

RECORDING REQUESTED BY

Agent Name and Address:

1ST CHOICE BAIL BONDS
P O BOX 338
FULTONDALE, AL 35068
ID # 167794



20140108000008050 1/1 \$218.00
Shelby Cnty Judge of Probate, AL
01/08/2014 01:45:40 PM FILED/CERT

AND WHEN RECORDED MAIL TO

ALLEGHENY CASUALTY COMPANY
P.O. BOX 9810: CALABASAS, CA 91372-9810
TELEPHONE (800) 935-2245

(This Space for Recorder's Use Only)

DEED OF TRUST

This Deed of Trust, made this 20 day of November, 2013

between John Smedley + Brittany Byington

herein called TRUSTOR, and Robert W. Nairin and Jeffrey S. Nairin, herein called TRUSTEE, and ALLEGHENY CASUALTY COMPANY, herein called BENEFICIARY, WITNESSETH: That Trustor hereby GRANTS to TRUSTEE, IN TRUST, WITH POWER OF SALE, all that property in the

County of Shelby, in the State of Alabama, described as:

Lot 475 Block _____ Tract _____ APN _____

as per map recorded in Book, PB 21 Page 059 of Maps, Official Records in the office of the County Recorder of Shelby County.

Commonly known as _____

FOR THE PURPOSE OF SECURING payment to the said Beneficiary, of the monies due to and of all losses, damages, expenditures and liability suffered, sustained, made or incurred by ALLEGHENY CASUALTY COMPANY, hereinafter called the Surety or Beneficiary (and as more fully set forth and described in a certain Bail Bond Agreement, which agreement is made a part hereof by reference as though herein fully set forth) on account of,

growing out of, or resulting from the execution of a certain bond on behalf of Brittany Byington

\$136,000

in the matter of State of Alabama

vs. Brittany Byington

AND FOR WHICH AMOUNTS and the matter set forth in the

said indemnity agreement, are security. (Power No. ASK100K-19674, AS30K-69761, AS6K-400210-)

IT IS AGREED AND CONDITIONED that a certificate signed by the Beneficiary at any time hereafter setting forth that the said bond has been declared forfeited or that a loss, damage, expenditure or liability has been sustained by the Surety or Beneficiary on account of the aforesaid Undertaking; the date(s) and amount(s) of such loss, damages, expenditures and/or liability; that payment has been demanded of the party or parties on whose behalf the aforesaid Undertaking was or is about to be executed; and that such loss, damages, expenditures or determined liability has not been paid to the Beneficiary, shall be conclusive and binding on the Trustor, and shall be the warrant of the Trustee to proceed forthwith to foreclose and sell upon the security herein, and from the proceeds of sale (after deducting expenses including cost and search of evidence of title) pay to the Beneficiary the amount so certified, including interest at the highest legal rate per month from demand to date of payment and attorney fees.

IT IS FURTHER AGREED THAT: Upon delivery of said Certificate to the Trustee, the Beneficiary may declare all sums or obligations secured hereby due and payable by delivery to the Trustee of written declaration of default and demand for sale and of written notice of default and of election to cause to be sold said property, which notice the Trustee shall cause to be duly filed for record.

IT SHALL BE DEEMED SUFFICIENT if proceedings to foreclose and sell the security herein are executed by any one of the above-named Trustees and it shall be deemed sufficient if a full reconveyance is executed by any one of the above-named Trustees; and said one Trustee shall be deemed to be the attorney-in-fact for the other Trustees for those purposes. The authority thus granted herein shall be deemed to be coupled with an interest and shall not be affected by the death or incompetency of any of the Trustees for whom such one Trustee shall be acting.

THE UNDERSIGNED TRUSTOR REQUESTS that a copy of any notice of default and of any notice of sale hereunder be mailed to him/her at his/her mailing address opposite his/her signature hereto. Failure to insert such address shall be deemed a waiver for a copy of such notices.

SIGNATURE OF TRUSTOR

STREET AND NUMBER

CITY

STATE

ZIP

John Smedley 160 REYMOOR DR ALABASTER AL 35085

Brittany Byington 160 REYMOOR DR Alabaster AL 35007

STATE OF AlabamaCOUNTY OF Shelby

} ss.

On 11-20-13 before me, Jimmie Lay

a Notary Public, personally appeared

John Smedley + Brittany Byington

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

MY COMMISSION EXPIRES JANUARY 27, 2014

(Seal)

