charles S. Givianpour, a/k/a Saeid C. Givianpour, a married man** (herein collectively referred to, along with South Grande View Development Co., Inc., as "Grantors" or "Mortgagors"), to Mortgagee, dated January 30, 2009, and recorded in the Office of the Judge of Probate for Jefferson County, Alabama, in **Book LR200960, Page 27723**; all as modified by that certain Modification to Loan Documents from Mortgagors to Mortgagee, dated June 30, 2010, and recorded in the Office of the Judge of Probate for Shelby County, Alabama, in **Instrument No. 20100706000213470** (collectively, the "Mortgage"); and,

WHEREAS, default was made in payment of the indebtedness secured by said Mortgage, and Mortgagee did declare all of the indebtedness secured by the said Mortgage due and payable, and said Mortgage subject to foreclosure as therein provided and did give due and proper notice of the foreclosure of said Mortgage in accordance with the terms thereof, by Certified U.S. Mail, return receipt requested, and by Regular U.S. Mail, and by publication in **The Shelby County Reporter**, a newspaper of general interest and circulation published in Shelby County, Alabama in its issues of **June 26, 2013, July 3, 2013 and July 10, 2013**.

WHEREAS, on **July 24, 2013**, 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 sell at public outcry, on the steps of the main entrance of the Shelby County Courthouse located at Main Street, Columbiana, Alabama 35051, the property hereafter described; and,

WHEREAS, the highest and best bid obtained for the property described in the aforementioned Mortgage was the bid of Mortgagee in the amount of **\$750,001.00** which sum was offered to be credited on the indebtedness secured by said Mortgage, and said property was thereupon sold to Mortgagee; and,

WHEREAS, Bradley R. Hightower conducted the sale on behalf of Mortgagee; and,

WHEREAS, said Mortgage expressly authorized the person conducting said 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 credit of **\$750,001.00**, South Grande View Development Co., Inc. and Charles S. Givianpour, a/k/a Saeid C. Givianpour, Mortgagors, by and through Alamerica Bank, do grant, bargain, sell and convey unto Mortgagee, the real property situated in Shelby County, Alabama described in the attached **Exhibit "A."**

TO HAVE AND TO HOLD, the above described property unto Mortgagee, its/his/her successors and assigns forever; subject however, to the statutory right of redemption on the part of those entitled to redeem as provided by the laws of the State of Alabama.


IN WITNESS WHEREOF, South Grande View Development Co., Inc. and Charles S. Givianpour, a/k/a Saeid C. Givianpour, a married man, Mortgagors, by Alamerica Bank, by Bradley R. Hightower, as auctioneer conducting said sale caused these presents to be executed on this the 25th day of July 2013.

**South Grande View Development Co., Inc., an Alabama corporation, and  
Charles S. Givianpour, a/k/a Saeid C. Givianpour, a married man**

By: **Alamerica Bank**

By: \_\_\_\_\_

**Bradley R. Hightower,  
Auctioneer**

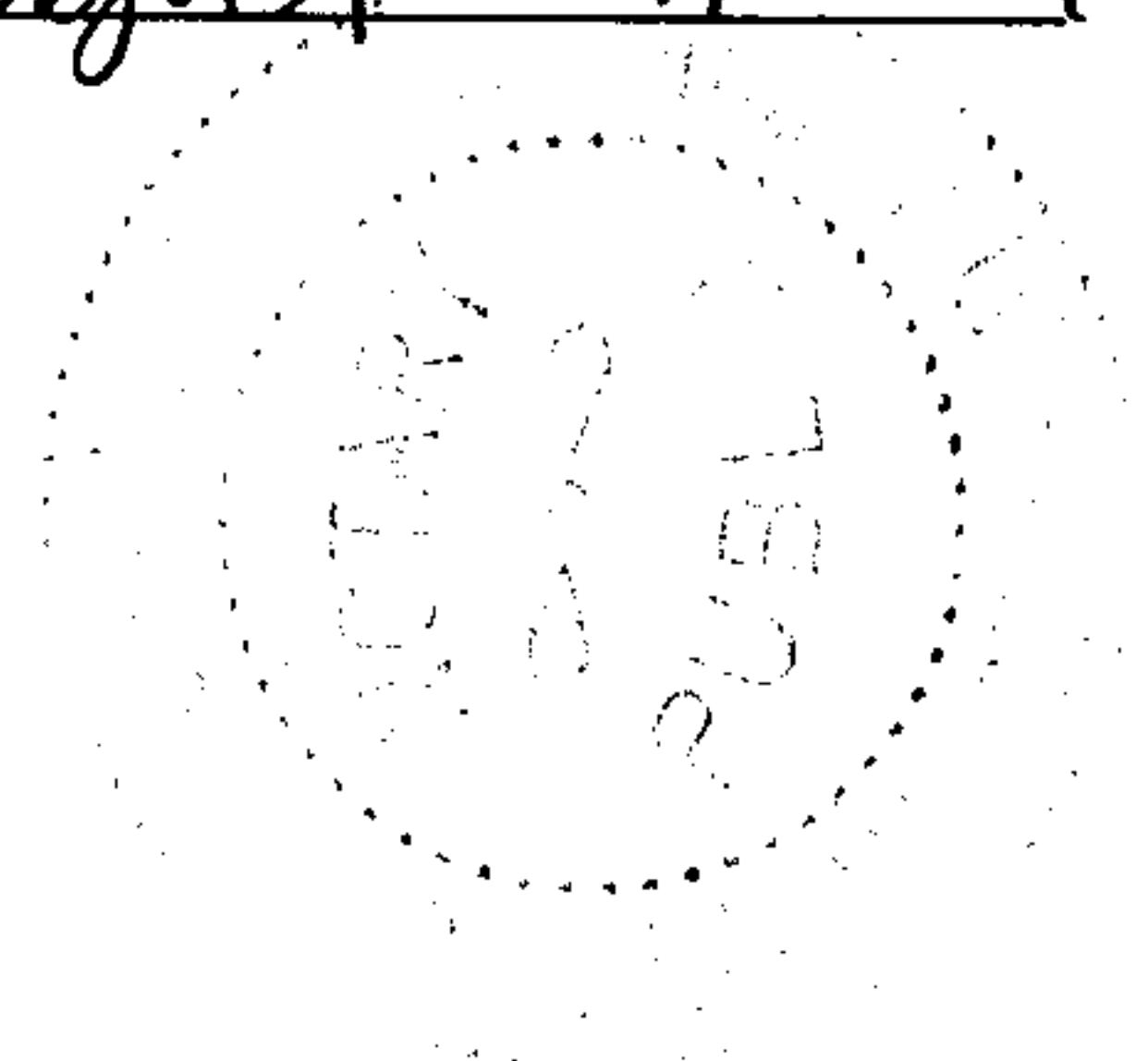
  
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STATE OF ALABAMA )  
COUNTY OF Jefferson )

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Bradley R. Hightower, whose name as auctioneer for Alamerica Bank, 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 this conveyance, he, in his capacity as such auctioneer, executed the same voluntary on the day the same bears date.

Given under my hand and official seal this the 25<sup>th</sup> day of July 2013.

Julie D. Siebert  
NOTARY PUBLIC  
My Commission Expires: August 21, 2016





**This Instrument Prepared By:**

Daniel D. Sparks  
Bradley R. Hightower  
Christian & Small, LLP  
505 20<sup>th</sup> Street North  
Suite 1800  
Birmingham, Alabama 35203  
(205) 795-6588

**Grantee's Address:**

Alamerica Bank  
2170 Highland Avenue  
Birmingham, Alabama 35205



20130726000304900 3/6 \$30.00  
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## EXHIBIT A

### Parcel I

Part of Section 21, Township 21 South, Range 3 West, Shelby County, Alabama, being more particularly described as follows:

Beginning at the SW corner of the NW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of said Section 21, run in an Easterly direction along the South line of said  $\frac{1}{4}$  -  $\frac{1}{4}$  Section for a distance of 1320.19 feet to an existing iron pin being the Southeast corner of said  $\frac{1}{4}$  -  $\frac{1}{4}$  Section; thence turn an angle to the left of  $10^{\circ}24'59''$  and run in an Easterly direction for a distance of 777.33 feet to a point on the Southwest right of way line of Shelby County Highway No. 80 and said point being on a curve, said curve being concave in a Northeasterly direction and having a deflection angle of  $4^{\circ}55'24\frac{1}{2}''$  and a radius of 613.13 feet; thence turn an angle to the left ( $105^{\circ}53'28''$  to the chord of said curve) and run in a Northwesterly direction along the Southwest right of way line of Shelby County Highway No. 80 and along the arc of said curve for a distance of 105.37 feet to the point of ending of said curve; thence run in a Northwesterly direction along the Southwest right of way line of said Shelby County Highway No. 80 and along a line tangent to the end of said curve for a distance of 487.60 feet to the point of beginning of a new curve, said new curve being concave in a Southwesterly direction and having a central angle of  $25^{\circ}46'22''$  and a radius of 1392.53 feet; thence turn an angle to the left and run in a Northwesterly direction along the arc of said curve and along the Southwest right of way line of said Shelby County Highway No. 80 for a distance of 626.39 feet; thence turn an angle to the left ( $106^{\circ}25'46''$  from the chord of last mentioned curve) and run in a Southwesterly direction for a distance of 375.0 feet; thence turn an angle to the right of  $89^{\circ}44'33''$  and run in a Northwesterly direction for a distance of 380.0 feet; thence turn an angle to the right of  $32^{\circ}43'37''$  and run in a Northwesterly direction for a distance of 365.0 feet to a point on the South right of way line of Shelby County Highway No. 12, said right of way line being in a curve, said curve being concave in a Northerly direction and having a central angle of  $31^{\circ}28'01''$  and a radius of 1016.96 feet; thence turn an angle to the left ( $88^{\circ}18'06''$  to the chord of said curve) and run in a Southwesterly and Westerly direction along the arc of said curve for a distance of 558.52 feet and still being on the South right of way line of Shelby County Highway No. 12; thence run in a Westerly direction along said South right of way line of said Shelby County Highway No. 12 and along a line tangent to the end of said curve for a distance of 365.55 feet to an existing iron pin; thence turn an angle to the left of  $90^{\circ}30'39''$  and run in a Southerly direction for a distance of 322.49 feet to an existing iron rebar; thence turn an angle to the left of  $1^{\circ}37'50''$  and run in a Southerly direction for a distance of 396.05 feet to an existing iron rebar; thence turn an angle to the left of  $22^{\circ}27'10''$  and run in a Southeasterly direction for a distance of 64.12 feet to an existing iron rebar; thence turn an angle to the left of  $47^{\circ}05'45''$  and run in a Southeasterly direction for a distance of 36.85 feet to an existing iron rebar; thence turn an angle to the right of  $37^{\circ}07'48''$  and run in a Southeasterly direction for a distance of 22.56 feet to an existing iron rebar; thence turn an angle to the right of  $62^{\circ}51'35''$  and run in a Southwesterly direction for a distance of 104.86 feet to an existing iron rebar; thence turn an angle to the left of  $24^{\circ}18'29''$  and run in a Southerly direction for a distance of 438.34 feet, more or less, to the point of beginning.



Less and Except from the above legal:

All lots in Grande View Garden & Townhomes, First Addition, as recorded in Map Book 26, Page 16, in the Probate Office of Shelby County, Alabama.

All lots in the Resurvey of Lot 1-6, Grande View Garden & Townhomes, First Addition, as recorded in Map Book 26, Page 95, in the Probate Office of Shelby County, Alabama.

Parcel II:

Part of Section 21, Township 21 South, Range 3 West, Shelby County, Alabama, being more particularly described as follows:

From the SW corner of the NW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of said Section 21, run in an Easterly direction along the South line of said  $\frac{1}{4}$  -  $\frac{1}{4}$  Section for a distance of 1320.19 feet to an existing iron pin being the Southeast corner of said  $\frac{1}{4}$  -  $\frac{1}{4}$  Section; thence turn an angle to the left of  $10^{\circ}24'59''$  and run in an Easterly direction for a distance of 777.33 feet to a point on the Southwest right of way line of Shelby County Highway No. 80 and said point being on a curve, said curve being concave in a Northeasterly direction and having a deflection angle of  $4^{\circ}55'24\frac{1}{2}''$  and a radius of 613.13 feet; thence turn an angle to the left ( $105^{\circ}53'28''$  to the chord of said curve) and run in a Northwesterly direction along the Southwest right of way line of Shelby County Highway No. 80 and along the arc of said curve for a distance of 105.37 feet to the point of ending of said curve; thence run in a Northwesterly direction along the Southwest right of way line of said Shelby County Highway No. 80 and along a line tangent to the end of said curve for distance of 487.60 feet to the point of beginning of a new curve; said new curve being concave in a Southwesterly direction and having a central angle of  $25^{\circ}46'22''$  and a radius of 1392.53 feet; thence turn an angle to the left and run in a Northwesterly direction along the arc of said curve and along the Southwest right of way line of said Shelby County Highway No. 80 for a distance of 626.39 feet to the point of beginning; thence turn an angle to the left ( $106^{\circ}25'46''$  from the chord of last mentioned curve) and run in a Southwesterly direction for a distance of 375.0 feet; thence turn an angle to the right of  $89^{\circ}44'33''$  and run in a Northwesterly direction for a distance of 380.0 feet; thence turn an angle to the right of  $32^{\circ}43'47''$  and run in a Northwesterly direction for a distance of 365.0 feet to a point on the South right of way line of Shelby County Highway No. 12, said right of way line being in a curve and said curve being concave in a Northwesterly direction and having a deflection angle of  $3^{\circ}22'56\frac{1}{2}''$  and a radius of 1016.96 feet; thence turn an angle to the right ( $72^{\circ}34'57''$  to the chord of said curve) and run in a Northeasterly direction along the arc of said curve for a distance of 120.07 feet; thence turn an angle to the right ( $33^{\circ}04'38''$  from last mentioned chord line) and run in an Easterly direction for a distance of 103.12 feet to a point on the Southwest right of way line of Shelby County Highway No. 80; thence turn an angle to the right of  $42^{\circ}01'14''$  and run in a Southeasterly direction for a distance of 497.56 feet to a point of curve, said new curve being concave in a Southwesterly direction and having a deflection angle of  $1^{\circ}41'49''$  and a radius of 1392.53 feet; thence turn an angle the right and run in a Southeasterly direction along the Southwest right of way line of Shelby County Highway No. 80 for a distance of 82.48 feet, more or less, to the point of beginning.



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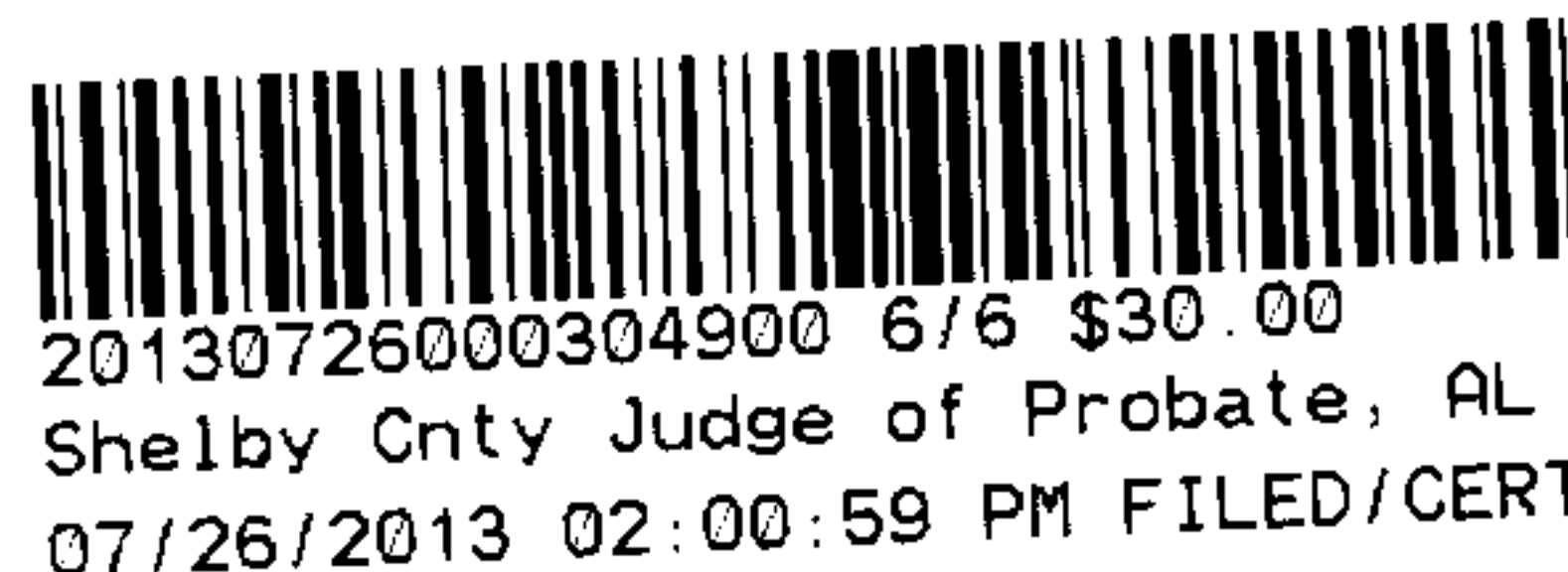
# Real Estate Sales Validation Form

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

Grantor's Name	South Grande View Development Co., Inc.	Grantee's Name	Alamerica Bank
Mailing Address	Charles S. Givianpour, P. O. Box 43905 Birmingham, Alabama 35243	Mailing Address	2170 Highland Avenue Birmingham, Alabama 35205
Property Address	Tract of Land Along Butler Road and Mission Hills Road Alabaster, Alabama	Date of Sale	07/24/2013
		Total Purchase Price	\$ 750,001.00
		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)

- |  |  |
|--|--|
| <input type="checkbox"/> Bill of Sale      | <input type="checkbox"/> Appraisal                             |
| <input type="checkbox"/> Sales Contract    | <input checked="" type="checkbox"/> Other Mortgage Foreclosure |
| <input type="checkbox"/> Closing Statement |  |



If the conveyance document presented for recordation contains all of the r 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 July 25, 2013 Print Bradley R. Hightower  
Unattested [Signature] Sign [Signature]  
(verified by) (Grantor/Grantee/Owner/Agent) circle one

Print Form

Form RT-1