

STATE OF ALABAMA

COUNTY OF SHELBY

MORTGAGE FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS, That, whereas, hereto on, to wit: October 22, 1988, Bobby A. Upton and wife Earlene S. Upton executed a certain mortgage on the property hereinafter described to FIRST NATIONAL BANK OF COLUMBIANA, said mortgage being recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Real Volume 211, Page 511; 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 February 14th, February 21st and February 28th, 1991; and

WHEREAS, on March 2, 1991, 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 J. D. Wyatt 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 Eighty-five Thousand Four Hundred Forty-five and 47/100 (\$85,445.47) Dollars which sum of money FIRST 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 Eighty-five Thousand Four Hundred Forty-five and 47/100 (\$85,445.47) Dollars, on the indebtedness secured by said mortgage, the said FIRST NATIONAL BANK OF COLUMBIANA, by and through J. D. Wyatt, as Auctioneer conducting said sale and as Attorney in fact for FIRST NATIONAL BANK OF COLUMBIANA, and the said J. D. Wyatt, 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:

Parcel No. 1: Commence at the NE corner of the SE 1/4 of SW 1/4 of Sec. 24, TP 21 South, Range 1 West; thence run west along the North line of said 1/4-1/4 section 595.3 feet to the

J. N. B. C.

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point of beginning of the land herein described; thence turn a 90 deg. angle to the left and run 215.0 feet; thence run west and parallel with the North line of said 1/4-1/4 section 202.7 feet; thence turn a 90 deg. angle to the right and run 215.0 feet to the North line of said 1/4-1/4 section; thence run East along the North line and said 1/4-1/4 Section 202.7 feet to the point of beginning. EXCEPT that portion sold to Frank C. Ellis, Sr. and wife, Christine Moody Ellis as described in Deed Book 231, page 367, in Probate Office.

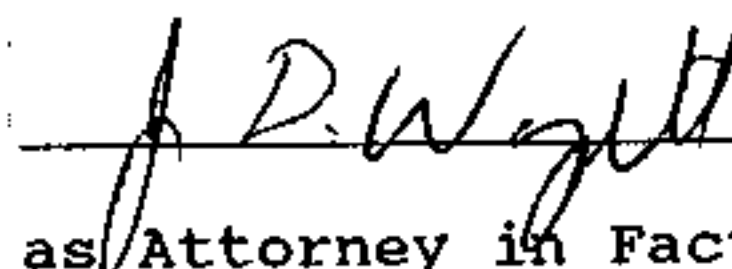
Parcel No. 2: Commence at the NE corner of SE 1/4 of SW 1/4 of Sec. 24, TP 21 South, Range 1 West; thence run westerly a distance of 798 feet along the northern boundary of said 1/4-1/4 section to a point of beginning; thence turn an angle of 90 deg. right and run northerly a distance of 100 feet to a point; then turn an angle of 90 deg to the right and run a distance of 202.6 feet to a point; thence turn an angle of 90 deg. to the right and run a distance of 100 feet to a point; thence turn an angle of 90 deg. to the right and run 202.6 feet to point of beginning. Said land being situated in the NE 1/4 of SW 1/4 of Section 24, Township 21 South, Range 1 West situated in Shelby County, Alabama. Being the same property conveyed by Gaston Gage, Jr., and wife, Elizabeth M. Gage to Bobby A. Upton and Earlene S. Upton, as joint tenants with the right of survivorship, by deed dated February 19, 1970, filed for record in the office of Judge of Probate, Shelby County, Alabama on March 2, 1970 at 2:41 o'clock P.M. and recorded in Deed Book 261, page 422.

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.

IN WITNESS WHEREOF, FIRST NATIONAL BANK OF COLUMBIANA, has caused this instrument to be executed by and through J. D. Wyatt as Auctioneer conducting said sale, and as Attorney in Fact, and J. D. Wyatt as Auctioneer conducting said sale, has hereto set his hand and seal on this the 4th day of March, 1991.

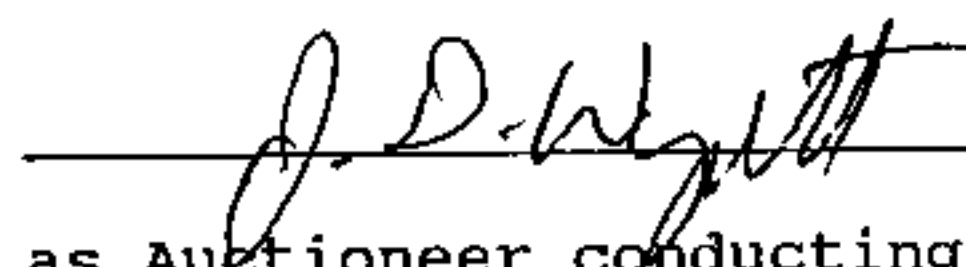
FIRST NATIONAL BANK OF COLUMBIANA,
Mortgagee:

By:



as Attorney in Fact and
Auctioneer.

By:



as Auctioneer conducting said
sale.

STATE OF ALABAMA
SHELBY COUNTY

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that 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 the 4th day of March, 1991.

Betty Horton
Notary Public

My Commission Expires:
March 17, 1992

STATE OF ALABAMA
SHELBY COUNTY

I, the undersigned, being a Notary Public in and for said County, in said State, do hereby certify that , 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 the 4th day of March, 1991.

Betty Horton
Notary Public

My Commission Expires:
March 17, 1992

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

91 MAR -4 PM 2: 04

Thomas A. Snowden, Jr.
JUDGE OF PROBATE

1. Dead Tax	0	<i>Not Payed</i>
2. Mtg. Tax	0	
3. Recording Fee	3.50	
4. Indexing Fee	1.00	
5. No Tax Fee	1.00	
6. Certified Fee	1.00	
Total	7.00	