

SEND TAX NOTICE TO:  
National Bank of Commerce of Birmingham  
Attn: Mr. Franklin Bradford  
P. O. Box 10686  
Birmingham, Al 35202

THIS DEED PREPARED BY:  
John G. Lowther  
3500 Independence Drive  
Birmingham, Al 35209

MORTGAGE FORECLOSURE DEED

STATE OF ALABAMA  
JEFFERSON COUNTY  
KNOW ALL MEN BY THESE PRESENTS, That,

WHEREAS, heretofore, on to-wit: the 10th day of October, 1996, Dan Tuck Homes, Inc., executed a certain mortgage to National Bank of Commerce of Birmingham, A National Banking Association, said mortgage being recorded in Instrument Number 1996-33879, in the Probate Office of Shelby County, Alabama, and;

WHEREAS, default having been made in the payment of the indebtedness secured by said mortgage, and the said National Bank of Commerce of Birmingham, A National Banking Association, did declare all of the indebtedness secured by the 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 U.S. Mail and by publication in the Shelby County Reporter, a newspaper of general interest and circulation published in Shelby County, in its issue of December 31, 1997, January 7, 1998, January 14, 1998, and February 4, 1998, and;

WHEREAS, on March 5, 1998, 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 the said National Bank of Commerce of Birmingham, A National Banking Association, did offer for sale and sell at public outcry, in front of the main entrance of the Shelby County Courthouse, Columbiana, 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 of Birmingham, A National Banking Association, in the amount of \$88,403.24, which sum was applied to the indebtedness secured by said mortgage, and said property was thereupon sold to the said National Bank of Commerce of Birmingham, A National Banking Association; and

WHEREAS, John G. Lowther, conducted said sale on behalf of the said National Bank of Commerce of Birmingham, A National Banking Association; 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 sum of \$88,403.24, Dan Tuck Homes, Inc., Mortgagor, by and through the said National Bank of Commerce of

12:11 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
003 NCD 14.50

Inst # 1998-08658

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003 NCD 14.50



Birmingham, A National Banking Association, does grant, bargain, sell and convey unto the said National Bank of Commerce of Birmingham, A National Banking Association, the following described real property situated in Shelby County, Alabama, to-wit:

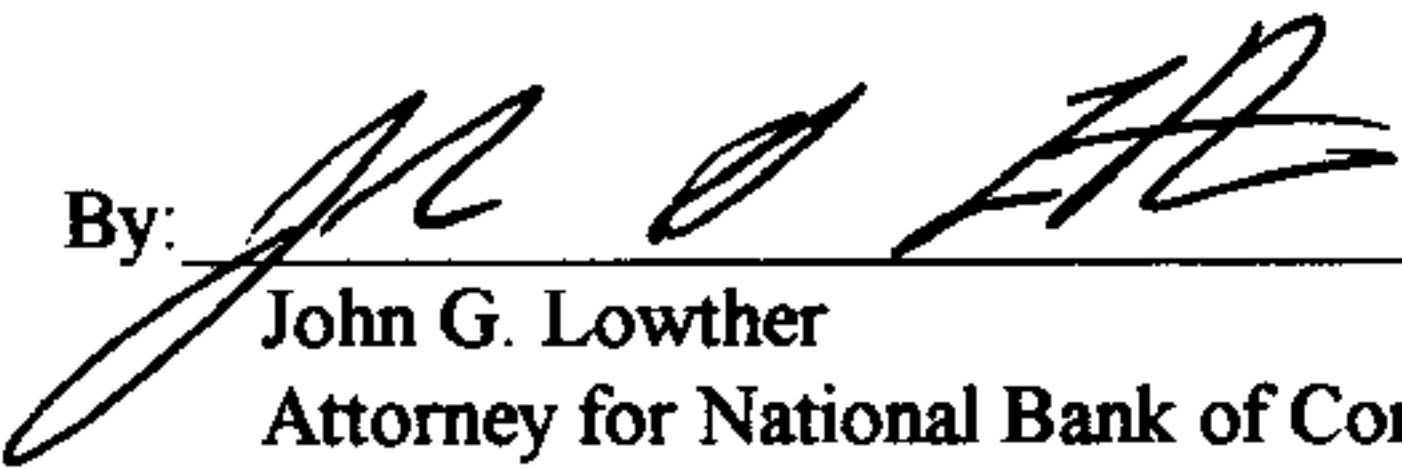
Lot 23, according to the survey of Wynlake Subdivision, Phase II, as recorded in Map Book 20, Page 12 A & B, in the Probate Office of Shelby County, Alabama. Situated in Shelby County, Alabama.

This sale is made for the purpose of paying part of the indebtedness secured by said mortgage, as well as the expenses of foreclosure.

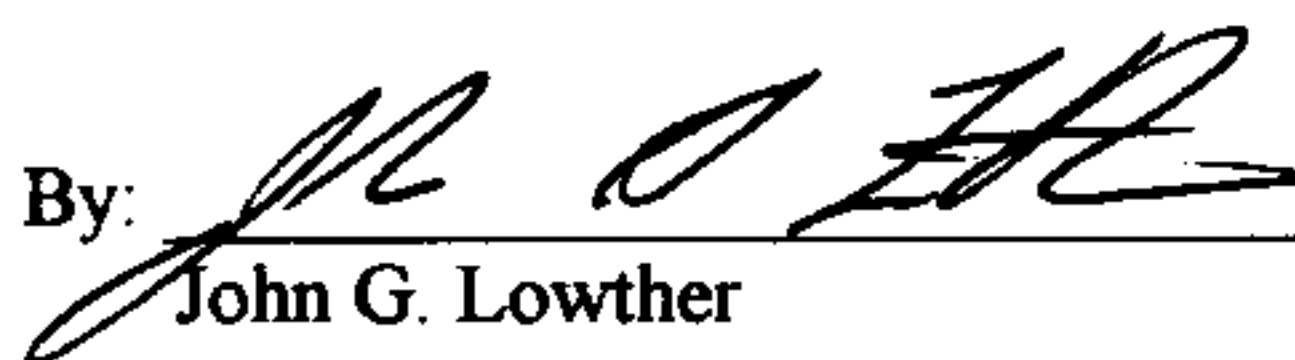
TO HAVE AND TO HOLD, the above described property unto the said National Bank of Commerce of Birmingham, A National Banking Association, its successors and assigns forever; subject, however, to all rights outstanding by reason of statutory right of redemption from the aforesaid foreclosure on the part of those entitled to redeem as provided by the laws of the State of Alabama, and the United States of America.

IN WITNESS WHEREOF, the said Dan Tuck Homes, Inc., Mortgagor, by the said National Bank of Commerce of Birmingham, A National Banking Association, by John G. Lowther, as auctioneer conducting said sale caused these presents to be executed on this the 5th day of March, 1998.

Dan Tuck Homes, Inc.  
MORTGAGOR  
National Bank of Commerce  
of Birmingham, A National  
Banking Association

By: 

John G. Lowther  
Attorney for National Bank of Commerce  
of Birmingham, A National Banking  
Association

By: 

John G. Lowther  
Auctioneer

STATE OF ALABAMA  
JEFFERSON COUNTY



I, the undersigned, a Notary Public in and for said County in said State, hereby certify that John G. Lowther, whose name as auctioneer for the said National Bank of Commerce of Birmingham, A National Banking 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 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 the 5th day of March, 1998.

Carol Lynn Sullivan  
Notary Public  
My Commission Expires: 4-19-2001

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