

This instrument prepared by:
Charles L. Denaburg
2125 Morris Avenue
Birmingham, Alabama 35203
01027-75887

NATIONAL BANK OF COMMERCE

Inst # 1996-37545

11/13/1996-37545
09:03 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 MCD 14.50

FORECLOSURE DEED

STATE OF ALABAMA

COUNTY OF SHELBY

KNOW ALL MEN BY THESE PRESENTS, THAT:

WHEREAS, heretofore on, to-wit: August 14, 1993, John T. Sumner, Jr. and Millie N. Sumner, Husband and Wife, mortgagors, executed a certain mortgage to National Bank of Commerce which said mortgage is recorded in Instrument # 1993-24678, and amended by Instrument # 1995-22142, in the Office of the Judge of Probate of Shelby County, Alabama; and,

WHEREAS, default was made in the payment of the indebtedness secured by said mortgage, and the said National Bank of Commerce 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, in accordance with the terms thereof, by publication in Shelby County Reporter, a newspaper of general circulation in Shelby County, Alabama, in its issues of October 2, 9, and 16, 1996; and,

WHEREAS, on October 30, 1996, the day on which the foreclosure sale was due to be held under the terms of said notice, during the legal hours of sale, said foreclosure was duly and properly conducted and the said National Bank of Commerce did offer for sale and

sell at public outcry, in front of the main entrance of the Courthouse in Shelby County, Alabama, the property hereinafter described; and,

WHEREAS, the highest and best bid obtained for the property described in the aforementioned mortgage was the bid of National Bank of Commerce in the amount of \$408,000.00 which sum was offered to be credited to the indebtedness secured by said mortgage, and said property was thereupon sold to National Bank of Commerce; and,

WHEREAS, Charles L. Denaburg acted as auctioneer as provided in said mortgage and conducted the said sale; and,

WHEREAS, said mortgage expressly authorized the person conducting said sale to execute to the purchaser at said sale a deed to the property so purchased.

NOW, THEREFORE, in consideration of the premises and the credit of \$408,000.00, John T. Sumner, Jr. and Millie N. Sumner, Husband and Wife, mortgagors, by and through the said Charles L. Denaburg, do grant, bargain, sell and convey unto the said National Bank of Commerce, all of their rights, title and interest in and to the following described real property, situated in Shelby County, Alabama, to-wit:

Lot 43, according to the Survey of GREYSTONE - 1st Sector, 1st Phase, as recorded in Map Book 14, Page 91 A & B in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

Together with the non-exclusive easements to use the private roadways, Common areas and Hugh Daniel Drive, all as more particularly described in the Greystone Residential Declaration of Covenants, Conditions and Restrictions dated November 6, 1990, and recorded in Real 317 page 260 in the Probate Office of Shelby County, Alabama, and all amendments thereto.

SUBJECT TO ad valorem taxes.

SUBJECT TO any and all easements, restrictions, encumbrances or other interests of record.

SUBJECT TO the statutory right of redemption on the part of those entitled to redeem.

TO HAVE AND TO HOLD, the above described property unto the said National Bank of Commerce, its successors and assigns forever; subject, however, to the statutory right of redemption on the part of those entitled to redeem.

IN WITNESS WHEREOF, the said National Bank of Commerce, by Charles L. Denaburg, as auctioneer conducting said sale, has caused these presents to be executed on this, the 4th day of Nov, 1996.

NATIONAL BANK OF COMMERCE

BY: *Charles L. Denaburg*
Charles L. Denaburg, As Auctioneer

THE STATE OF ALABAMA
JEFFERSON COUNTY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Charles L. Denaburg, whose name as auctioneer for National Bank of Commerce, 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 this conveyance, he, in his capacity as such auctioneer, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this 4th day of NOVEMBER, 1996.

Peggy D. Harding
Notary Public

MY COMMISSION EXPIRES JUNE 26, 1999

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