

STATE OF ALABAMA)
)
SHELBY COUNTY)

FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS, THAT:

WHEREAS, heretofore on, to-wit: May 12, 1989, Kenneth W. Brast, a married man, executed a mortgage on the property hereinafter described to SouthTrust Bank of Alabama, National Association, which said mortgage is recorded in Real Volume 238, Pages 729 et seq. in the Office of the Judge of Probate of Shelby County, Alabama; 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 Shelby County 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 the 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 therefor; and

WHEREAS, default was made in the payment of the indebtedness secured by said mortgage, and the said SouthTrust Bank of Alabama, National Association 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, and of general circulation in Shelby County, Alabama, in its issues of March 11, 18, and 25, 1992; and

WHEREAS, on April 10, 1992, between 11:00 a.m. and 4:00 p.m., the day and time which the foreclosure was due to be held under the terms of said notice, said foreclosure was duly and properly conducted, and SouthTrust Bank of Alabama, National Association did offer for sale and sell at public outcry in front of the main entrance of the Shelby County Courthouse in the City of Columbiana, Shelby County, Alabama, the property hereinafter described; and

WHEREAS, James A. Taylor, Jr. was the Auctioneer who conducted said foreclosure sale and was the person conducting said sale for the said SouthTrust Bank of Alabama, National Association; and

WHEREAS, the highest and best bid for the property described in the aforementioned mortgage was the bid of SouthTrust Bank of Alabama, National Association in the amount of Sixty-Eight Thousand Five Hundred and 00/100 Dollars (\$68,500.00), which sum of money was credited on the indebtedness secured by said mortgage and said property was thereupon sold to SouthTrust Bank of Alabama, National Association.

NOW, THEREFORE, in consideration of the premises and of a credit in the amount of Sixty-Eight Thousand Five Hundred and 00/100 Dollars (\$68,500.00) on the indebtedness secured by said mortgage, the said SouthTrust Bank of Alabama, National Association, by and through James A. Taylor, Jr. conducting said sale, does hereby grant, bargain, sell and convey unto the said SouthTrust Bank of Alabama, National Association the following described property situated in Shelby Alabama, to-wit:

The following described lot being located in the NW 1/4 of the NW 1/4 of Section 25, Township 20 South, Range 3 West and the NE 1/4 of the NW 1/4, Section 25, Township 20 South, Range 3 West, the lot being more particularly described as follows:

Beginning at the NE corner of the NW 1/4 of the NW 1/4 of Section 25, Township 20 South, Range 3 West; thence North 85°17' East 66 feet to the corner of the old Hammond lot; thence South 18°14' East 211 feet to the true point of beginning of the lot herein described; thence South 18°14' East 112 feet, more or less, to the NE corner of the Hodges lot; thence South 87°45' West 369 feet, more or less, to the Eastern right of way of the present U.S. Highway #31; thence along the Eastern line of said highway right of way North 18°20' West 115.41 feet, more or less, to the Southwest corner of the Dunaway lot; thence along the South boundary of said Dunaway lot North 89° East 368.85 feet, more or less, to

the point of beginning of said lot herein described.
Situating in Shelby County, Alabama.

Subject, however, to the following:


1. Unpaid ad valorem taxes for 1991 and previous years.
2. The lien for 1992 ad valorem taxes, a lien not yet due and payable;
3. The statutory rights of redemption on the parts of those entitled to redeem as provided by the laws of the State of Alabama and as provided by Section 7425(d) of the Internal Revenue Code of 1986, as amended; and
4. All easements, rights of way, and restrictions of record.

TO HAVE AND TO HOLD the above-described property unto SouthTrust Bank of Alabama, National Association, its successors and assigns in fee simple forever; subject, however, to those exceptions noted above.


IN WITNESS WHEREOF, SouthTrust Bank of Alabama, National Association has caused this instrument to be executed by and through James A. Taylor, Jr., as Auctioneer conducting said sale, and as attorney in fact, and James A. Taylor, Jr., as Auctioneer conducting said sale, has hereunto set his hand and seal on this the 10th day of April, 1992.

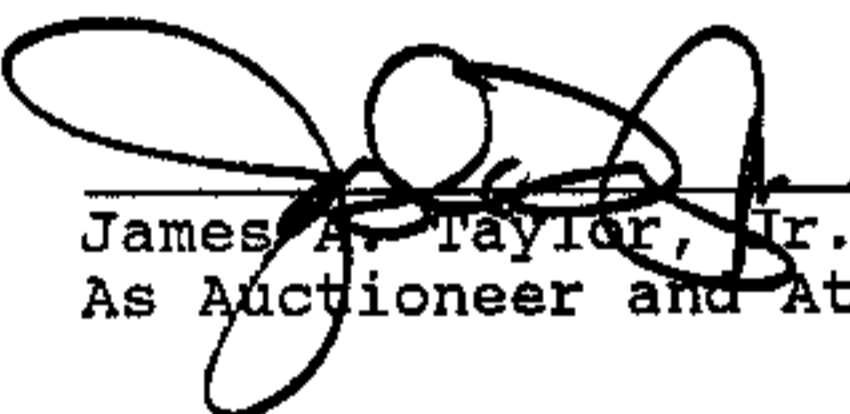
KENNETH W. BRAST, Mortgagor

By SouthTrust Bank of Alabama, National Association, Mortgagee

By: 
James A. Taylor, Jr.
As Auctioneer and Attorney in Fact

SOUTHTRUST BANK OF ALABAMA,
NATIONAL ASSOCIATION


By: 
James A. Taylor, Jr.
As Auctioneer and Attorney in Fact


James A. Taylor, Jr.
As Auctioneer and Attorney in Fact

STATE OF ALABAMA)
)
SHELBY COUNTY)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that James A. Taylor, Jr., whose name as Auctioneer and Attorney in Fact for SouthTrust Bank of Alabama, National Association, 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, and with full authority, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 10th day of April, 1992.



Notary Public

This instrument was prepared by Gary W. Farris, Attorney at Law, SouthTrust Tower, 420 20th Street North, Suite 3000, Birmingham, Alabama 35203.

10138740

04/10/1992 4187
02:51 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
004 MCD 15.00