

STATE OF ALABAMA)
SHELBY COUNTY)

SEND TAX NOTICE TO:
John Nicholson
Amsouth Bank
Special Assets Department
Post Office Box 1007
Birmingham, AL 35288-1007

MORTGAGE FORECLOSURE DEED

KNOW ALL PERSONS BY THESE PRESENTS: That Brookland Homes, Inc. did, to-wit, on April 8, 1998, execute a mortgage to AmSouth Bank (formerly known as AmSouth Bank of Alabama), which is recorded as Instrument No. 1998-14594, Record of Mortgages, in the Office of the Judge of Probate of Shelby County, Alabama; and

WHEREAS, default was made under the Mortgage securing the indebtedness to AmSouth Bank and the said AmSouth Bank 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 published in the City of Columbiana, Shelby County, Alabama, in its issues of May 26, June 2, and 9, 1999; and

WHEREAS, on June 16, 1999, 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 AmSouth Bank 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 AmSouth Bank, in the amount of ONE HUNDRED TWO THOUSAND FOUR HUNDRED AND NO/100 DOLLARS (\$102,400.00), which sum the said AmSouth Bank offered to credit on the indebtedness secured by said mortgage, and said property was thereupon sold to Amsouth Bank; and

WHEREAS, said mortgage 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 ONE HUNDRED TWO THOUSAND FOUR HUNDRED AND NO/100 DOLLARS (\$102,400.00), on the indebtedness secured by said mortgage, the said Brookland Homes, Inc., acting by and through the said AmSouth Bank by Robert W. Tapscott, Jr., as said auctioneer and the person conducting the said sale for the Mortgagee or Transferee of Mortgagee, and the said AmSouth Bank, by Robert W. Tapscott, Jr., as said auctioneer and the person conducting the said sale for the Mortgagee or Transferee of Mortgagee, and Robert W. Tapscott, Jr., as said auctioneer and the person conducting said sale for the Mortgagee or Transferee of Mortgagee, do hereby grant, bargain, sell and convey unto AmSouth Bank, the following described real estate situated in Shelby County, Alabama, to-wit:

Lot 177, according to the Final Plat of Wynlake, Phase 4B, as recorded in Map Book 22, Page 63, in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

Mineral and mining right excepted.


TO HAVE AND TO HOLD the above-described property unto AmSouth Bank 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.

This property will be sold on an "AS IS," "WHERE IS" basis, and with all faults. This property will also be sold subject to any easements, encumbrances, and exceptions reflected in the mortgage and those contained in the records of the Office of the Judge of Probate of the county in which the above-described property is located. This property will be sold without warranty of recourse, expressed or implied as to title, use and/or enjoyment and will be sold subject to the right of redemption of all parties entitled thereto.


IN WITNESS WHEREOF, the said AmSouth Bank has caused this instrument to be executed by Robert W. Tapscott, Jr., as auctioneer and the person conducting said sale for the Mortgagee or Transferee of Mortgagee, and in witness whereof the said Robert W. Tapscott, Jr. has executed this instrument in his capacity as such auctioneer on this 16th day of June, 1999.


Brookland Homes, Inc.
Mortgagor(s)

AmSouth Bank
Mortgagee or Transferee of Mortgagee


Robert W. Tapscott, Jr. as Auctioneer and the person conducting
said sale for the Mortgagee or Transferee
of Mortgagee

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Mortgagee or Transferee of Mortgagee


Robert W. Tapscott, Jr. as Auctioneer and the person conducting
said sale for the Mortgagee or Transferee
of Mortgagee


Robert W. Tapscott, Jr. 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 **ROBERT W. TAPSCOTT, JR.**, 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, in his 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 16th day of June, 1999.


NOTARY PUBLIC

My commission expires:

1/26/03

THIS INSTRUMENT WAS PREPARED BY:

Robert W. Tapscott, Jr., Esq.
Maynard, Cooper & Gale, P.C.
Suite 2400 AmSouth/Harbert Plaza
1901 Sixth Avenue North
Birmingham, Alabama 35203

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Inst # 1999-26904

06/28/1999-26904
11:05 AM CERTIFIED
SHELBY COUNTY JUNE 25 12:00
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