

**THIS INSTRUMENT PREPARED BY AND UPON
RECORDING RETURN TO:**

**Donald M. Warren
Burr & Forman LLP
420 North 20th Street, Suite 3400
Birmingham, Alabama 35203
(205) 251-3000**

Send Tax Notices to:

**Branch Banking and Trust Company
Commercial Credit Administration
1522 Gross Road
Mesquite, Texas 75149
Attention: Mr. Randall Jenkins**

MORTGAGE FORECLOSURE DEED

**STATE OF ALABAMA)
)
SHELBY COUNTY)**

KNOW ALL PERSONS BY THESE PRESENTS:

Buck Ltd., an Alabama limited partnership, (the "Mortgagor") executed and delivered that certain Mortgage, Assignment of Rents and Leases, and Security Agreement dated as of March 25, 2008, in favor of Colonial Bank, N.A. ("Mortgagee"), which was recorded in the Office of the Judge of Probate of Shelby County, Alabama (the "Recording Office") on March 26, 2008, as Instrument Number 20080326000121690 which Mortgage, Assignment of Rents and Leases, and Security Agreement was modified by that certain Amendment to Mortgage, Assignment of Rents and Leases, and Security Agreement recorded in the Recording Office on October 22, 2009, as Instrument Number 20091022000398280 as affected by that certain Cross-Collateralization and Cross-Default Agreement recorded in the Recording Office as Instrument Number 20120724000266600 (all together the "Mortgage"). Branch Banking and Trust Company, successor in interest to Colonial Bank, by asset acquisition from the FDIC, as receiver for Colonial Bank, successor by conversion to Mortgagee, is currently the holder of the Mortgage (the "Holder").

The Mortgage authorized and empowered the Holder to sell the property encumbered by the Mortgage for cash if the Mortgagor should default in the payment of the indebtedness thereby secured, according to the terms thereof. The Mortgage also provided that in case of sale under the power and authority contained in the same, the Holder, or any person conducting said sale for the Holder, was authorized to execute title to the purchaser at said sale. Furthermore, the Mortgage provided that the Holder may bid at the sale and purchase said property if it is the highest bidder.

When the Mortgagor defaulted in the payment of the indebtedness secured by said Mortgage, the Holder declared that all of the indebtedness secured by said Mortgage was due and payable and that the Mortgage was subject to foreclosure. The Holder then gave due and proper notice of the foreclosure of the Mortgage by publication in the *Shelby County Reporter*, a newspaper of general circulation published in Shelby County, Alabama, in its issues of December 11, 2013, December 18, 2013, and December 25, 2013. The foreclosure was subsequently continued to March 4, 2014, which notice of continuation of foreclosure sale was published in the *Shelby County Reporter* on February 12, 2014.

On March 4, 2014, during the legal hours of sale (the day and time on which the foreclosure sale was due to be held under the terms of said notice), the Holder duly and properly conducted the foreclosure sale and offered for sale and sold at public outcry, at the main entrance of the Shelby County Courthouse in the City of Columbiana, Alabama, the real property encumbered by the Mortgage, which property is more particularly described on Exhibit A attached hereto and made a part hereof (the "Property").


Donald M. Warren was the Auctioneer who conducted said foreclosure sale and was the person conducting said sale for the Holder.

The highest and best bid for the Property was the credit bid of the Holder, **BRANCH BANKING AND TRUST COMPANY**, in the amount of Nine Hundred Forty Thousand and ^{no}/100ths dollars (\$940,000.00) (the "Bid Amount"), which sum of money was paid on the indebtedness secured by the Mortgage and said Property was thereupon sold to Branch Banking and Trust Company.

THEREFORE, in consideration of the payment of the Bid Amount on the indebtedness secured by the Mortgage, the Mortgagor, acting by and through Donald M. Warren, the auctioneer and the person conducting the foreclosure sale for the Holder, and the Holder, acting by and through Donald M. Warren, as the auctioneer and the person conducting the foreclosure sale for the Holder, do hereby transfer and convey the Property unto **BRANCH BANKING AND TRUST COMPANY**, its successors and assigns.

TO HAVE AND TO HOLD FOREVER in fee simple; subject, however, to any unpaid ad valorem taxes (including any roll back taxes and assessments) and the statutory right of redemption on the part of those entitled to redeem as provided by the laws of the State of Alabama and subject to only those rights of way, easements and restrictions recorded prior to the date of the Mortgage.

[Remainder of Page Intentionally Left Blank]


20140304000059090 2/8 \$37.00
Shelby Cnty Judge of Probate, AL
03/04/2014 02:02:52 PM FILED/CERT

IN WITNESS WHEREOF, the Holder has caused this instrument to be executed by Donald M. Warren, as the auctioneer and the person conducting the foreclosure sale for the Holder and in witness whereof, Donald M. Warren has executed this instrument in his capacity as such auctioneer on this 4th day of March 2014.

BUCK LTD., an Alabama Limited Partnership

By: BRANCH BANKING AND TRUST COMPANY as successor in interest to Colonial Bank by asset acquisition from the FDIC, as receiver for Colonial Bank, successor by conversion to Colonial Bank, N.A.


By: Donald M. Warren

Donald M. Warren, as auctioneer and the person conducting the foreclosure sale for Branch Banking and Trust Company as successor in interest to Colonial Bank by asset acquisition from the FDIC, as receiver for Colonial Bank, successor by conversion to Colonial Bank, N.A.

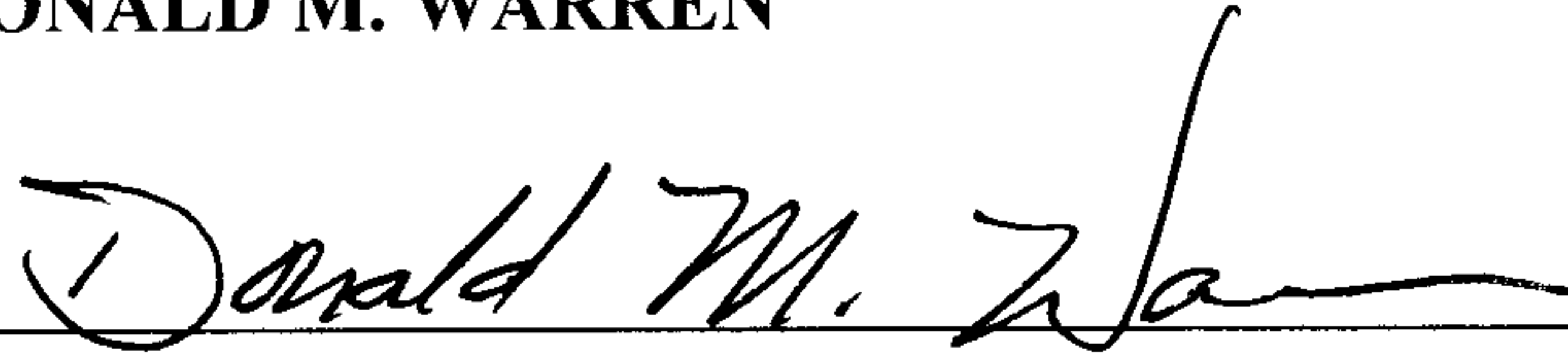
BRANCH BANKING AND TRUST COMPANY as successor in interest to Colonial Bank by asset acquisition from the FDIC, as receiver for Colonial Bank, successor by conversion to Colonial Bank, N.A.

By: Donald M. Warren

Donald M. Warren, as auctioneer and the person conducting the foreclosure sale for Branch Banking and Trust Company as successor in interest to Colonial Bank by asset acquisition from the FDIC, as receiver for Colonial Bank, successor by conversion to Colonial Bank, N.A.


20140304000059090 3/8 \$37.00
Shelby Cnty Judge of Probate, AL
03/04/2014 02:02:52 PM FILED/CERT

DONALD M. WARREN



Donald M. Warren, as auctioneer and the person conducting the foreclosure sale for Branch Banking and Trust Company as successor in interest to Colonial Bank by asset acquisition from the FDIC, as receiver for Colonial Bank, successor by conversion to Colonial Bank, N.A.

STATE OF ALABAMA)

SHELBY COUNTY)

I, the undersigned, a Notary Public in and for said State and County, hereby certify that Donald M. Warren, whose name as auctioneer and the person conducting the foreclosure sale for Branch Banking and Trust Company as successor in interest to Colonial Bank by asset acquisition from the FDIC, as receiver for Colonial Bank, successor by conversion to Colonial Bank, N.A., 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, and with full authority, executed this instrument voluntarily on the day the same bears date.

Given under my hand and official seal this the 4th day of March 2014.



NOTARY PUBLIC

[SEAL]

My commission expires: 6/20/17



20140304000059090 4/8 \$37.00
Shelby Cnty Judge of Probate, AL
03/04/2014 02:02:52 PM FILED/CERT

EXHIBIT A

Legal Description

PARCEL I:

Lots 10 and 11, according to the Final Plat of Hayesbury Commercial Park, Phase I, as recorded in Map Book 30, page 71, in the Probate Office of Shelby County, Alabama.

PARCEL II:

Lot 3, according to the Survey of Lot 3 Hayes Commercial Park, as recorded in Map Book 33, page 120, in the Probate Office of Shelby County, Alabama.

PARCEL III:

Tract 1:

A parcel of land situated in Lot 2 of Valley Dale Estates, as recorded in Map Book 4, page 90 in the Office of the Judge of Probate of Shelby County, Alabama, being more particularly described as follows:

Commence at the Northwest corner of said Lot 2; thence run in a Southeasterly direction along the North line of said Lot 2 for a distance of 83.04 feet to the point of beginning; thence continue along last described course for a distance of 296.05 feet; thence turn a deflection angle of 01 degrees 22 minutes 15 seconds to the left and run in a Southeasterly direction along said Northern line for a distance of 449.87 feet to a point on the Western most right of way line of Alabama Highway No. 261 (80 foot right of way); thence turn a deflection angle of 95 degrees 37 minutes 15 seconds to the right and run in a Southwesterly direction along said right of way line for a distance of 145.59 feet; thence leaving said right of way line turn a deflection angle of 90 degrees 20 minutes 50 seconds to the right and run in a Northwesterly direction for a distance of 294.34 feet; thence turn a deflection angle of 90 degrees 08 minutes 12 seconds to the left and run in a Southwesterly direction for a distance of 295.78 feet; thence turn a deflection angle of 89 degrees 59 minutes 19 seconds to the left and run in a Southeasterly direction for a distance of 295.42 feet to a point on the said right of way line; thence turn a deflection angle of 89 degrees 46 minutes 41 seconds to the right and run in a Southwesterly direction along said right of way line for a distance of 574.77 feet to the point of beginning of a curve to the left, said curve having a radius of 1068.41 feet a central angle of 10 degrees 50 minutes 04 seconds a chord distance of 201.73 feet; thence run in a Southwesterly direction along the arc of said curve and along said right of way line for a distance of 202.03 feet to the intersection of the said Western right of way line of Alabama Highway 261 and the Eastern most right of way line of Indian Lake Way (30 feet right of way); thence turn a deflection angle right from chord of said curve 148 degrees 58 minutes 37 seconds and run in a Northerly direction along said Eastern most right of way line for a distance of 975.26 feet; thence leaving said right of way line turn a deflection angle of 90 degrees 00 minutes 00 seconds to the right and run in an Easterly direction for a distance of 125.00 feet; thence turn a deflection angle of 89 degrees 52 minutes 01 seconds to the left and run in a Northerly direction for a distance of 119.93 feet; thence turn a deflection angle of 90 degrees 03 minutes 42 seconds to the left and run in a Westerly direction for a distance of 125.00 feet to a point on the said right of way line; thence turn a deflection angle of 90 degrees 00 minutes 00 seconds to the right and run in a Northerly direction along said right of way for a distance of

234.53 feet; thence leaving said right of way line turn a deflection angle of 89 degrees 19 minutes 02 seconds to the right and run in an Easterly direction a distance of 70.28 feet; thence turn a deflection angle of 89 degrees 19 minutes 10 seconds to the left and run in a Northerly direction for a distance of 47.29 feet; to the Point of Beginning.

Tract 2:

A parcel of land situated in Lot 2 of Valley Dale Estates as recorded in Map Book 4, page 90 in the Office of the Judge of Probate of Shelby County, Alabama, being more particularly described as follows:

Commence at the Northwest corner of said Lot 2, said point also being on the Eastern most right of way line of Indian Lake Way (30 foot right of way); thence run in a Southerly direction along the said right of way line for a distance of 326.90 feet to the point of beginning; thence continue along the last described course for a distance of 120.08 feet; thence leaving said right of way line turn a deflection angle of 90 degrees 00 minutes 00 seconds to the left and run in an Easterly direction for a distance of 125.00 feet; thence turn a deflection angle of 89 degrees 52 minutes 01 seconds to the left and run in a Northerly direction for a distance of 119.93 feet; thence turn a deflection angle of 90 degrees 03 minutes 42 seconds to the left and run in a Westerly direction for a distance of 125.10 feet to the point of beginning.

Tract 3:

A parcel of land situated in Lot 2 of Valley Dale Estates as recorded in Map Book 4, page 90 in the Office of the Judge of Probate of Shelby County, Alabama, being more particularly described as follows:

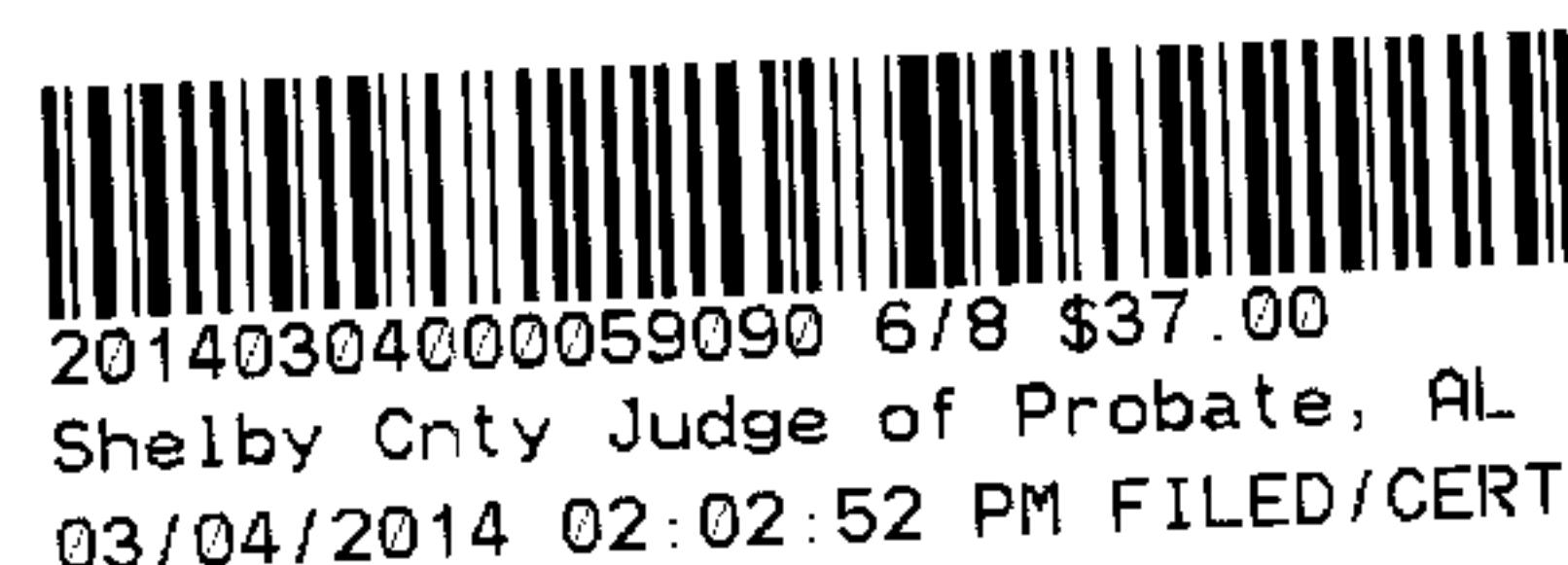
Commence at the Northeast corner of the said Lot 2, said point also being on the Western most right of way line of Alabama Highway 261 (80 foot right of way); thence run in a Southwesterly direction along said right of way line for a distance of 145.59 feet; thence continue along the last described course for a distance of 295.14 feet; thence leaving said right of way line turn a deflection angle of 90 degrees 13 minutes 19 seconds to the right and run in a Northeasterly direction for a distance of 295.42 feet; thence turn a deflection angle of 89 degrees 59 minutes 19 seconds to the right and run in a Northeasterly direction for a distance of 295.78 feet; thence turn a deflection angle of 90 degrees 08 minutes 12 seconds to the right and run in a Southeasterly direction for a distance of 294.34 feet; to the point of beginning.

Also Less and Except From Parcel III:

The Final Plat of Hayesbury Commercial Park, Phase I, as recorded in Map Book 30, page 71, in the Probate Office of Shelby County, Alabama.

Also Less and Except From Parcel III:

The Final Plat of Lot 3, Hayesbury Commercial Park as recorded in Map Book 33, page 120, in the Probate Office of Shelby County, Alabama.



Real Estate Sales Validation Form

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

Grantor's Name: Buck, Ltd. Mailing Address: 3477 Indian Lake Way; Pelham, Alabama 35124	Grantee's Name: Branch Banking and Trust Company Mailing Address 1522 Gross Road; Mesquite, Texas 75149
Property Address: Buck Ltd.	Date of Sale/Conveyance: March 4, 2014
PARCEL I: Lots 10 & 11 PARCEL II: Lot 3 PARCEL III: Tract 1, Tract 2 & Tract 3 [less and except the Final Plat of Hayesbury Commerical Park - Phase I (MB 30, PG 71) and the Final Plat of Lot 3 - Hayesbury Commercial Park (MB 33, PG 120)]	Total Purchase Price: \$940,000.00 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:

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.

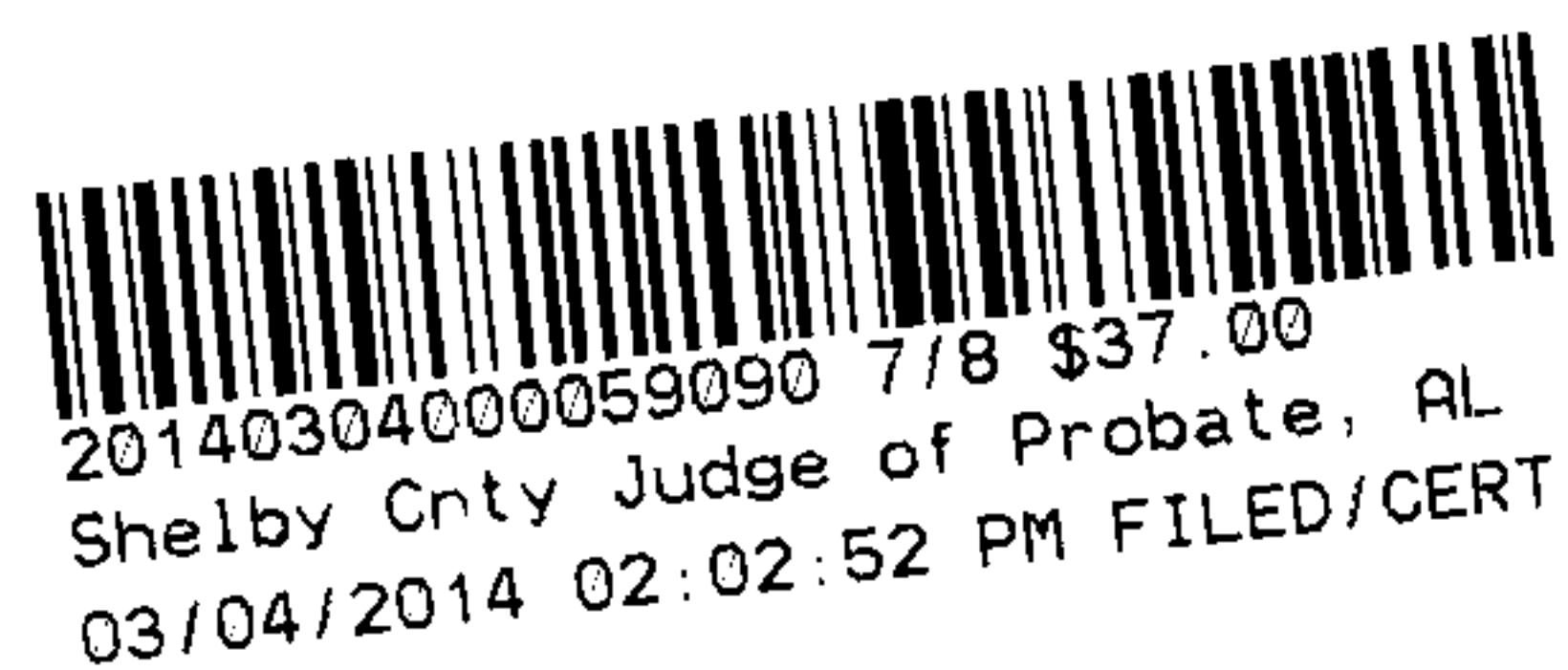
Grantee's name and mailing address - provide the name of the person or persons to whom interest to property is being conveyed.

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.

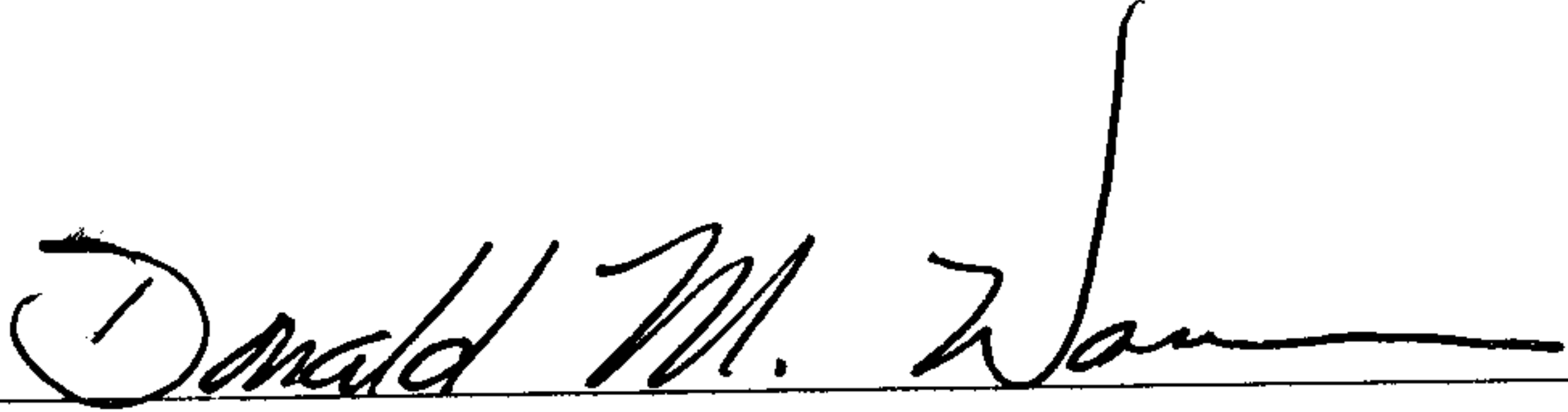
Actual value - if the property is not being sold, the true value of the property, both real and personal, being conveyed by the instrument offered for record. This may be evidenced by an appraisal conducted by a licensed appraiser or the assessor's current market value.

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: March 4, 2014

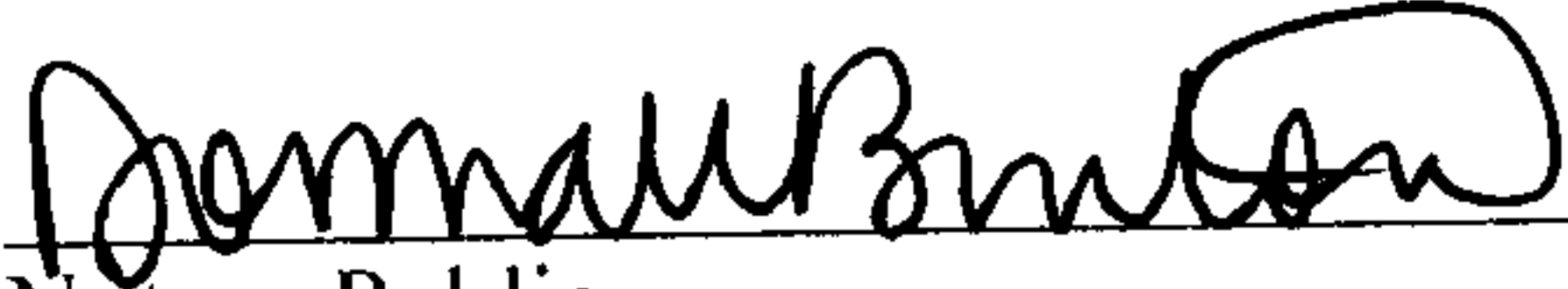

DONALD M. WARREN
Agent of Grantee


STATE OF ALABAMA)

COUNTY OF SHELBY)

The undersigned, a Notary Public in and for said County in said State, hereby certifies that Donald M. Warren, whose name as Agent of Grantee is signed to the foregoing Real Estate Sales Validation Form and who is known to me, acknowledged before me on this day that, being informed of the contents of the foregoing Real Estate Sales Validation Form, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation as of the day the same bears date.

Given under my hand this 4th day of March 2014.


Notary Public
My Commission Expires: 6/20/17


20140304000059090 8/8 \$37.00
Shelby Cnty Judge of Probate, AL
03/04/2014 02:02:52 PM FILED/CERT