

STATE OF ALABAMA

COUNTY OF SHELBY

MORTGAGE FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS, That, whereas, on, October 30, 1992, William Brian Brashier and wife, Beverly A. Brashier, executed a certain mortgage on the property hereinafter described to FIRST NATIONAL BANK OF COLUMBIANA, said mortgage being recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Instrument Number 1992-25241; and

WHEREAS, in and by said mortgage, the mortgagee was authorized and empowered in case of default in the payment of the indebtedness thereby secured, according to the terms thereof, to sell said property before the Courthouse door in Columbiana, Shelby County, Alabama, after giving notice of the time, place and terms of said sale in some newspaper published in said county by publication once a week for three (3) consecutive weeks prior to said sale, at public outcry for cash, to the highest bidder, and said mortgage provided that in case of sale under the power and authority contained in same, the mortgagee or any person conducting said sale for the mortgagee was authorized to execute title to the purchaser at said sale; and it was further provided in and by said mortgage that the mortgagee may bid at the sale and purchase said property if the highest bidder therefor; and

WHEREAS, default was made in the payment of the indebtedness secured by said mortgage, and the said FIRST NATIONAL BANK OF SHELBY COUNTY f/d/b/a FIRST NATIONAL BANK OF COLUMBIANA, did declare all of the indebtedness secured by 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 by publication in The Shelby County Reporter, a newspaper published in Shelby County, Alabama, in its issues of December 31, 1997, January 7, 1998, and January 14, 1998, with a sale date of January 23, 1998; and

WHEREAS, on January 23, 1998, the day on which the foreclosure was due to be held under the terms of said notice, between the legal hours of sale, said foreclosure was duly and properly conducted, and William R. Justice was the Auctioneer who conducted said sale for FIRST NATIONAL BANK OF SHELBY COUNTY; and

WHEREAS, the highest and best bid for the property described in the aforementioned mortgage was the bid of Contracting Specialists, Inc., in the amount of \$ 127,935.00 Dollars which sum of money FIRST NATIONAL BANK OF SHELBY COUNTY offered to credit on the indebtedness secured by said mortgage and said property was thereupon sold to Contracting Specialists, Inc.; and

01/26/1998-02690
04:16 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
004 MEL 144.00

Inst # 1998-02690

NOW, THEREFORE, in consideration of the premises and of a credit in the amount of \$ 127,935.00 Dollars, on the indebtedness secured by said mortgage, the said FIRST NATIONAL BANK OF SHELBY COUNTY, by and through William R. Justice, as Auctioneer conducting said sale and as Attorney in fact for FIRST NATIONAL BANK OF SHELBY COUNTY, and the said William R. Justice, as the Auctioneer conducting said sale, does hereby GRANT, BARGAIN, SELL AND CONVEY unto the said Contracting Specialists, Inc., the following described property situated in Shelby County, Alabama, to-wit:

A parcel of land situated in the S 1/2 of the NW 1/4 of Section 16, Township 21 South, Range 3 West, described as follows: Commence at the SE corner of the SE 1/4 of the NW 1/4 of Section 16, and go South 89 deg. 34 min. 35 sec. West along the South boundary of the NW 1/4 of said Section 1322.48 feet to the point of beginning; thence continue South 89 deg. 34 min. 35 sec. West for 268.35 feet to the center of Beaver Dam Creek; thence North 5 deg. 41 min. East for 71.71 feet; thence North 18 deg. 30 min. East for 661.35 feet to a point on a curve on the Southerly boundary of Big Oak Drive, said curve having a central angle of 53 deg. 46 min. 43 sec. and a radius of 130.00 feet; thence Southeasterly along said curve for 122.02 feet to the point of tangent; thence South 4 deg. 14 min. 20 sec. West for 633.66 feet to the point of beginning; being situated in Shelby County, Alabama.

SUBJECT TO THE FOLLOWING EXCEPTIONS AND CONDITIONS:

1. General and special taxes or assessments for 1993 and subsequent years not yet due and payable.
2. Restrictions, covenants and conditions as set out in instruments recorded in Real 46 page 169 and Real 57 page 473 in Probate office.
3. Transmission Line Permits to Alabama Power Company as shown by instruments recorded in Deed 142 page 45; Deed 119 page 456; Deed 105 page 252 and Deed 102 page 256 in Probate Office.
4. Right-of-Way granted to City of Alabaster by instrument recorded in Real 57 page 471 in Probate Office.
5. Right-of-Way granted to Cahaba Coal Mining Company for railroad by instrument recorded in Deed 12 page 302 in Probate Office.
6. Easement to South Central Bell as shown by instrument recorded in Real 52 page 994 in Probate Office.
7. Restrictions and conditions as to right of way as set out in Real 21 page 303 in the Probate Office.

TO HAVE AND TO HOLD the above described property unto Contracting Specialists, Inc., and his, her, its or their 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, FIRST NATIONAL BANK OF SHELBY COUNTY, has caused this instrument to be executed by and through William R. Justice as Auctioneer conducting said sale, and as Attorney in Fact, and William R. Justice as Auctioneer conducting said sale, has hereto set his hand and seal on this the 23rd day of January, 1998.

FIRST NATIONAL BANK OF SHELBY
COUNTY,
Mortgagee:

By: William R. Justice
William R. Justice
as Attorney in Fact and
Auctioneer.

By: William R. Justice
William R. Justice
as Auctioneer conducting said
sale.

STATE OF ALABAMA
SHELBY COUNTY

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that William R. Justice whose name as Auctioneer and Attorney in Fact for FIRST NATIONAL BANK OF SHELBY COUNTY, 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, he, in his capacity as such Auctioneer and Attorney in Fact, with full authority, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal the 23RD day of January, 1998.

Janice L. Ross
Notary Public

MY COMMISSION EXPIRES JULY 31, 2001

My Commission Expires:

STATE OF ALABAMA
SHELBY COUNTY

I, the undersigned, being a Notary Public in and for said County, in said State, do hereby certify that William R. Justice, whose name as Auctioneer 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 said conveyance, he, in his capacity as Auctioneer, executed the same voluntarily and with full authority on the day the same bears date.

Given under my hand and official seal the 23RD day of January, 1998.

Janice L. Ross
Notary Public

MY COMMISSION EXPIRES JULY 31, 2001

My Commission Expires:

Document prepared by:

First National Bank of Shelby County
P.O. Box 977
Columbiana, AL 35051
Attn: William R. Justice

Send tax notice to:

Contracting Specialists, Inc.
110 Longview Circle
Alabaster, Alabama 35007

Inst # 1998-02690

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SHELBY COUNTY JUDGE OF PROBATE
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