

# IN THE UNITED STATES BANKRUPTCY COURT FOR THE NORTHERN DISTRICT OF ALABAMA WESTERN DIVISION

IN RE:	)
JBJ CONSTRUCTION, LLC,	) BANKRUPTCY CASE NO.: 13-72355-BGC-7
Debtor.	)

### TRUSTEE'S DEED

This Deed executed this the \_\_\_\_\_\_\_ day of Eebfuary, 2015, by Robert L. Shields, III, as and only as the Trustee of the above named debtor's bankruptcy estate ("Shields"), be it therefore witnesseth that:

WHEREAS, JBJ Construction, LLC ("JBJ") filed a bankruptcy proceeding in the United States Bankruptcy Court for the Northern District of Alabama Western Division on November 22, 2013, assigned case number 13-72355-BGC-11, being a proceeding under Chapter 11, and subsequently converted to a chapter 7 on April 9, 2014.

WHEREAS, Shields was appointed Trustee of the JBJ bankruptcy estate by Order of the Bankruptcy Court, and Shields having qualified as such Trustee, and entered into a proper bond, and Shields having continued to act and now acting and serving in such capacity as Trustee.

WHEREAS, a Motion for Authority to Sell Property of the Estate Subject to Existing Liens and Encumbrances was filed as regards the following real property:

Lot 12, Block 2, According to Resurvey of Fernwood, Third Sector, Recorded in Map Book 7, Page 80, in the Probate Office of Shelby County. With an address of 635 Bennett Drive, Alabaster, Alabama. (the "Property").

WHEREAS, the Bankruptcy Court did approve the motion by the Order attached hereto and incorporated herein as Exhibit A dated the 5<sup>th</sup> day of February, 2016.

**NOW THEREFORE**, Shields, as and only as Trustee of the bankruptcy estate of JBJ, in consideration of the power and authority vested in him as Trustee, and based upon the Court's Order, and upon the payment to him of the sum of \$10,000.00, the receipt of which is hereby acknowledged, does hereby remise, release, quitclaim and convey to Mason Barrett ("Grantee"), any right, title, interest and claim in and to the Property.

SHIELDS HAS MADE NO AFFIRMATION OF FACT AND HAS MADE NO PROMISE RELATING TO THE REAL PROPERTY SUBJECT OF THIS CONVEYANCE WHICH HAS BECOME ANY BASIS OF THE BARGAIN MADE OR HAS CREATED OR

AMOUNTED TO AN EXPRESSED WARRANTY THAT THE REAL PROPERTY DESCRIBED HEREIN ABOVE CONFORMS TO ANY SUCH AFFIRMATION OR PROMISE.

SHIELDS IS SELLING THE ABOVE-DESCRIBED REAL PROPERTY "AS IS, WHERE IS", AND DISCLAIMS ANY EXPRESS OR IMPLIED WARRANTIES WITH RESPECT TO SUCH REAL PROPERTY.

**TO HAVE AND TO HOLD**, said Property unto said Grantee, Mason Barrett, his heirs and assigns, forever.

witness whereof, Robert L. Shields, III, has hereunto set his hand and seal on this the \_\_\_\_\_\_\_ day of February, 2016.

Robert L. Shields, III, as and only as Trustee of the Bankruptcy Estate of JBJ Construction, LLC

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned authority, a notary public in and for said state and county, hereby certify that Robert L. Shields, III, whose name as Trustee of the bankruptcy estate of JBJ Construction, LLC, is signed to the foregoing Trustee's Deed, and who is known to me, acknowledged before me on this date, he, in his capacity as Trustee, executed the same voluntarily on the date same bears date.

Given under my hand and seal this the

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Notarymublic

My Commission expires: 1

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## IN THE UNITED STATES BANKRUPTCY COURT FOR THE NORTHERN DISTRICT OF ALABAMA WESTERN DIVISION

IN RE:	
JBJ CONSTRUCTION, LLC,	) BANKRUPTCY CASE NO.: 13-72355-JHH-7
Debtor.	
ROBERT L. SHIELDS, III, TRUSTEE,	)
Plaintiff.	) ADVERSARY PROCEEDING NO.
VS.	) 14-70036 )
MASON BARRETT, et al.,	) ) )
Defendants.	)

### <u>ORDER</u>

This matter came before this Court on February 2, 2016, on the Trustee's Motion for Authority to Sell Property of the Estate Subject to Existing Liens and Encumbrances (Proceeding No. 465). Appearances were noted in the record. There were no objections filed prior to the hearing and none were voiced at the hearing.

Accordingly, it is ORDERED, ADJUDGED AND DECREED that the Trustee's Motion for Authority to Sell Property of the Estate Subject to Existing Liens and Encumbrances is hereby GRANTED, and further ORDERED, ADJUDGED AND DECREED that Mason Barrett is dismissed with prejudice as a defendant in the above adversary proceeding.

Done this 5<sup>th</sup> day of February, 2016.

/s/ JENNIFER H. HENDERSON JENNIFER H. HENDERSON United States Bankruptcy Judge

This Order prepared by William Dennis Schilling 205-328-0464

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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 Mason Grantee's Name Grantor's Name unce, Alabama Mailing Address Mailing Address 10751 BONT Brook [ anama Date of Sale **Property Address** Total Purchase Price \$ abaster ALBOX 0,000 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) Appraisal Bill of Sale Other Sales Contract Closing Statement 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). 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). Print Date Sign Unattested (Grantor/Grantee/Owner/Agent) circle one rified by)

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