

PREPARED BY: JAMES B. WHIDDON, ESQ.  
**MORRIS, SCHNEIDER & PRIOR, L.L.C.**  
3300 N.E. Expressway, Suite 8-B  
Atlanta, GA 30341  
(770) 234-9181

MSP FILE NO.: 158.995314AL/SJA  
LOAN NO.: 2004076796

STATE OF ALABAMA  
COUNTY OF SHELBY

### MORTGAGE FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS, That:

WHEREAS, heretofore on March 16, 1998, **Christopher Harmon and Tanya A. Harmon**, Party of the First Part, executed a certain mortgage to **First Capital Mortgage Corporation**, which said mortgage is recorded in Real Property Book 1998, Page 10216, in the Office of the Judge of Probate of Shelby County, Alabama. Which said Mortgage was last sold, assigned and transferred to NationsBanc Mortgage Corporation, Party of the Second Part, by instrument recorded in said Probate Office; and

WHEREAS, default in the payment of the indebtedness secured by said mortgage, and NationsBanc Mortgage Corporation 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 publication in the Shelby County Reporter, a newspaper of general circulation in Shelby County, Alabama, in its issues of 10/27/1999, 11/03/1999, 11/10/1999; and

WHEREAS, on November 18, 1999, the day on which the foreclosure sale was due to be held under the terms of said notice, during the legal hours of sale, said foreclosure was duly and properly conducted and the person conducting the sale on behalf of the mortgagee did offer for sale and sell a public outcry, in front of the main entrance of the Courthouse, 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 NationsBanc Mortgage Corporation in the amount of **EIGHTY-FOUR THOUSAND FOUR HUNDRED FORTY-THREE AND 67/100 DOLLARS (\$ 84,443.67)**; which the person conducting the sale on behalf of the mortgagee offered to credit on the indebtedness secured by said mortgage, and said property was thereupon sold to NationsBanc Mortgage Corporation; and

WHEREAS, Vicki N. Smith, Esq., conducted said sale and acted as auctioneer thereat, under and pursuant to an appointment as such by the Party of the Second Part; and

WHEREAS, said mortgage expressly authorized the mortgagee or auctioneer or any 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 credit of **EIGHTY-FOUR THOUSAND FOUR HUNDRED FORTY-THREE AND 67/100 DOLLARS (\$ 84,443.67)**, on the indebtedness secured by said mortgage, the parties of the First Part and the Party of the Second Part, both acting by and through the undersigned as their duly constituted and appointed attorney-in-fact and auctioneer at said sale, do hereby grant, bargain, sell and convey unto NationsBanc Mortgage Corporation, and its successors and assigns, the following described real property, situated in Shelby County, Alabama, to-wit:

LOT 16, BLOCK 6, ACCORDING TO THE SURVEY OF BERMUDA HILLS, SECOND SECTOR, FOURTH ADDITION, AS RECORDED IN MAP BOOK 9, PAGE 78, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

02/16/2000-04908  
10:34 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 RMS 13.00

Inst # 2000-04908

TO HAVE AND TO HOLD the above described property unto NationsBanc Mortgage Corporation, 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; also subject to ad valorem taxes, easements and/or restrictions of record, prior liens and/or assessments of record.

IN WITNESS WHEREOF, Christopher Harmon and Tanya A. Harmon and NationsBanc Mortgage Corporation have set their hands and seals by their said attorney-in-fact and auctioneer at said sale on the 18th day of November, 1999.

BY:

Vicki N. Smith

AS:

Auctioneer and Attorney-in-fact

STATE OF ALABAMA  
COUNTY OF SHELBY

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Vicki N. Smith, Esq., whose name as attorney-in-fact and auctioneer for Christopher Harmon and Tanya A. Harmon and NationsBanc Mortgage Corporation, 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 said conveyance, he/she, in his/her capacity as such attorney-in-fact, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 18th day of November, 1999.

Patricia L. Gore

NOTARY PUBLIC

My Commission Expires:

MY COMMISSION EXPIRES MAY 24, 2003

Inst # 2000-04908

02/16/2000-04908  
10:34 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 NWS 13.00