

**MORTGAGE FORECLOSURE DEED**

STATE OF ALABAMA

COUNTY OF SHELBY

KNOW ALL PERSONS BY THESE PRESENTS: That Bill's Contracting Service, Inc. did, on to-wit, August 9, 1996, execute a mortgage to National Bank of Commerce of Birmingham which is recorded in Mortgage Record Inst # 1996-27256, et seq., 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 of Birmingham 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 Shelby County Reporter, a newspaper of general circulation published in the City of Columbiana, Shelby County, Alabama, in its issues of January 29, February 5 & 12, 1997; and

WHEREAS, on February 26, 1997, the day on which the foreclosure sale was due to be held under the terms of said notice, between the legal hours of sale, said foreclosure sale was duly and properly conducted, and National Bank of Commerce of Birmingham did offer for sale and did sell at public outcry, in front of the courthouse door of Shelby County, Alabama, in the City of Columbiana, Alabama, the property hereinafter described; and

WHEREAS, the highest and best bid for cash obtained for the property described in the aforementioned mortgage was the bid of the said National Bank of Commerce of Birmingham, in the amount of SIXTY THOUSAND AND NO/DOLLARS (\$60,000.00), which sum the said National Bank of Commerce of Birmingham offered to credit on the indebtedness secured by said mortgage, and said property was thereupon sold to the said National Bank of Commerce of Birmingham; and

WHEREAS, said mortgage expressly authorized the mortgagee to bid at the said sale and purchase said property, if the highest bidder therefore, and authorized the Mortgagee or Auctioneer or any person conducting said sale for the Mortgagee to execute to the purchaser at the said sale a deed to the property so purchased;

NOW, THEREFORE, in consideration of the premises and of a credit of SIXTY THOUSAND AND NO/DOLLARS (\$60,000.00), on the indebtedness secured by said mortgage, the said Bill's Contracting Service, Inc., acting by and through the said National Bank of Commerce of Birmingham by Scott Abney, as said auctioneer and the person conducting the said sale for the Mortgagee or Transferee of Mortgagee, and the said National Bank of Commerce of Birmingham, by Scott Abney, as said auctioneer and the person conducting the said sale for the Mortgagee or Transferee of Mortgagee, and Scott Abney, as said auctioneer and the person conducting said sale for the Mortgagee or Transferee of Mortgagee, do hereby grant, bargain, sell and convey unto National Bank of Commerce of Birmingham, the following described real estate situated in Shelby County, Alabama, to-wit:

LOT 74, ACCORDING TO THE SURVEY OF ST. CHARLES PLACE,  
PHASE 2, SECTOR 6, AS RECORDED IN MAP BOOK 21, PAGE 77,  
IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

TO HAVE AND TO HOLD THE above described property unto National Bank of Commerce of Birmingham forever; subject, however, to the statutory rights of redemption on the part of those entitled to redeem as provided by the laws of the State of Alabama.

03/05/1997-06778  
09:16 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 SNA 12.00

Inst # 1997-06778

IN WITNESS WHEREOF, the said National Bank of Commerce of Birmingham has caused this instrument to be executed by Scott Abney, as auctioneer and the person conducting said sale for the Mortgagee or Transferee of Mortgagee, and in witness whereof the said Scott Abney has executed this instrument in his/her capacity as such auctioneer on this 26th day of February, 1997.

Bill's Contracting Service, Inc.  
Mortgagor(s)

By National Bank of Commerce of Birmingham  
Mortgagee or Transferee of Mortgagee

By Scott Abney  
As Auctioneer and the person conducting  
said sale for the Mortgagee or Transferee  
of Mortgagee

National Bank of Commerce of Birmingham  
Mortgagee or Transferee of Mortgagee

By Scott Abney  
As Auctioneer and the person conducting  
said sale for the Mortgagee or Transferee  
of Mortgagee

Scott Abney  
As Auctioneer and the person conducting  
said sale for the Mortgagee or Transferee  
of Mortgagee

STATE OF ALABAMA

COUNTY OF SHELBY

I, the undersigned, a Notary Public in and for said State and County, hereby certify that Scott Abney, whose name as Auctioneer and the person conducting said sale for the Mortgagee or Transferee of Mortgagee, 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/she, in his/her capacity as such Auctioneer and the person conducting said sale for the Mortgagee or Transferee of Mortgagee, and with full authority executed this instrument voluntarily on the day the same bears date.

Given under my hand and official seal this 26th day of February, 1997.

Shawn S. Aufdemorte  
NOTARY PUBLIC

My commission expires: 1-5-98

THIS INSTRUMENT WAS PREPARED BY:  
Scott Abney, Attorney at Law  
Suite 2400 AmSouth/Harbert Plaza  
1901 Sixth Avenue North  
Birmingham, Alabama 35203

Address of Grantee:  
National Bank of Commerce  
1927 First Avenue North  
Birmingham, Alabama 35203

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