

**MORTGAGE FORECLOSURE DEED**

STATE OF ALABAMA )  
:  
SHELBY COUNTY )

KNOW ALL MEN BY THESE PRESENTS:

**WHEREAS**, on to-wit, the 26<sup>th</sup> day of September, 1996, Fred M. Nichols, Jr., as President for and on behalf of Calera Care Care, Inc., executed a certain mortgage to Central State Bank to secure the indebtedness therein mentioned, said mortgage being duly recorded in Instrument #1996-31901 in the Office of the Judge of Probate of Shelby County, Alabama, and

**WHEREAS**, Central State Bank is the owner and holder of said mortgage and the debt secured thereby; and

**WHEREAS**, default was made in the payment of the indebtedness secured by said mortgage, and the said Central State Bank as Mortgagee, did declare the indebtedness secured by said mortgage due and payable; and

**WHEREAS**, under the power contained in said mortgage, the undersigned, Frank H. Tomlinson, as Auctioneer, Agent and Attorney-in-Fact for the said Central State Bank, advertising the said property described in said mortgage herein mentioned, for sale in the Shelby County Reporter, a newspaper published in Shelby County, Alabama, in accordance with the terms and tenor of said mortgage; said notice appearing in said newspaper once a week for four consecutive weeks; and

**WHEREAS**, the property herein described was offered for sale to the highest bidder for cash at Shelby County, Alabama, on the 7th day of January, 2002, during the legal hours of sale, in front of the Shelby County Courthouse in Shelby County, Alabama, and the same was then and there purchased by Central State Bank for the sum of \$ 100,000.00, which said amount is the last, best and highest bid therefore.

**NOW, THEREFORE**, in consideration of the sum of \$ 100,000.00, and in consideration of the premises, and the law in such cases made and provided, I, the said Frank H. Tomlinson, as such Auctioneer, Agent, and Attorney-in-Fact, do hereby grant, bargain, sell and convey unto the said CENTRAL STATE BANK, its successors and assigns, all of the following described property situated in Shelby County, Alabama, to-wit:

A parcel of land situated in Block 173 of J. H. Dunstan's Survey of the Town of Calera, Shelby County, Alabama and being more particularly described as follows: Begin at the point of intersection of the easterly right of way of Louisville and Nashville Railroad and the Northwesterly right of way of the Southern Railroad in the Town of Calera, Alabama, and run northerly along said right of way of Louisville and Nashville Railroad for a distance of 225.56 feet to an iron rebar; thence turn a deflection angle right of 85 degrees 53 minutes 17 seconds right for a distance of 223.67 feet to the West right of way line of 9<sup>th</sup> street and an iron rebar; thence turn a deflection angle of 75 degrees 05 minutes 24 seconds right along said right of way

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of 9<sup>th</sup> street a distance of 127.31 feet to the right of way of Southern Railroad and an iron rebar; thence turn a deflection angle of 84 degrees 24 minutes 15 seconds right along said right of way a distance of 291.05 feet to the Point of Beginning. According to the survey of Joseph E. Conn, Jr., #9049, dated July 31, 1996.

**TO HAVE AND TO HOLD** all of the above described and granted premises unto the said Central State Bank, 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.

**IN WITNESS WHEREOF**, the said Fred M. Nichols, Jr., as President for and on behalf of Calera Care, Inc., by and through the said Central State Bank, Mortgagee, by and through Frank H. Tomlinson, as Auctioneer, Agent, and Attorney-in-Fact for the said Central State Bank caused these presents to be executed on this the 7<sup>th</sup> day of January, 2002.

*Frank H. Tomlinson*

Frank H. Tomlinson  
As Auctioneer,  
Agent and Attorney in Fact for  
Central State Bank  
Owner and Holder of said Mortgage

STATE OF ALABAMA     )  
                                  :  
JEFFERSON COUNTY    )

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that Frank H. Tomlinson, whose name as Auctioneer, Agent and Attorney-in-Fact for Central State Bank, owner and holder of said mortgage, 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, Agent and Attorney-in-Fact, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this 7<sup>th</sup> day of January, 2002.

*Stephanie J. Boulier*  
Notary Public

*This instrument prepared by:  
Frank H. Tomlinson  
800 Financial Center  
Birmingham AL 35203*

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