

## MORTGAGE FORECLOSURE DEED

STATE OF ALABAMA )

SHELBY COUNTY )

KNOW ALL MEN BY THESE PRESENTS:

**WHEREAS**, on to-wit, the 13th day of February, 1997, J. Scott Homes, Inc. executed a certain mortgage to First Federal Bank, a Federal Savings Bank to secure the indebtedness therein mentioned, said mortgage being duly recorded in Instrument No. 1997-06084, in the Office of the Judge of Probate of Shelby County, Alabama; and

**WHEREAS**, First Federal Bank, a Federal Savings Bank is the owner and holder of said mortgage and the debt secured thereby; and

**WHEREAS**, default was made in the payment of the indebtedness secured by said mortgage, and the said First Federal Bank, a Federal Savings Bank, as Mortgagee, did declare the indebtedness secured by said mortgage due and payable; and

**WHEREAS**, under the power contained in said mortgage, the undersigned, F. Hilton-Green Tomlinson, as Auctioneer, Agent and Attorney-in-Fact for the said First Federal Bank, a Federal Savings Bank, advertising the said property described in said mortgage herein mentioned, for sale in the Shelby County Reporter, a newspaper published in Shelby County, Alabama, in accordance with the terms and tenor of said mortgage; said notice appearing in said newspaper once a week for three consecutive weeks; and

**WHEREAS**, the property herein described was offered for sale to the highest bidder for cash at Shelby County, Alabama, on the 12th day of September, 1997, during the legal hours of sale, in front of the Shelby County Courthouse in Columbiana, Shelby County, Alabama, and the same was then and there purchased by First Federal Bank, a Federal Savings Bank for the sum of One Hundred Twenty-Four Thousand, Four Hundred Ninety and 98/100 Dollars (\$124,490.98), which said amount is the last, best and highest bid therefore.

**NOW, THEREFORE**, in consideration of the sum of One Hundred Twenty-Four Thousand, Four Hundred Ninety and 98/100 Dollars (\$124,490.98), and in consideration of the premises, and the law in such cases made and provided, I, the said F. Hilton-Green Tomlinson, as such Auctioneer, Agent, and Attorney-in-Fact, do hereby grant, bargain, sell and convey unto the said First Federal Bank, a Federal Savings Bank, its successors and assigns, all of the following described property situated in Shelby County, Alabama, to-wit:

Lot 314, according to the Amended Map of Highland Lakes, 3rd Sector, Phase I, an Eddleman Community, as recorded in Map Book 21, Page 124, in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

Together with nonexclusive easement to use the private roadways, Common Area all as more particularly described in the Declaration of Easements and Master Protective

09/12/1997-29458  
12:26 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
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Inst # 1997-29458

Covenants for Highland Lakes, a Residential Subdivision, recorded as Instrument #1997-07111 in the Probate Office of Shelby County, Alabama, and the Declaration of Covenants, Conditions and Restrictions for Highland Lakes, a Residential Subdivision, 3rd Sector, recorded in Instrument #1996-17544, in the Probate Office of Shelby County, Alabama.

**TO HAVE AND TO HOLD** all of the above described and granted premises unto the said First Federal Bank, a Federal Savings Bank, its 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**, the said J. Scott Homes, Inc., Mortgagor, by and through the said First Federal Bank, a Federal Savings Bank, Mortgagee, by and through F. Hilton-Green Tomlinson, as Auctioneer, Agent, and Attorney-in-Fact for the said First Federal Bank, a Federal Savings Bank, caused these presents to be executed on this the 12th day of September, 1997.

F. Hilton-Green Tomlinson

F. Hilton-Green Tomlinson

As Auctioneer,

Agent and Attorney in Fact for

First Federal Bank, a Federal Savings Bank

Owner and Holder of said Mortgage

STATE OF ALABAMA     )  
                                  :  
JEFFERSON COUNTY     )

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that F. Hilton-Green Tomlinson, whose name as Auctioneer, Agent and Attorney-in-Fact for First Federal Bank, a Federal Savings Bank, owner and holder of said mortgage, 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, Agent and Attorney-in-Fact, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this 12th day of September, 1997.

Carla A. Gilbert  
Notary Public

Inst # 1997-29458

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This Instrument was prepared by: 12:26 PM CERTIFIED  
F. Hilton-Green Tomlinson  
PRITCHARD, McCALL & JONES, L.L.C.  
800 Financial Center  
505 North 20th Street  
Birmingham, AL 35203

SHELBY COUNTY JUDGE OF PROBATE  
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