

AUCTIONEER'S DEED

STATE OF ALABAMA

COUNTY OF SHELBY

WHEREAS, Richard Digiacommo and Lori K. Digiacommo, husband and wife executed a mortgage to The Provident Bank on the 26th day of August, 1999, on that certain real property hereinafter described, which mortgage is recorded in Instrument #1999-39389, of the records in the Office of the Judge of Probate, Shelby County, Alabama; and

WHEREAS, in said mortgage the mortgagee was vested with full power and authority, upon the happening of a default in the payment of the principal note described in and secured by said mortgage or any installment of interest thereon, to sell said property hereinafter described at public outcry before the Courthouse door in the City of Columbiana, County of Shelby, Alabama, for cash to the highest bidder, after giving notice of the time, place and terms of sale by an advertisement published once a week for three successive weeks in a newspaper published in the City of Columbiana, Alabama; and

WHEREAS, default was made in the payment of said indebtedness described in and secured by said mortgage; and

WHEREAS, notice of the time, place and purposes of said sale, as required by said mortgage has been given in The Shelby County Reporter, a newspaper published in the City of Columbiana, Alabama, by an advertisement published in the issues of said newspaper on March 28, April 4, and 11, 2001, fixing the time of the sale of said property to be during the legal hours of sale on the 27th day of April, 2001, and the place of same at the front door of the Courthouse of Shelby County, in the City of Columbiana, Alabama, and the terms of the sale to be cash; and

WHEREAS, a sale has been made of the said real property hereinafter described during the legal hours of sale on the 27th day of April, 2001, at the front door of the Courthouse of Shelby County, Alabama, in strict conformity with the powers of sale contained in the said mortgage, at which sale The Provident Bank

05/15/2001-19598
10:13 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE

MTA

003 CJ1 18.00

Inst # 2001-19598

was the highest and best bidder and did become the purchaser of the real property hereinafter described for the sum of \$145,000.00 cash in hand paid by said purchaser to Michael T. Atchison, as auctioneer who conducted the sale on behalf of the owner of said mortgage; the said The Provident Bank, by and through Michael T. Atchison as such auctioneer, and as its attorney-in-fact, and Richard Digiacomo and Lori K. Digiacomo by Michael T. Atchison, as their attorney-in-fact, under and by virtue of the authority contained in said mortgage, do hereby GRANT, BARGAIN, SELL AND CONVEY unto The Provident Bank, its successors and assigns, the following described real property situated in the County of Columbiana, State of Alabama, to-wit:

Begin at the NE corner of the South $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 7, Township 21 South, Range 2 East, thence run West along the North line thereof 871.42 feet to the point of beginning; thence continue along the last described course 61.49 feet; thence 90 degrees 18 minutes 28 seconds left run 660.90 feet; thence 89 degrees 49 minutes 14 seconds left run 649.10 feet; thence 89 degrees 49 minutes 14 seconds left run 649.10 feet; thence 89 degrees 57 minutes 18 seconds left run Northerly 660.38 feet to the point of beginning.

Together with and subject to the following described 50 foot ingress and egress easement, the centerline of which is more particularly described as follows: Commence at the NE corner of the South $\frac{1}{2}$ of SW $\frac{1}{4}$ of Section 7, Township 21 South, Range 2 East; thence run South along the East line thereof 578.70 feet; thence 94 degrees 15 minutes 24 seconds right run 606.80 feet to the point of beginning of the centerline of said 50 foot easement, said point being the corner of a 50 foot radius bulb being part of said easement; thence 04 degrees 08 minutes 35 seconds left run 1620.96 feet to the Easterly right of way of Hebb Road and at the point of ending of said easement.

TOGETHER WITH all and singular the rights, privileges, tenements, hereditaments, easements and appurtenances thereunto belonging, or in anywise appertaining; TO HAVE AND TO HOLD the same unto the said The Provident Bank, the purchaser at said sale, its successors and assigns, forever.

IN WITNESS WHEREOF, the said The Provident Bank by and through Michael T. Atchison, as the auctioneer who conducted said sale, and as its attorney-in-fact and Richard Digiacomo and Lori K. Digiacomo by Michael T. Atchison, as their attorney-in-fact, have hereunto set their hands and seals on this the 27th day of April, 2001.

THE PROVIDENT BANK

By: Richard L. [Signature]
Attorney-in-fact

STATE OF ALABAMA
COUNTY OF SHELBY

I, the undersigned Notary Public in and for said State and County, hereby certify that Michael T. Atchison, the auctioneer who conducted the sale, whose name as auctioneer and attorney-in-fact for The Provident Bank 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 in his capacity as such auctioneer and attorney-in-fact and with full authority, executed the same voluntarily on the day the same bears date.

Given under my hand and notarial seal on this the 27th day of April, 2001.

NOTARY PUBLIC

My Commission Expires: 10/16/84

STATE OF ALABAMA
COUNTY OF SHELBY

I, the undersigned Notary Public in and for said State and County, hereby certify that Michael T. Atchison, whose name as attorney-in-fact for Richard Digiacommo and Lori K. Digiacommo 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, in his capacity as attorney-in-fact, executed the same voluntarily on the day the same bears date.

Given under my hand and notarial seal on this the day of
 , 2001 .

NOTARY PUBLIC

My Commission Expires: 10/16/02

Grantee's address:

One East Fourth Street
Cincinnati, Ohio 45202

This instrument prepared by:

Beth McFadden Rouse
McFADDEN, LYON & ROUSE, L.L.C.
718 Downtowner Boulevard
Mobile, Alabama 36609

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