

This instrument prepared by:
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505 North 20th Street
Birmingham, AL 35203-2605
Telephone: (205) 328-9190

STATE OF ALABAMA)
COUNTY OF SHELBY)

MORTGAGE FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS, That, whereas, hereto on, to-wit: On the 13th day of March, 1985, NICHOLS AND HILL CONSTRUCTION CO., an Alabama General Partnership, executed a certain note and mortgage to said FIRST NATIONAL BANK OF COLUMBIANA, mortgage being recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Real Book 021, Page 840; 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 therefore; and

WHEREAS, default was made in the payment of the indebtedness secured by said mortgage, and the said 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 August 22nd, 29th, September 5th, October 3rd, 10th and 17th, 1990; and

WHEREAS, on November 5th, 1990, 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 JAMES G. HENDERSON, was the Auctioneer who conducted said sale for FIRST NATIONAL BANK OF COLUMBIANA; and

WHEREAS, the highest and best bid for the property described in the aforementioned mortgage was the bid of FIRST NATIONAL BANK OF COLUMBIANA, in the amount of Twenty One Thousand Three Hundred Fifty Five and 25/100 (\$21,355.25) Dollars which sum of money FIRST

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NATIONAL BANK OF COLUMBIANA, offered to credit on the indebtedness secured by said mortgage and said property was thereupon sold to FIRST NATIONAL BANK OF COLUMBIANA; and

NOW, THEREFORE, in consideration of the premises and of a credit in the amount of Twenty One Thousand Three Hundred Fifty Five and 25/100 (\$21,355.25) Dollars, on the indebtedness secured by said mortgage, the said FIRST NATIONAL BANK OF COLUMBIANA, by and through JAMES G. HENDERSON, as Auctioneer conducting said sale and as Attorney in fact for FIRST NATIONAL BANK OF COLUMBIANA, and the said JAMES G. HENDERSON, as the Auctioneer conducting said sale, does hereby GRANT, BARGAIN, SELL AND CONVEY unto the said FIRST NATIONAL BANK OF COLUMBIANA, the following described property situated in Shelby County, Alabama, to-wit:

A parcel of land situated in the SE 1/4 of NE 1/4 of Section 28, Township 20 South, Range 3 West, Shelby County, Alabama, more particularly described as follows: Commence at the Northwest corner of the South 13 1/3 acres of the SE 1/4 of the NE 1/4 of Section 28, Township 20 South, Range 3 West, said point being the Northwest corner of lands formerly owned by Nellie Lambert Green and conveyed by her to Harley S. Cox, as shown by deed recorded in Deed Book 160 at page 309, in the Office of the Judge of Probate of Shelby County Alabama, and run thence West parallel with the South line of the NE 1/4 of said Section 28, Township 20 South, Range 3 West, 78 feet, more or less, to the East right of way of the Maylene-Genery Gap Public Road and the point of beginning; run thence Northerly along the East right of way line of said road, 100 feet; thence run East, parallel with the South line of said 1/4 Section 115 feet; thence run South, parallel with the East line of said 1/4 Section, 100 feet, more or less, to a point on the North line of said property described in Deed Book 160 page 309; run thence West, parallel with the South line of said 1/4 Section 115 feet, more or less, to the point of beginning; being situated in Shelby County, Alabama.

TO HAVE AND TO HOLD the above described property unto FIRST NATIONAL BANK OF COLUMBIANA, and 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.

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IN WITNESS WHEREOF, FIRST NATIONAL BANK OF COLUMBIANA, has caused this instrument to be executed by and through JAMES G. HENDERSON, as Auctioneer conducting said sale, and as Attorney in Fact, and JAMES G. HENDERSON as Auctioneer conducting said sale, has hereto set his hand and seal on this the 5th day of November, 1990.

FIRST NATIONAL BANK OF
COLUMBIANA, Mortgagee.

By: 
JAMES G. HENDERSON, as
Attorney in Fact and Auctioneer.

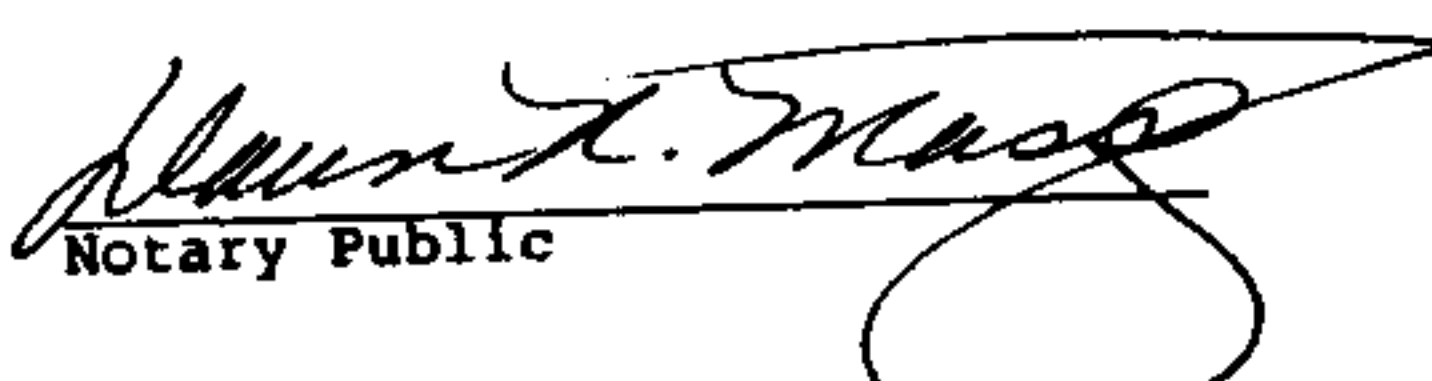
By: 
JAMES G. HENDERSON, as
Auctioneer conducting said sale.

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STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that JAMES G. HENDERSON whose name as Auctioneer and Attorney in Fact for FIRST NATIONAL BANK OF COLUMBIANA, 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 this the 5th day of November, 1990.


Notary Public

My Commission Expires April 23, 1991

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned, being a Notary Public in and for said County, in said State, do hereby certify that JAMES G. HENDERSON, 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 this the 5th day of November, 1990.

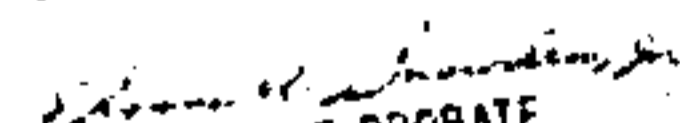

Notary Public

My Commission Expires April 23, 1991

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STATE OF ALA. SHILBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED

90 NOV -8 AM 11:54


JUDGE OF PROBATE

1. Dead Tax	—	—
2. Mig. Tax	—	—
3. Recording Fee	—	—
4. Indexing Fee	—	—
5. No Tax Fee	—	—
6. Certified Fee	—	—
Total	—	—

NO TAX P.D.
10.00
3.00
7.00
1.00
15.00