

MORTGAGE FORECLOSURE DEED

STATE OF ALABAMA)  
COUNTY OF SHELBY)

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, Jan Arlene Bowling and Stacey Aileen Alexander, did on the 31st day of July, 1990, execute a mortgage to Joe Motie Forstman and wife, Betty Tabor Forstman, which mortgage is recorded in Book 303, Page 35, in the Office of the Judge of Probate of Shelby County, Alabama; ~~which~~ which said mortgage was duly transferred and assigned to Western United Life Assurance Company by instrument recorded in Instrument #1995-32791 and by Corrected Transfer of Mortgage recorded in Instrument #1996-19873 in said Probate Office; and

WHEREAS, default was made in the payment of said indebtedness secured by said mortgage, and the said Western United Life Assurance Company, Transferee,

did declare all of the indebtedness secured by said mortgage due and payable and did give due and proper notice of the foreclosure of said mortgage in accordance with the terms thereof by publication in the Shelby County Reporter a newspaper of general circulation in Shelby County, Alabama, in its issues of October 30, 1996, November 6, 1996, November 13, 1996 and November 20, 1996; and

WHEREAS, on December 2, 1996, the day on which the foreclosure sale was due to be held, according to said notice, between the legal hours of sale, said foreclosure sale was duly and properly conducted, and the said Western United Life Assurance Company, Transferee,

did offer for sale and did sell at public outcry, in front of the Courthouse door of 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 the said Western United Life Assurance Company, Transferee,

in the amount of ---FORTY THREE THOUSAND EIGHTY EIGHT AND 43/100-----  
-----(\$43,088.43)-----Dollars, which sum the said Western United Life Assurance Company, Transferee,

offered to credit to the indebtedness secured by said mortgage and said property was thereupon sold to the said Western United Life Assurance Company, Transferee; and

WHEREAS, David J. Chastain conducted said sale on behalf of Western United Life Assurance Company, Transferee; 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 of a credit in the amount of---FORTY THREE THOUSAND EIGHTY EIGHT AND 43/100-----  
-----(\$43,088.43)-----Dollars, on the indebtedness secured by said mortgage, the said Western United Life Assurance Company, Transferee,

by David J. Chastain, its duly authorized agent and auctioneer

12/02/1996-39575  
02:28 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 SNA 12.00

THIS INSTRUMENT WAS PREPARED BY  
DAVID J. CHASTAIN, ATTORNEY  
FRANK NELSON BUILDING  
205 20TH STREET NORTH, SUITE 227  
BIRMINGHAM, ALABAMA 35203-3687

Inst # 1996-39575

conducting said sale, does hereby grant, bargain, sell and convey unto the said Western United Life Assurance Company, Transferee,

the following described property situated in Shelby County, Alabama, to-wit:

Commence at the SE corner of the NW 1/4 of the NW 1/4 of Section 23, Twp 21S, R3W, and run westerly along the S line of said 1/4 1/4 section 8.6 feet; thence turn right 98 degrees 43' and run northeasterly 244.00 feet to a point on the westerly right of way of Alabama Highway 119, said point also being the point of beginning; thence continue along last described course and along said right of way 28.2 feet; thence turn left 100 degrees 51' 54" and run southwesterly 250.00 feet; thence turn right 100 degrees 51' 54" and run northeasterly 190.00 feet; thence turn left 100 degrees 51' 54" and run westerly 487.63 feet; thence turn left 102 degrees 46' 30" and run southeasterly 207.48 feet; thence turn left 76 degrees 06' and run easterly +650.90 feet to the point of beginning. Containing +2.2 acres.

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TO HAVE AND TO HOLD the above described property unto the said Western United Life Assurance Company, Transferee,

forever, subject, however, to the rights of redemption.

IN WITNESS WHEREOF, the said Western United Life Assurance Company, Transferee,

by David J. Chastain, as Auctioneer conducting said sale, caused these presents to be executed on this the 2nd day of December, 1996.

WESTERN UNITED LIFE ASSURANCE COMPANY,  
Transferee

BY

*David J. Chastain*  
DAVID J. CHASTAIN  
AGENT AND AUCTIONEER

STATE OF ALABAMA)  
COUNTY OF JEFFERSON)

I, THE UNDERSIGNED, a Notary Public in and for said County, in said State, hereby certify that David J. Chastain, whose name as Auctioneer and Agent for Western United Life Assurance Company, Transferee,

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 Agent, and with full authority, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 2nd day of December, 1996.

*Lois Marie Lee*  
NOTARY PUBLIC

MY COMMISSION EXPIRES: OCTOBER 29, 2000

ADDRESS OF TRANSFeree:  
c/o Metropolitan Mortgage & Securities Co., Inc.  
P. O. Box 2162  
Spokane, Washington 99210-2162