

STATE OF ALABAMA                    )  
  )     MORTGAGE FORECLOSURE DEED  
SHELBY COUNTY                    )

KNOW ALL MEN BY THESE PRESENTS

THAT, WHEREAS, heretofore, on to-wit November 7, 1997, Samuel D. Harris and Judith E. Harris executed a certain mortgage on property hereinafter described to M & F Bank f/k/a First National Bank of Shelby County, which said mortgage is recorded in Instrument #1997-37157, in the Office of the Probate Judge in Shelby County, Alabama, and;

WHEREAS, in and by said mortgage, the mortgagee, its successors or assigns, were authorized and empowered in the event of default, according to the terms thereof, to sell said property before the Courthouse door in the City of 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 the proper conveyance 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 same M & F Bank f/k/a First National Bank of Shelby County 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 foreclosure of a said mortgage, by U. S. Mail and by publication in *The Shelby County Reporter*, a newspaper of general circulation, published in Shelby County, Alabama, in its issues of February 18, February 25 and March 4, 2009, WHEREAS, on the 12th day of March, 2009, the day on which said foreclosure sale 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 Burt W. Newsome as Attorney-in-Fact for the said Samuel D. Harris and Judith E. Harris did offer for sale and sell at public outcry, at the Courthouse in Shelby County, Alabama, the property hereinafter described; and

WHEREAS, Burt W. Newsome was the Auctioneer who conducted said foreclosure sale for the said M & F Bank f/k/a First National Bank of Shelby County, and

WHEREAS, the said M & F Bank f/k/a First National Bank of Shelby County was the highest bidder in the amount of Forty-Six Thousand Four Hundred Fifty-Three and 08/100 Dollars (\$46,453.08) which sum of money M & F Bank f/k/a First National Bank of Shelby County offered to apply to the costs of foreclosure and then to the remaining balance on the indebtedness secured by said mortgage, and said property was thereupon sold to M & F Bank f/k/a First National Bank of Shelby County.

NOW, THEREFORE, IN CONSIDERATION OF THE PREMISES, and the amount of Forty-Six Thousand Four Hundred Fifty-Three and 08/100 Dollars (\$46,453.08), the said Samuel D. Harris, Judith E. Harris and M & F Bank f/k/a First National Bank of Shelby County by and through Burt W. Newsome, the person acting as auctioneer and conducting said sale as their duly authorized agent and Attorney-in-Fact and Auctioneer does hereby GRANT, BARGAIN, SELL AND CONVEY unto the said M & F Bank f/k/a First National Bank of Shelby County AS IS, WHERE IS, the following described property situated in Shelby County, Alabama, to-wit:

Parcel I:

Begin at the SE corner of the NE  $\frac{1}{4}$  of NW  $\frac{1}{4}$ , Section 3, Township 20 South, Range 2 East, Shelby County, Alabama and run thence Northerly along the East line of said  $\frac{1}{4}$  -  $\frac{1}{4}$  a distance of 361.75 feet to a steel pin corner; thence turn an angle of 87 degrees 51 minutes 11 seconds to the left and run Westerly a distance of 361.75 feet to a steel pin corner; thence turn an angle of 92 degrees 08 minutes 49 seconds to the left and run southerly a distance of 361.75 feet to a steel pin corner on the South line of same said  $\frac{1}{4}$  -  $\frac{1}{4}$ ; thence turn an angle of 87 degrees 51 minutes 11 seconds to the left and run Easterly along said  $\frac{1}{4}$  -  $\frac{1}{4}$  line a distance of 361.75 feet to the point of beginning marked on each corner with a steel rebar pin.

Parcel II:

Commence at the SE corner of the NE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Section 3, Township 20 South, Range 2 East, Shelby County, Alabama, and run thence Northerly along the said  $\frac{1}{4}$  -  $\frac{1}{4}$  361.75 feet to the point of beginning of the property being described; thence continue along last described course a distance of 241.0 feet to a point; thence turn an interior angle of 87 degrees 51 minutes 11 seconds left and run Westerly a distance of 361.75 feet to a point; thence turn an angle of 92 degrees 08 minutes 49 seconds left and run Southerly a distance of 241.0 feet to a point; thence turn an angle of 87 degrees 51 minutes 11 seconds left and run Easterly a distance of 361.75 feet to the point of beginning; being situated in Shelby County, Alabama.

Also, an access easement described as follows:

Commence at the SE corner of the NE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Section 3, Township 20 South, Range 2 East, Shelby County, Alabama and run thence northerly along the East line of said  $\frac{1}{4}$  -  $\frac{1}{4}$  a distance of 602.75 feet to the point beginning of the access easement being described; thence continue along last described course of 783.17 feet to a point on the South right of way line of a public road; thence turn an angle of 87 degrees 51 minutes 11 seconds left and run westerly along said right of way a distance of 30.0 feet to a point; thence turn an angle of 92 degrees 08 minutes 49 seconds left and run southerly a distance of 783.17 feet to a point; on the North line of Parcel 2 described above; thence turn an angle of 87 degrees 51 minutes 11



seconds left and run Easterly along the said North line of said Parcel 2 a distance of 30.0 feet to the point of beginning; being situated in Shelby County, Alabama.

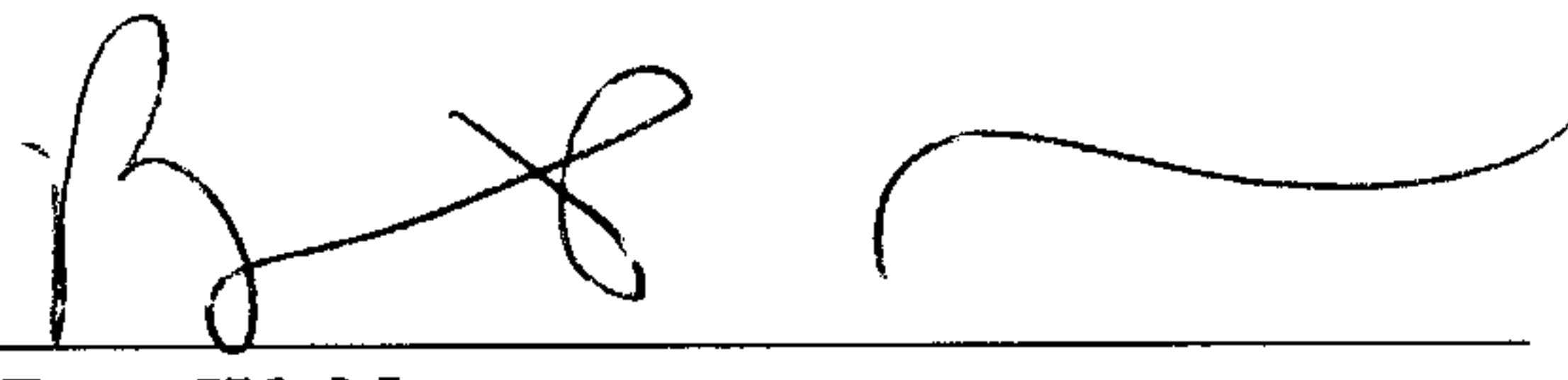
Together with the hereditaments and appurtenances thereunto belonging and all fixtures now attached to and used in connection with the premises herein described, subject to right of way easements and restrictions of record in the Probate Office of Shelby County, Alabama, and existing special assessments, if any, which might adversely affect the title to the above described property.

TO HAVE AND TO HOLD the above described property unto the said M & F Bank f/k/a First National Bank of Shelby County, its 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 and the United States of America.

IN WITNESS WHEREOF, the said Samuel D. Harris, Judith E. Harris and M & F Bank f/k/a First National Bank of Shelby County have caused this instrument to be executed by and through Burt W. Newsome, as Auctioneer conducting said sale and as Attorney-in-Fact for all parties separately, and Burt W. Newsome has hereto set his hand and seal on this the 12th day of March, 2009.


SAMUEL D. HARRIS

BY:

  
Burt W. Newsome  
Attorney-in-Fact


JUDITH E. HARRIS

BY:

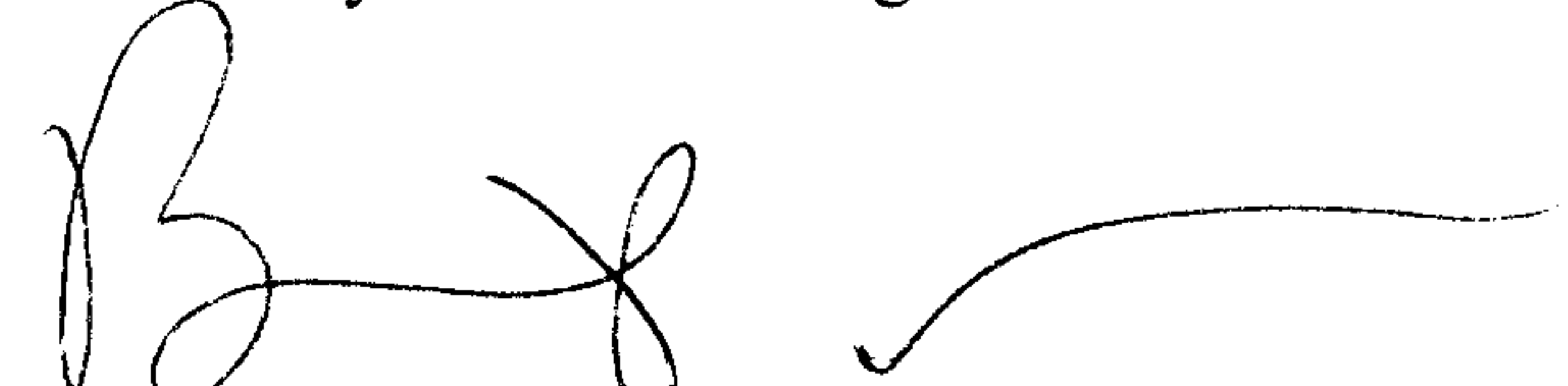
  
Burt W. Newsome  
Attorney-in-Fact

M & F BANK F/K/A FIRST NATIONAL  
BANK OF SHELBY COUNTY

BY:

  
Burt W. Newsome  
as Attorney-In-Fact and Agent

BY:

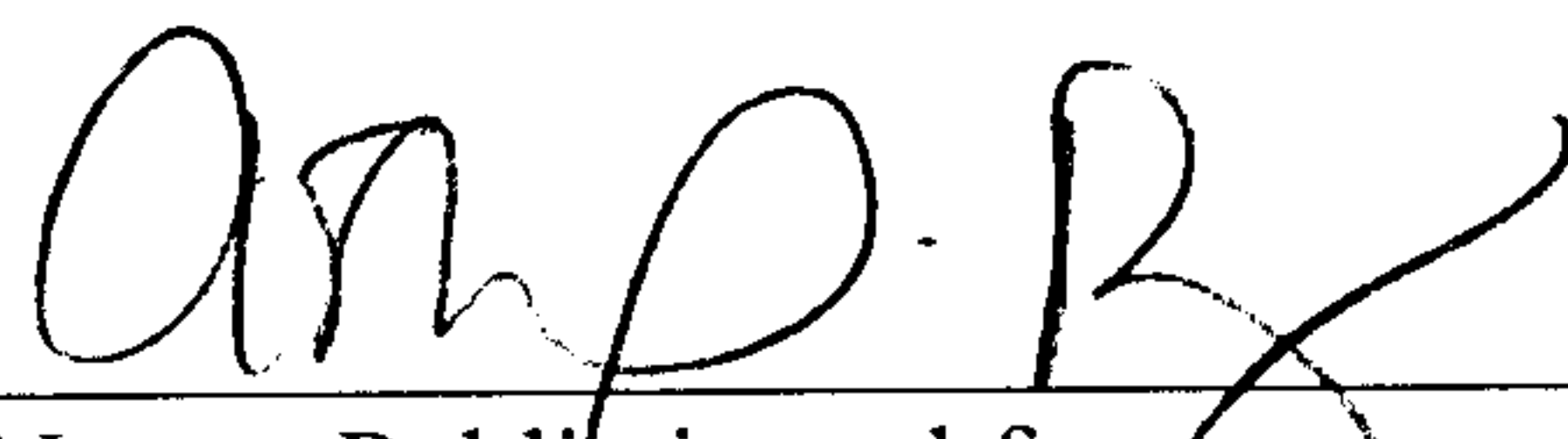
  
Burt W. Newsome as the Auctioneer  
and person making said sale

STATE OF ALABAMA

SHELBY COUNTY

I, the undersigned, a Notary Public in and for said County, in said State of Alabama, hereby certify that Burt W. Newsome whose name as Attorney-in-Fact for Samuel D. Harris and Judith E. Harris, whose name as Attorney-in-Fact and agent for M & F Bank f/k/a First National Bank of Shelby County is signed to the foregoing conveyance and whose name as Auctioneer and person making said sale, 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-in-Fact, agent, and as such Auctioneer executed the same voluntarily on the day the same bears date.

GIVEN under my hand and official seal this the 12th day of March, 2009.

  
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Notary Public in and for  
the State of Alabama at Large

My Commission Expires 3/12/2011

THIS INSTRUMENT PREPARED BY:

BURT W. NEWSOME  
NEWSOME LAW, LLC  
ATTORNEYS AT LAW  
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Birmingham, Alabama 35238  
(205) 747-1970