

MORTGAGE FORECLOSURE DEED

STATE OF ALABAMA)
SHELBY COUNTY)

WHEREAS, on, to-wit: September 27, 1999, TOMMY N. McNUTT and wife, BARBARA H. McNUTT, (hereinafter called MORTGAGORS), did execute and deliver to FIRST FEDERAL SAVINGS BANK, a Corporation organized and existing under the Laws of the United States of America, (hereinafter called MORTGAGEE), a certain mortgage on the hereinafter described real estate to secure an indebtedness of ONE HUNDRED TWENTY THOUSAND THREE HUNDRED TWELVE and 76/100 (\$120,312.76) DOLLARS, therein described, said mortgage being of record in Instrument # 1999-41682, in the Probate Office of Shelby County, Alabama; and

WHEREAS, under the terms and provisions of said mortgage the said Mortgagee was authorized and empowered upon default in the payment of said indebtedness to sell said real estate at public sale at the entrance of the Shelby County Courthouse at Columbiana, Alabama, to the highest bidder for cash, after first having mailed a thirty (30) day written notice to Mortgagors as required by said mortgage and after first having given notice of the time, place and terms of sale by advertisement for three (3) successive weeks in some newspaper published in Columbiana, Shelby County, Alabama; and

WHEREAS, Mortgagors did fail and default in the payment of the indebtedness described in and secured by said mortgage and said indebtedness did thereby become in default and said mortgage was thereby subject to foreclosure; and

WHEREAS, the said Mortgagee, upon default in the payment of said indebtedness did declare the entire indebtedness due and payable and elected to foreclose said mortgage; and

WHEREAS, Mortgagee did give said thirty (30) day written notice as required by said mortgage and did thereafter advertise and give notice of the sale of said real estate under the terms and conditions of said mortgage by advertising notice of the time, place and terms of sale in the SHELBY COUNTY REPORTER, a newspaper of general circulation published in Columbiana, Shelby County, Alabama, said notice appearing in said newspaper once a week for three (3) successive weeks, on June 20, 2001, June 27, 2001 and July 4, 2001, and which said notices, among other things, stated that said real estate, describing it, would be sold at public auction to the highest bidder for cash during the legal hours of sale on JULY 17, 2001, in front of the entrance of the Shelby County Courthouse at Columbiana, Alabama; and

WHEREAS, on July 17, 2001, within the legal hours of sale in front of the entrance of the Shelby County Courthouse at Columbiana, Alabama, said real estate was offered for sale at public auction by V. Edward Freeman II, who was and is the attorney for Mortgagee and acted as auctioneer in conducting said sale, and at said sale was sold to FIRST FEDERAL SAVINGS BANK for the sum of ONE HUNDRED SEVENTEEN THOUSAND FIVE HUNDRED TEN and 48/100 (\$117,510.48) DOLLARS, said amount being the highest, best and last bid offered for said real estate.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS, That I, the undersigned V. Edward Freeman II, as ATTORNEY FOR MORTGAGEE AND AS AUCTIONEER CONDUCTING SAID SALE, for and in consideration of the premises and the sum of \$117,510.48, do hereby grant, bargain, sell and convey unto FIRST FEDERAL SAVINGS BANK, all of the right, title and interest of TOMMY N. McNUTT and wife, BARBARA H. McNUTT, and of FIRST FEDERAL SAVINGS BANK, as Mortgagee, in and to the following described real estate, situated in SHELBY COUNTY, ALABAMA, to-wit:

Inst # 2001-30272

07/23/2001-30272

09:22 AM CERTIFIED

SHELBY COUNTY JUDGE OF PROBATE
002 MSB 15.00

Part of the SW 1/4 of the SE 1/4 of Section 12, Township 20 South, Range 2 West, Shelby County, Alabama, being more particularly described as follows: Commence at the NW corner of the SW 1/4 of the SE 1/4 of Section 12, Township 20 South, Range 2 West; thence run Southerly along the West line of said 1/4-1/4 section for a distance of 304.37 feet to a point; thence turn left 87 degrees 45 minutes 57 seconds and run Easterly for a distance of 42.39 feet to a point; thence turn right 87 degrees 40 minutes 20 seconds and run Southerly along the East margin of a paved public road for a distance of 170.64 feet to the point of beginning of the property herein described; thence turn left 110 degrees 00 minutes 00 seconds and run Northeasterly for 125.00 feet to a point; thence turn right 59 degrees 49 minutes 23 seconds and run Southeasterly for a distance of 185.00 feet to a point; thence turn right 51 degrees 36 minutes 00 seconds and run Southerly for a distance of 140.00 feet to a point; thence turn right 94 degrees 06 minutes 16 seconds and run Westerly for a distance of 272.80 feet to a point on the East margin of said public road; thence turn right 81 degrees 43 minutes 17 seconds and run Northerly along said margin of said road 20.0 feet to a point; thence turn right 8 degrees 17 minutes 15 seconds and continue Northerly along said margin of said road 170.22 feet to the point of beginning.

TO HAVE AND TO HOLD Unto the said FIRST FEDERAL SAVINGS BANK, its Successors and Assigns, FOREVER, as fully and completely as I could and ought to convey the same, as such ATTORNEY and Auctioneer aforesaid, under and by virtue of the power of authority vested in me as such attorney and auctioneer by the terms of said mortgage.

IN WITNESS WHEREOF, I have hereunto set my hand and seal, as attorney and auctioneer aforesaid, on this 17th day of July, 2001.

TOMMY N. McNUTT and BARBARA H. McNUTT (SEAL)
MORTGAGORS

By V. Edward Freeman II
As Attorney and Auctioneer Aforesaid

FIRST FEDERAL SAVINGS BANK (SEAL)
MORTGAGEE

By V. Edward Freeman II
As Attorney and Auctioneer Aforesaid

V. Edward Freeman II (SEAL)
As Attorney and Auctioneer Aforesaid

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that V. EDWARD FREEMAN II, whose name as Attorney for the Mortgagee and Auctioneer conducting the sale described in the above and foregoing conveyance, 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 attorney and auctioneer, executed the same voluntarily on the day the same bears date.

GIVEN UNDER MY HAND AND OFFICIAL SEAL, this 17th day of July, 2001.

Mildred S. Kelso

NOTARY PUBLIC

MY COMMISSION EXPIRES: 1-17-2003

PREPARED BY:
V. Edward Freeman II
STONE, PATTON, KIERCE & FREEMAN
118 North 18th Street
Bessemer, Alabama 35020

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