

MORTGAGE FORECLOSURE DEED

STATE OF ALABAMA
COUNTY OF SHELBY

James H. Garner
123695-2

KNOW ALL MEN BY THESE PRESENTS: That Olan C. Nichols, III and wife, Carmen J. Nichols did, on to-wit, the December 30, 1980, execute a mortgage to Johnson & Associates Mortgage Company, which mortgage is recorded in Book 409, Page 62, re-recorded in Book 409, Page 483, said mortgage further assigned to Mortgage Corporation of the South as recorded in Book 39, Page 683, further assigned to First National Bank of Boston as recorded in Instrument# 1996-30475 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 Contracting Specialists, Inc. 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 Shelby County, Alabama, in its issues of November 29, December 6, 13, 2000; and

WHEREAS, on the January 24, 2001, 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 Contracting Specialists, Inc. did offer for sale and did sell at public outcry, in front of the courthouse door of the Shelby County, Alabama, Courthouse 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 BBM, in the amount of Sixty-Five Thousand One Hundred Two Exactly (\$65,102.00), and said property was thereupon sold to the said BBM, and

WHEREAS, said mortgage expressly authorized the mortgagee to bid at the 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 Sixty-Five Thousand One Hundred Two Exactly (\$65,102.00), cash, the said Olan C. Nichols, III and wife, Carmen J. Nichols, acting by and through the said Contracting Specialists, Inc., by JIM MCLEAN, as auctioneer and the person conducting the said sale for the Mortgagee or Transferee of Mortgagee, and the said Contracting Specialists, Inc., by JIM MCLEAN, as said auctioneer and the person conducting said sale for the Mortgagee or Transferee of Mortgagee, and JIM MCLEAN, as said auctioneer and the person conducting said sale for the Mortgagee or Transferee of Mortgagee, do hereby grant, bargain, sell and convey unto BBM , the following described real estate situated in Shelby County, Alabama, to-wit:

Lot 8, according to the survey of Valley Station, First Sector, as recorded in Map Book 7, Page 47, in the Probate Office of Shelby County, Alabama.

TO HAVE AND TO HOLD the above described property unto BBM , forever; subject, however, to the statutory rights of redemption on the part of those entitled to redeem under the laws of the State of Alabama, including, but not limited to, debtors, junior mortgagees, judgement creditors, transferees and vendees thereof, spouses of debtors and their transferees, children, heirs or devisees of the debtors, provided by the laws of the State of Alabama, and any taxes which may be due.

Inst # 2001-02820

01/25/2001-02820
03:17 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 MMB 82.50

IN WITNESS WHEREOF, the said Contracting Specialists, Inc., has caused this instrument to be executed by JIM MCLEAN, as auctioneer and the person conducting said sale for the Mortgagee or Transferee of Mortgagee and in witness whereof the said JIM MCLEAN, has executed this instrument in his capacity as such auctioneer on this the January 24, 2001.

Olas C. Nichols, III and wife, Carmen J. Nichols
Mortgagors

By Contracting Specialists, Inc.
Mortgagee or Transferee of Mortgagee

By Jim McLean
JIM MCLEAN, as Auctioneer and the person conducting
said sale for the Mortgagee or Transferee of Mortgagee

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Mortgagee or Transferee of Mortgagee

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JIM MCLEAN, as Auctioneer and the person conducting
said sale for the Mortgagee or Transferee of Mortgagee

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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 JIM MCLEAN, 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 that bears that same date.

Given under my hand and official seal this the January 24, 2001.

[Signature]
NOTARY PUBLIC

Instrument prepared by:
CHALICE E. TUCKER
SHAPIRO & TUCKER, L.L.P.
2100 16th Avenue South Suite 200
Birmingham, Alabama 35205
00-1185

MY COMMISSION EXPIRES: Sept. 10, 2002

S & T COPY

NOTICE OF MORTGAGE FORECLOSURE SALE OF REAL PROPERTY ON WHICH THERE IS A FEDERAL TAX LIEN

ATTENTION: Chief, Special Procedures Section of the Gulf Coast District

Pursuant to Section 7425 of the Internal Revenue Code and the Income Tax Regulations promulgated by the United States Treasury Department thereunder, the following information is hereby submitted:

- I. Name and address of party submitting the notice of sale: Chalice E. Tucker, Shapiro & Tucker, L.L.P., 2100 16th Avenue South, Suite 200, Birmingham, Alabama 35205.
- II. Photocopies, attached hereto, of a "Notice of Federal Tax Lien Under Internal Revenue Laws" (Form 668) affecting property to be sold, recorded in Instrument 1999-37331, in the Probate Office of Shelby County, Alabama, on such Form 668 being filed by the Birmingham, Alabama District Office of the Internal Revenue Service on Taxpayer James H. Garner, an individual, whose address is 6122 Valley Station Drive, Pelham, AL 35124.
- III. The location of the property being sold is 6122 Valley Station, Pelham, AL 35124, and is described as follows:
Lot 8, according to the survey of Valley Station, First Sector, as recorded in Map Book 7, Page 47, in the Probate Office of Shelby County, Alabama.
- IV. The property is being advertised on November 29, December 6, 13, 2000. The sale will be held on January 24, 2000, in front of the main entrance of the Shelby County Courthouse in Columbiana, Alabama, between the hours of 11:00 a.m. and 4:00 p.m. The terms of the sale will be cash or a certified or cashier's check.
- V. The remaining balance of the mortgage is \$ 53204.27 and accrued interest is approximately \$6711.60, estimated advertising expense is \$125.00, attorney's fee is \$500.00, and other expenses are approximately \$200.00.

This notice is submitted on behalf of Fleet National Bank, successor by merger to BancBoston, N.A., f/k/a First National Bank of Boston by Chalice E. Tucker, Esquire, and a copy of the notice to be published in the newspaper is enclosed herewith. Please send acknowledgement of receipt of this notice to: Chalice E. Tucker, Shapiro & Tucker, L.L.P., 2100 16th Avenue South, Suite 200, Birmingham, Alabama 35205.

Dated: November 17, 2000

00-118
1054
2001-02820

01/25/2001-02820
03:17 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 MMB 82.50

THIS NOTICE IS CONSIDERED ADEQUATE
IN ACCORDANCE WITH IRC 7425(G)

Signature: Valerie B. Schneider
Manager, Case Processing Support, Area 8
Compliance Services SBSE, New Orleans, La.