

Prepared by:

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**MORTGAGE FORECLOSURE DEED**

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STATE OF ALABAMA    )  
                                  )  
COUNTY OF WALKER    )

**KNOW ALL MEN BY THESE PRESENTS, THAT:**

**WHEREAS, Dayton E. Fuller and wife Kristie C. Fuller did on 5/28/98 execute a mortgage on the property which is hereinafter described to Pinnacle Bank, hereinafter referred to as Mortgagee, which mortgage is recorded as Instrument Number 1998-21756 in the office of the Judge of Probate in Shelby County, Alabama, and**

**WHEREAS, in and by said mortgage, the Mortgagee was authorized and empowered in case of default in the payment of the indebtedness secured thereby, according to the terms thereof, to sell said property before the courthouse door in Columbiana, Shelby County, Alabama after giving notice of the time, place and terms of said sale in some newspaper published in said County by publication once a week for three (3) consecutive weeks prior to said sale at public outcry for cash, to the highest bidder, and said mortgage provided that in case of sale under the power and authority contained therein, the Mortgagee or any person conducting said sale for the Mortgagee was authorized to execute a deed to the property to the purchaser at said sale, and it was further provided in and by said mortgage that the Mortgagee may bid at said sale and purchase said property if the highest bidder therefore, and**

**WHEREAS, default was made in the payment of the indebtedness secured by said mortgage and the said Mortgagee did declare all of the indebtedness secured by said mortgage due and payable and subject to foreclosure as therein provided and did give due and proper notice of the foreclosure of said mortgage by publication in the **Shelby County Reporter** , a newspaper of general circulation published in Shelby County, Alabama, in its issues of February 21, 28 and March 7, 2001, and**

**WHEREAS, on 3/16/2001 , the day on which the foreclosure was due to be held under the terms of said notice, between the legal hours of sale, said foreclosure was duly and properly conducted, and the said Mortgagee did offer for sale and did sell at public outcry in front of the main door of the Shelby County Courthouse in Columbiana, Shelby County, Alabama the property hereinafter described, and**

**WHEREAS, J. David Hood was the auctioneer who conducted said foreclosure and was the person conducting the sale for the said Mortgagee, and**

**WHEREAS, Harold Fuller and wife Billie Fuller were the highest and best bidders for the property described in said mortgage in the amount of **One Hundred Sixty Thousand, Four Hundred Eight and 84/100 Dollars (\$160,408.84)** and whereupon said property was sold to the said Harold Fuller and wife Billie Fuller,**

**NOW THEREFORE, in consideration of the premises and the sum of **One Hundred Sixty Thousand, Four Hundred Eight and 84/100 Dollars (\$160,408.84)**, the said Dayton E. Fuller and wife Kristie C. Fuller, Mortgagor, acting by and through Pinnacle Bank, Mortgagee, by and through J. David Hood as auctioneer conducting said sale and as attorney-in-fact for the Mortgagee, and Pinnacle Bank , Mortgagee, acting by and through J. David**

103/16/2001-09485  
11:22 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 MEL 174.50

Inst # 2001-09485

Hood as auctioneer conducting said sale and as attorney-in-fact for the Mortgagee, does hereby grant, bargain, sell and convey unto **Harold Fuller and wife Billie Fuller** as joint tenants with rights of survivorship the following described real estate located in Shelby County, Alabama:

**Lot 13 in Block 3 according to the survey of Lincoln Park, as recorded in Map ✓/Book 3, Page 145, in the Probate Office of Shelby County, Alabama. Minerals and mining rights excepted.**

**TO HAVE AND TO HOLD** said property unto the said **Harold Fuller and wife Billie Fuller**, their heirs, personal representatives, successors and assigns forever. Subject however, to the statutory right of redemption from said foreclosure sale on the part of those entitled to redeem as provided by the laws of the state of Alabama.

**IN WITNESS WHEREOF** the said Pinnacle Bank , Mortgagee, has caused this instrument to be executed by and through J. David Hood as auctioneer conducting said sale and as attorney-in-fact for said Mortgagee and the said J. David Hood as said auctioneer and attorney-in-fact has hereunto set his hand and signature on this the 16<sup>th</sup> day of March, 2001.

DAYTON E. FULLER AND WIFE KRISTIE C.  
FULLER, MORTGAGORS

By: PINNACLE BANK, MORTGAGEE

By: J. DAVID HOOD, AUCTIONEER AND  
ATTORNEY-IN-FACT FOR MORTGAGEE

PINNACLE BANK, MORTGAGEE

By: J. DAVID HOOD, AUCTIONEER AND  
ATTORNEY-IN-FACT FOR MORTGAGEE

STATE OF ALABAMA    )  
                                  )  
COUNTY OF SHELBY    )

I, the undersigned authority, a Notary Public in and for said County and State, hereby certify that **J. David Hood**, whose name as auctioneer and attorney-in-fact for Pinnacle Bank, Mortgagee, is signed to the foregoing Mortgage Foreclosure Deed, and who is known to me, acknowledged before me on this date, that being informed of the contents of said deed, he as such auctioneer and attorney-in-fact and with full authority, executed same voluntarily on the day the same bears date for and as the act of said Mortgagee.

GIVEN under my hand and seal this the 16<sup>th</sup> day of March, 2001.

Jammi E. Culver  
Notary Public  
My Commission Expires: 1-4-2005