

AUCTIONEER'S DEED

STATE OF ALABAMA

COUNTY OF SHELBY

WHEREAS, Carol Pair and Ralph Pair, husband and wife executed a mortgage to First Choice Funding, Inc. on the 29th day of October, 1999, on that certain real property hereinafter described, which mortgage is recorded in Instrument #1999-46767, of the records in the Office of the Judge of Probate, Shelby County, Alabama; which said mortgage was subsequently assigned to The Provident Bank by instrument recorded in Instrument #2001-16324 of said Probate Court records; and

WHEREAS, in said mortgage the mortgagee was vested with full power and authority, upon the happening of a default in the payment of the principal note described in and secured by said mortgage or any installment of interest thereon, to sell said property hereinafter described at public outcry before the Courthouse door in the City of Columbiana, County of Shelby, Alabama, for cash to the highest bidder, after giving notice of the time, place and terms of sale by an advertisement published once a week for three successive weeks in a newspaper published in the City of Columbiana, Alabama; and

WHEREAS, default was made in the payment of said indebtedness described in and secured by said mortgage; and

WHEREAS, notice of the time, place and purposes of said sale, as required by said mortgage has been given in The Shelby County Reporter, a newspaper published in the City of Columbiana, Alabama, by an advertisement published in the issues of said newspaper on November 21, 28, and December 5, 2001, fixing the time of the sale of said property to be during the legal hours of sale on the 2nd day of January, 2002, and the place of same at the front door of the Courthouse of Shelby County, in the City of Columbiana, Alabama, and the terms of the sale to be cash; and

01/14/2002-02351  
12:24 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
004 NEL 21.00

Inst # 2002-02351

MTA

WHEREAS, a sale has been made of the said real property hereinafter described during the legal hours of sale on the 2nd day of January, 2002, at the front door of the Courthouse of Shelby County, Alabama, in strict conformity with the powers of sale contained in the said mortgage, at which sale The Provident Bank was the highest and best bidder and did become the purchaser of the real property hereinafter described for the sum of \$66,000.00 cash in hand paid by said purchaser to Michael T. Atchison, as auctioneer who conducted the sale on behalf of the owner of said mortgage; the said The Provident Bank, by and through Michael T. Atchison as such auctioneer, and as its attorney-in-fact, and Carol Pair and Ralph Pair by Michael T. Atchison, as their attorney-in-fact, under and by virtue of the authority contained in said mortgage, do hereby GRANT, BARGAIN, SELL AND CONVEY unto The Provident Bank, its successors and assigns, the following described real property situated in the County of Shelby, State of Alabama, to-wit:

A tract of land situated in the NW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Section 33, Township 17 South, Range 1 East, Shelby County, Alabama being more particularly described as follows:

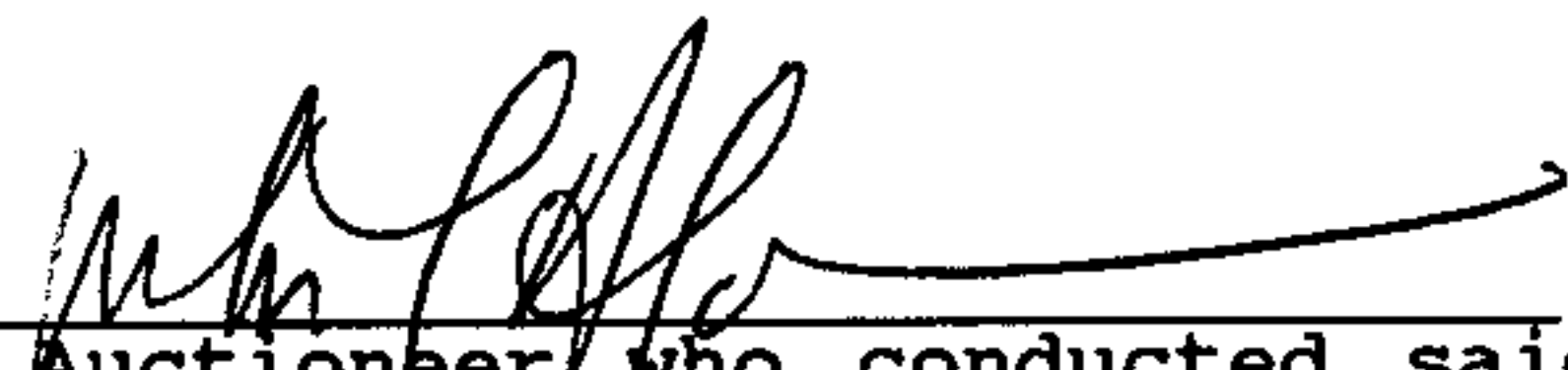
Commence at the SW corner of the NW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Section 33 Township 17 South, Range 1 East, Shelby County, Alabama, and run in an Easterly direction along the south line of said  $\frac{1}{4}$ - $\frac{1}{4}$  section a distance of 622.18 feet to a point on the NW right of way line of Alabama Highway #25, thence turn a deflection angle of 53°01' to the left and run in a Northeasterly direction along the NW right of way line of said Alabama Highway #25, a distance of 350.88 feet to the PC of a curve; thence continue in a Northeasterly direction along the arc of a curve to the left having a central angle of 1°51'20" and a radius of 5,630.86 feet a distance of 182.36 feet to the point of beginning; thence turn a deflection angle of 90°47'30" to the left (angle measured from tangent) and run in a Northwesterly direction a distance of 210.00 feet to a point; thence turn an interior angle of 90°00' and run to the right in a Northeasterly direction to a distance of 210.00 feet to a point; thence turn an interior angle of 90°00' and run to the right of way line of Alabama Highway #25; thence turn an interior angle of 90°47'30" (angle measured to tangent) and run to the right in a Southwesterly direction along the NW right of way line of said Alabama Highway #25, and along the arc of a curve to the right having a central angle of 1°35'

and a radius of 7,599.44 feet a distance of 210.01 feet to the point of beginning.

TOGETHER WITH all and singular the rights, privileges, tenements, hereditaments, easements and appurtenances thereunto belonging, or in anywise appertaining; TO HAVE AND TO HOLD the same unto the said The Provident Bank, the purchaser at said sale, its successors and assigns, forever.

IN WITNESS WHEREOF, the said The Provident Bank by and through Michael T. Atchison, as the auctioneer who conducted said sale, and as its attorney-in-fact and Carol Pair and Ralph Pair by Michael T. Atchison, as their attorney-in-fact, have hereunto set their hands and seals on this the 2nd day of January, 2002.

THE PROVIDENT BANK

BY:   
Auctioneer who conducted said sale and attorney-in-fact

CAROL PAIR AND  
RALPH PAIR

By:   
Attorney-in-fact

STATE OF ALABAMA  
COUNTY OF SHELBY

I, the undersigned Notary Public in and for said State and County, hereby certify that Michael T. Atchison, the auctioneer who conducted the sale, whose name as auctioneer and attorney-in-fact for The Provident 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 said conveyance, he in his capacity as such auctioneer and attorney-in-fact and with full authority, executed the same voluntarily on the day the same bears date.

Given under my hand and notarial seal on this the 2<sup>nd</sup> day of January, 2002.

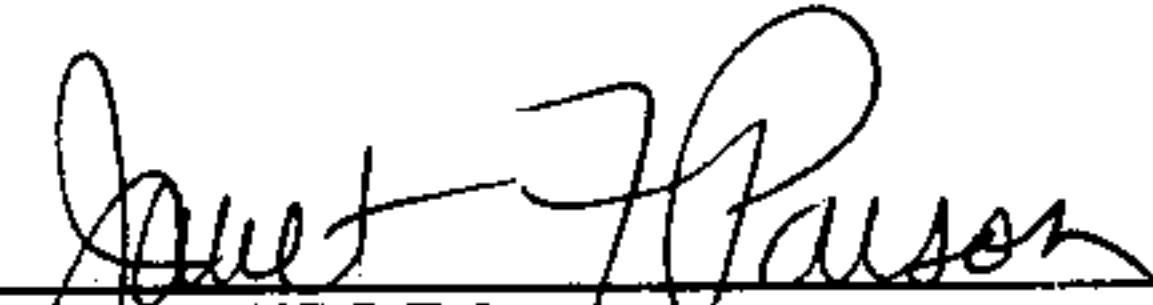
  
NOTARY PUBLIC

My Commission Expires: 10/10/04

STATE OF ALABAMA  
COUNTY OF SHELBY

I, the undersigned Notary Public in and for said State and County, hereby certify that Michael T. Atchison, whose name as attorney-in-fact for Carol Pair and Ralph Pair 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 attorney-in-fact, executed the same voluntarily on the day the same bears date.

Given under my hand and notarial seal on this the 2<sup>nd</sup> day of January, 2002.

  
\_\_\_\_\_  
NOTARY PUBLIC  
My Commission Expires: 10/16/07

Grantee's address:

One East Fourth Street, Mail Stop 198D  
Cincinnati, Ohio 45202

This instrument prepared by:

Beth McFadden Rouse  
McFADDEN, LYON & ROUSE, L.L.C.  
718 Downtowner Boulevard  
Mobile, Alabama 36609

4 Inst # 2002-02351

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