

INSTRUMENT WAS PREPARED BY:

STEPHEN P. LEARA, ESQ.  
WALLACE, JORDAN, RATLIFF  
& BRANDT, L.L.C.  
800 SHADES CREEK PARKWAY  
SUITE 400  
BIRMINGHAM, AL 35209

SEND TAX NOTICE TO:

BANCORPSOUTH BANK  
P.O. BOX 55338  
BIRMINGHAM, AL 35255

STATE OF ALABAMA )

SHELBY COUNTY )

MORTGAGE FORECLOSURE DEED

Inst # 2001-39033

09/11/2001-39033  
09:39 AM CERTIFIED

SHELBY COUNTY JUDGE OF PROBATE  
003 MSB 18.00

KNOW ALL MEN BY THESE PRESENTS, that whereas, heretofore on, March 27, 2000, Daryl E. O'Barr executed a Mortgage to BancorpSouth Bank, formerly doing business as Highland Bank, on property hereinafter described, which said Mortgage is recorded in Inst. #2000-13446, in the Office of the Judge of Probate of ShelbyCounty, Alabama; and

WHEREAS, by the terms of said Mortgage, default in the monthly payments due thereunder matured the entire indebtedness secured thereby, and thereupon BancorpSouth Bank empowered and authorized, after giving notice of the time, place and terms of sale once a week for three (3) consecutive weeks in some newspaper published in Shelby County, Alabama, to sell said property at public outcry to the highest bidder for cash from the front door of the County Courthouse for Shelby County, Alabama, at which sale BancorpSouth Bank was authorized to bid, and if the highest bidder therefor, to become the purchaser of the said property; and

WHEREAS, default was made in the payment of the indebtedness secured by said Mortgage, BancorpSouth Bank did declare all of the indebtedness secured by 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 of general circulation published in Shelby County, Alabama, in its issues of August 1, 8 and 15, 2001; and

WHEREAS, on September 6, 2001, the day on which the foreclosure was due to be held under the terms of said notice during the legal hours of sale, said foreclosure was duly conducted and did offer for sale and sell at public outcry in front of the main entrance of the Shelby County Courthouse, Shelby County, Alabama, the property hereinafter described; and

WHEREAS, Stephen P. Leara was the auctioneer who conducted said foreclosure sale and was the person conducting the sale for BancorpSouth Bank; and

WHEREAS, BancorpSouth Bank was the highest and best bidder for said property with its bid of One Hundred Seventy Thousand and no/100 (\$170,000.00) Dollars.

NOW, THEREFORE, in consideration of the premises and the sum of One Hundred Seventy Thousand and no/100 (\$170,000.00) Dollars, Daryl E. O'Barr, by and through

BancorpSouth Bank and by and through Stephen P. Leara, as auctioneer conducting said sale, does hereby grant, bargain, sell and convey unto BancorpSouth Bank, the following described property situated in Shelby County, Alabama:

See Attached Exhibit "A"

SUBJECT TO:

1. Ad valorem taxes for the year 2001 and taxes for all subsequent years.
2. All statutory rights of redemption from said foreclosure sale.
3. All liens and encumbrances of record, if any.

TO HAVE AND TO HOLD the above-described property unto BancorpSouth Bank, its successors and assigns forever.

IN WITNESS WHEREOF, Daryl E. O'Barr has caused these presents to be executed by and through BancorpSouth Bank, and by and through the undersigned auctioneer conducting said sale, both duly authorized on this the 6<sup>th</sup> day of September, 2001.

BancorpSouth Bank

By: Stephen P. Leara  
Stephen P. Leara  
Auctioneer Conducting Sale

STATE OF ALABAMA )  
JEFFERSON COUNTY )

I, the undersigned authority, a Notary Public in the aforesaid County in said State, hereby certify that Stephen P. Leara, whose name as Auctioneer for BancorpSouth Bank 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, as such Auctioneer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal this the 6<sup>th</sup> day of September, 2001.

Jeannie C. Johnson  
NOTARY PUBLIC  
My Commission Expires: 1/6/04

Exhibit "A"

Parcel I

Lot 2, Morse Estates Subdivision, as recorded in the Office of the Judge of Probate, Shelby County, Alabama in Map Book 16, Page 51.

Parcel II

A parcel of acreage lying in the Northwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of Section 4, and the Northeast  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of Section 5, both in Township 20 South, Range 1 East, Shelby County, Alabama and being more particularly described as follows: Beginning at the Southeast corner of Lot 2, Morse Estates Subdivision, as recorded in the Office of the Judge of Probate of Shelby County, Alabama in, Map Book 16, page 51, and being marked by an existing old rebar being on the Northwest right of way line of Shelby County Highway No. 55, run in a Westerly direction along the South line of said Lot 2, for a distance of 1,005.58 feet to the Southwest corner of said Lot 2; thence turn and angle to the left of 90 degrees and run in a Southerly direction for a distance of 235.0 feet to an existing iron rebar; thence turn a measured angle to the left of 75 degrees 47 minutes 25 seconds and run in a Southeasterly direction a distance of 453.43 feet to an existing iron rebar; thence turn an angle to the left of 18 degrees 40 minutes 33 seconds and run in a Northeasterly direction for a distance of 146.72 feet to an existing crimp iron pin; thence turn a measured angle to the right of 2 degrees 03 minutes 59 seconds and run in an Easterly direction for a measured distance of 169.19 feet to an existing crimp iron pin; thence turn and angle to the right of 1 degrees 25 minutes 11 seconds and run in an Easterly direction for a distance of 123.66 feet to an existing crimp iron pin being on the West right of way line of Shelby County Highway No. 55; thence turn an angle to the left and run in a Northeasterly direction along said West right of way line of Shelby County Highway No. 55 for a distance of 349.60 feet, more or less, to the point of beginning.

Inst # 2001-39033

09/11/2001-39033  
09:39 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
003 MSB 18.00