

STATE OF ALABAMA §
 §
SHELBY COUNTY §

Inst # 2002-08460
02/20/2002-08460
10:03 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
004 MEL 21.00

MORTGAGE FORECLOSURE DEED

WHEREAS, Hill Development L.L.C., a Limited Liability Company, did on the 2nd day of March, 2000, execute a certain mortgage to First Bank of Childersburg, now known as Frontier National Bank to secure the indebtedness therein set out and mentioned, said mortgage being recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Instrument #2000-7347, said mortgage covering the lands herein described and the indebtedness thereby secured being due the said First Bank of Childersburg, now known as Frontier National Bank,

WHEREAS, there is a provision and condition in said mortgage that if said mortgagors shall fail to pay said indebtedness when the same falls due then the mortgagee shall be authorized to take possession of the premises and, after giving notice of the time, place and terms of sale, together with a description of the property described in said mortgage by advertising same once a week for three (3) consecutive weeks in a newspaper circulated in Shelby County, Alabama, either in person or by an agent or attorney, to sell said property at public outcry to the highest bidder for cash, said sale to be held at the courthouse doors of said County; and,

WHEREAS, Hill Development, L.L.C., a Limited Liability Company, did default in the payment of the indebtedness secured by said mortgage and,

WHEREAS, said mortgagee, First Bank of Childersburg, now known as Frontier National Bank, the owner of said mortgage and the indebtedness secured thereby, did advertise same by publishing notice of foreclosure, said advertisement having been published in the THE SHELBY COUNTY REPORTER newspaper on

January 16, 2002, January 23, 2002 and January 30, 2002, each of the publications giving notice of the time, place and terms of said sale together with a description of the property. Said publications being shown by the affidavits which are attached to this mortgage foreclosure deed, and,

WHEREAS, said property was offered for sale in front of the Shelby County Courthouse in the City of Columbiana, Shelby County, Alabama, at 11:32 o'clock on February 18, 2002, the said hour and date being within the legal hours of the sale as stated in said notices, and,

WHEREAS, at said sale First Bank of Childersburg, now known as Frontier National Bank, made the highest, last and best bid for cash for said property;

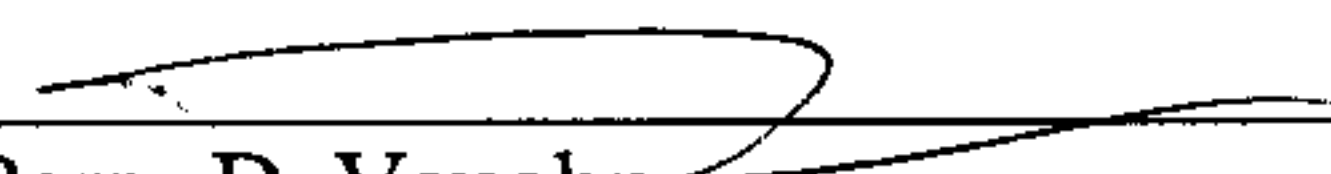
THEREFORE, KNOW ALL MEN BY THESE PRESENTS, that I, Barry D. Vaughn, of Proctor and Vaughn, as attorney for said owners of said mortgage and as auctioneer of said sale under and by virtue of the powers conferred upon me under the terms and conditions contained in said mortgage by and on behalf of the said owners of said mortgage and as auctioneer for and in consideration of Three Hundred Seventy Nine Thousand Five Hundred Eighty three and 61/100 (\$379,583.61) to me in hand paid by First Bank of Childersburg, now known as Frontier National Bank, the receipt whereof is hereby acknowledged, I have granted, bargained and sold and by these presents do grant, bargain, sell and convey unto the said First Bank of Childersburg, now known as Frontier National Bank, the following described real estate and all of the rights, title and interest owned by the said Hill Development, L.L.C., a Limited Liability Company, in and to the following described real estate, situated in Shelby County, Alabama, to-wit:

A parcel of land located in the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 33, Township 19 South, Range 1 West, Shelby County, Alabama, described as follows: From a 1 inch pipe at the accepted SW corner of the SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 33, Township 19 South, Range 1 West, being the point of beginning of herein described parcel of land, run thence North along the accepted West boundary of said SW $\frac{1}{4}$ of SE $\frac{1}{4}$ a distance of 778.87 feet to a 1 inch crimped pipe; thence turn 89 degrees 55 minutes

04 seconds right and run 589.98 feet to a 1 inch crimped pipe; thence turn 90 degrees 05 minutes 12 seconds right and run 490.56 feet to a ½ inch pipe on the Northwesterly boundary of Shelby County Highway No. 338 (80 foot right of way); thence turn 49 degrees 08 minutes 05 seconds right and run 441.11 feet along said highway boundary to a 1 inch crimped pipe on the accepted South boundary of aforementioned SW ¼ of SE ¼ ; thence turn 40 degrees 46 minutes 30 seconds right and run 256.52 feet to the point of beginning of herein described parcel of land; being situated in the SW ¼ of SE ¼ of Section 33, Township 19 South, Range 1 West, Shelby County, Alabama.

TO HAVE AND TO HOLD the above granted premises unto the said First Bank of Childersburg, now known as Frontier National Bank, it's, successors and assigns, forever.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on this the 18th day of February, 2002.

BY: 
Barry D. Vaughn

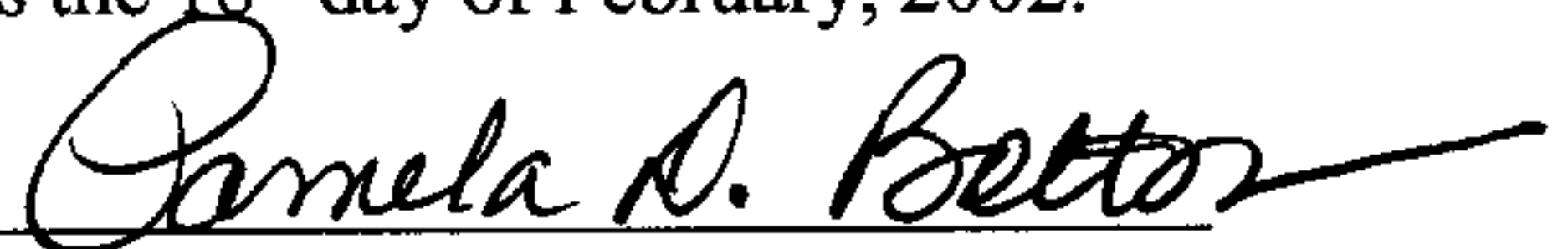
First Bank of Childersburg, now known as
Frontier National Bank

BY: 
Barry D. Vaughn, Auctioneer

STATE OF ALABAMA §
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TALLADEGA COUNTY §

I, the undersigned authority in and for said County in said State, hereby certify that Barry D. Vaughn, whose name is signed, as Attorney for Mortgagee and as Auctioneer and as Attorney-in-Fact for Mortgagors, to the foregoing conveyance and who is known to me, acknowledged before me on this day that being informed of the contents of this conveyance, he, with full authority, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 18th day of February, 2002.



Notary Public

THIS INSTRUMENT PREPARED BY:
Barry D. Vaughn
PROCTOR AND VAUGHN
Post Office Box 2129
Sylacauga, Alabama 35150
File Number 832.128

STATE OF ALABAMA SHELBY COUNTY

Personally appeared before me, Judge of Probate, in and for said county, **Steven W. Smith**, who being duly sworn according to the law deposes and says that he is Publisher of the **SHELBY COUNTY REPORTER**, a newspaper published in said county, and the publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper 3 weeks consecutively, to-wit in issues thereof dated as follows:

January 16, 23 & 30, 2002


Publisher, subscribed and sworn before me, this 30th day of January 2002.

Probate Judge


LEGAL NOTICE STATE OF ALABAMA COUNTY OF SHELBY NOTICE OF MORTGAGE FORECLOSURE SALE

WHEREAS, Default leaving been made in the, making of payments when due, being condition broken, under those mortgages executed by HILL DEVELOPMENT L.L.C., a Limited Liability Company, in favor of FIRST BANK OF CHILDERSBURG, NOW KNOWN AS FRONTIER NATIONAL BANK, on March 2, 2000 which mortgage is recorded in the Office of the Judge of Probate of Shelby County, Alabama, in INSTRUMENT #2000-7346 and on March 17, 2000 which mortgage is recorded in the Office of the judge of probate of Shelby County, Alabama in INSTRUMENT #2000-8993, and to which reference is made for its provisions, notice is hereby given for thirty (30) days by publication once a week for three (3) consecutive weeks in the THE SHELBY COUNTY REPORTER, a newspaper published and circulated in Shelby County, Alabama, the County where the mortgaged lands are situated by publication on January 16, 2002, January 23, 2002 and January 30, 2002, that we will sell to the highest bidder for cash, in accordance with this Mortgage, by public auction at the door of the Courthouse of Shelby County, Alabama, at Columbiana, Alabama, between the hours of 11:00 a.m. and 4:00 p.m. on February 18, 2002, as attorneys and auctioneers for First Bank of Childersburg, now

known as Frontier National Bank, owners of this mortgage, the following described real estate, situated, in Shelby County, Alabama: A parcel of land located in the SW 1/4, of the SE 1/4 of Section 33, Township 19 South, Range 1 West, Shelby County, Alabama, described as follows: From a 1 inch pipe at the accepted SW corner of the SW 1/4 of SE 1/4 of Section 33, Township 19 South, Range 1 West, being the point of beginning of herein described parcel of land, run thence North along the accepted West boundary of said SW 1/4 of SE 1/4 a distance of 778.87 feet to a 1 inch crimped pipe; thence turn 89 degrees 55 minutes 04 seconds right and turn 589.98 feet to a 1 inch crimped pipe; thence turn 90 degrees 05 minutes 12 seconds right and run 490.56 feet to a 1/2 inch pipe on the Northwest-erly boundary of Shelby County Highway No. 338 (80 foot right of way); thence turn 49 degrees 08 minutes 05 seconds right and run 441.11 feet along said highway boundary to a 1 inch crimped pipe on the accepted South boundary of aforementioned SW 1/4 of SE 1/4 ; thence turn 40 degrees 46 minutes 30 seconds right and run 256.52 feet to the point of beginning of herein described parcel of land; being situated in the SW 1/4 of SE 1/4 of Section 33, Township 19 South, Range 1 West, Shelby County, Alabama. Said sale is made for the purpose of foreclosing of said mortgages, paying

the mortgage debts, the costs and expenses of foreclosure, including a reasonable attorney's fee.

Mortgagee reserves the right to bid on the subject property. Said mortgage is a first mortgage and is not junior to another mortgage of record. Said sale is also subject to unpaid taxes or assessments whether of record or not. PROCTOR AND VAUGHN BY: Barry D. Vaughn Post Office 2129 Sylacauga, Alabama 35150 Telephone: (256) 249-8527. January 16, 23 & 30, 2002. #2478

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