

Prepared by: J. DAVID HOOD, TWEEDY, JACKSON, BEECH & FIKES, P.O. BOX 748, JASPER, ALABAMA, 35502-0748. TELEPHONE (205) 387-2171.

MORTGAGE FORECLOSURE DEED

STATE OF ALABAMA)
)
COUNTY OF SHELBY)

KNOW ALL MEN BY THESE PRESENTS, THAT:

WHEREAS, Randy Brooks & Associates, Inc. did on **July 14, 1999** execute a mortgage on the property which is hereinafter described to **Pinnacle Bank, an Alabama corporation**, hereinafter referred to as Mortgagee, which mortgage was recorded on **July 20, 1999** as **Instrument 1999-30278**, 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 front or main door of the courthouse of the county where said property is located 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 or its Designee 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 20 and 27, 2002 and March 6, 2002**, and

WHEREAS, on **March 15, 2002**, 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 postponed to **May 20, 2002 at 11:00 a. m.** pursuant to Alabama Code §6-8-69 (1975) by announcement at the main door of the **Shelby County Courthouse in Columbiana, Alabama**, and

WHEREAS, due and proper notice of the postponed foreclosure sale was given pursuant to Alabama Code §6-8-69 (1975) by publication in the **Shelby County Reporter**, a newspaper of general circulation published in **Shelby County, Alabama**, in its issue of **May 15, 2002**, and

WHEREAS, on **May 20, 2002**, 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, 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, Pinnacle Bank was the highest and best bidder for the property described in the aforementioned mortgage in the amount of **\$205,121.24**, which sum said was credited against the indebtedness secured by said mortgage, whereupon said property was sold to the said **Pinnacle Bank**,

NOW THEREFORE, in consideration of the premises and a credit of **\$205,121.24** on the indebtedness secured by said mortgage, the said **Randy Brooks & Associates, Inc.**, 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 Hood as auctioneer conducting said sale and as attorney-in-fact for the Mortgagee, does hereby grant, bargain, sell and convey unto **Pinnacle Bank, an Alabama corporation**, the following described real estate located in **Shelby County, Alabama**:

✓ **Lots 3, 9, 10 & 11, according to the final record plat of Aaronvale Subdivision, Phase I, as recorded in Map Book 23, Page 78, in the Probate Office of Shelby County, Alabama.**

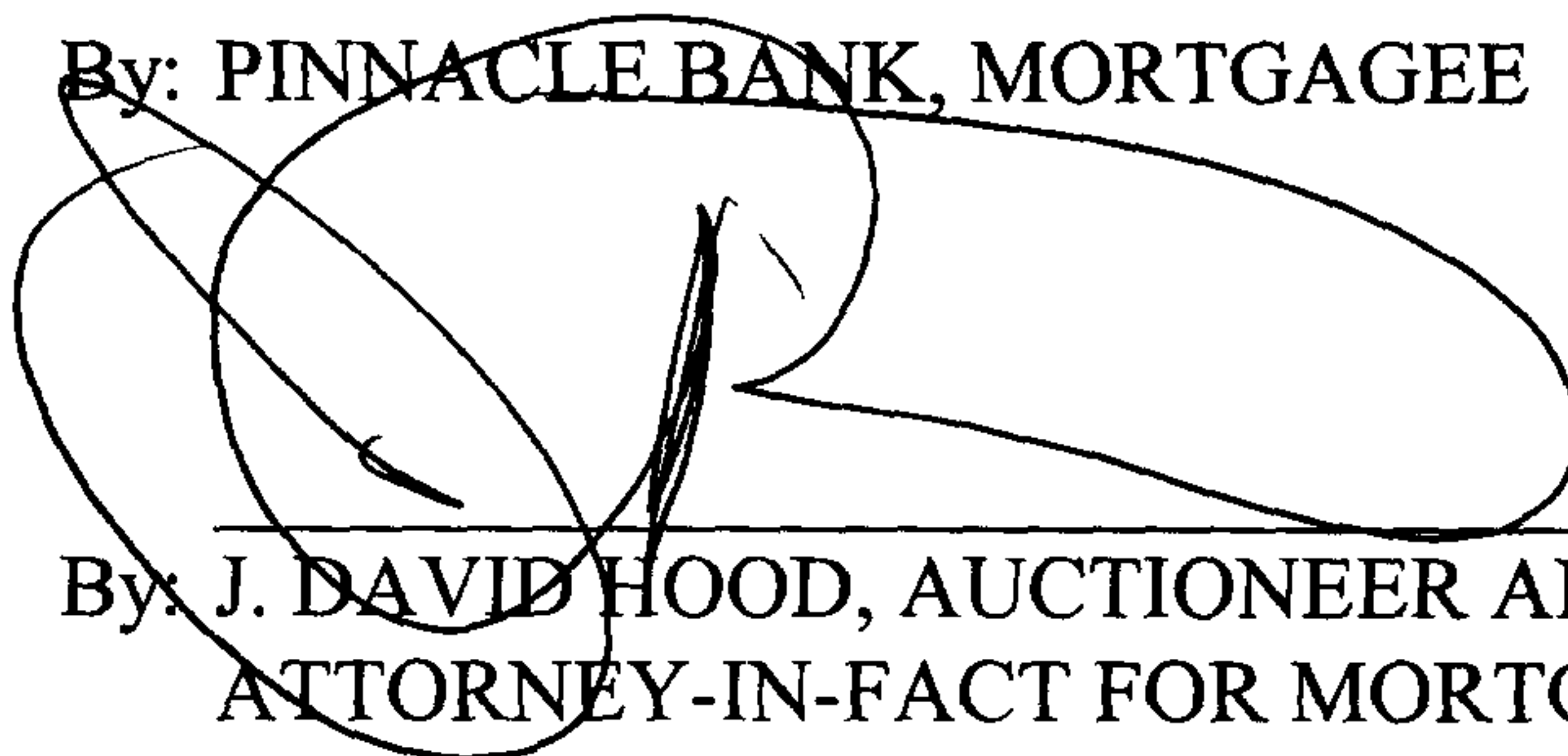
TO HAVE AND TO HOLD said property unto the said **Pinnacle Bank**, its successors and assigns, forever. Subject however to the following:

1. Ad valorem taxes for tax year 2002 due October 1, 2002 and all subsequent years thereafter.
2. Thirty-five (35) foot building line as shown on the recorded map.
3. Restrictions as shown on the recorded map.
4. All minerals and mining rights excepted.
5. Agreement with Alabama Power Company relating to underground residential distribution system recorded in Instrument Shelby Real 641 Page 526..
6. Twenty (20) foot easement on rear side of lots as shown on recorded map.
7. Any unpaid dues and/or charges to the North Shelby County Library District.
8. Any unpaid dues and/or charges to the Cahaba Valley Fire District.
9. 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.
10. All matters which would be revealed by an accurate survey of the subject property.

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 20th day of May, 2002.

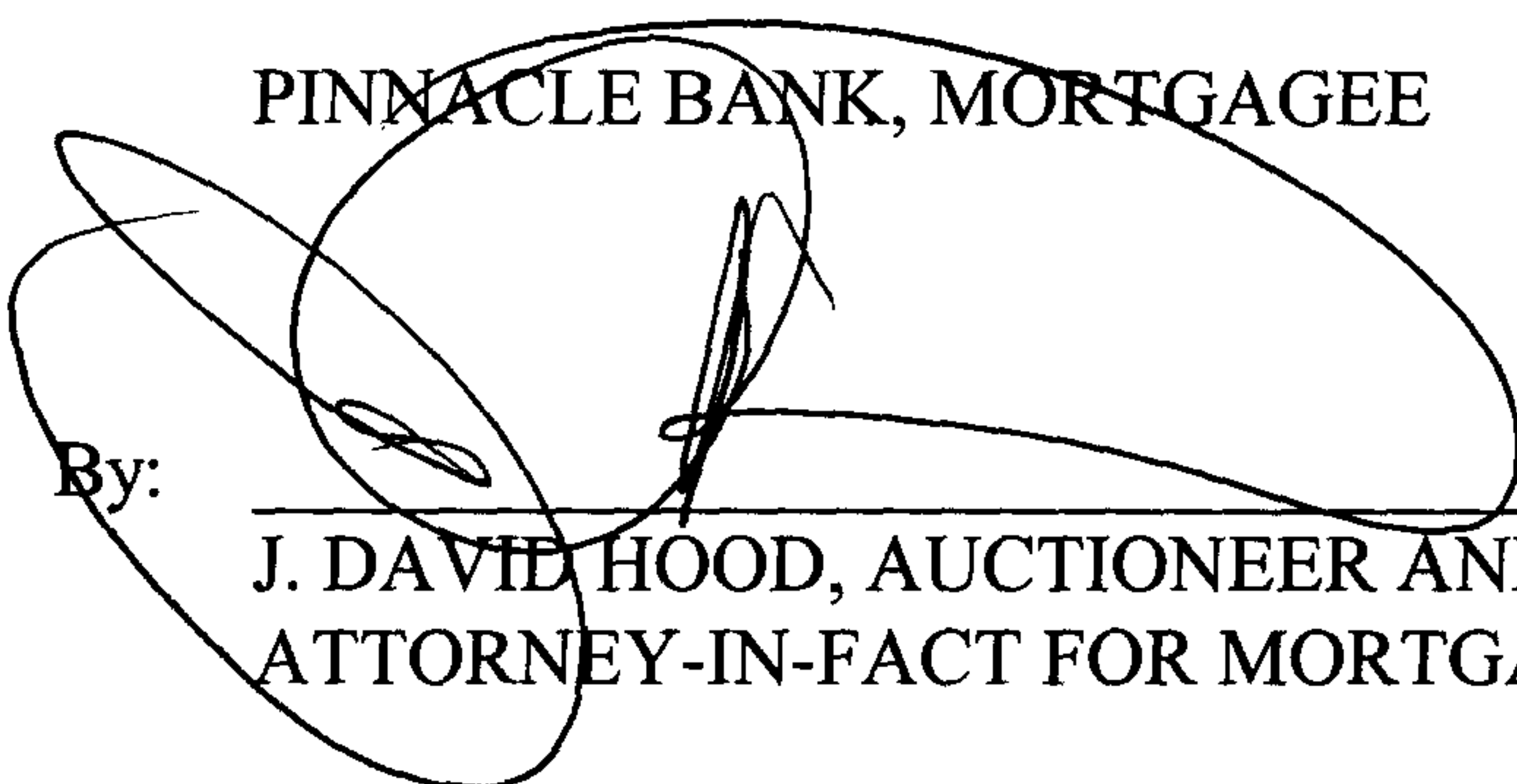
RANDY BROOKS & ASSOCIATES, INC.,
MORTGAGOR

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 official seal this the 20th day of May, 2002.


Notary Public

My Commission Expires: 12-2-04

Send Tax notice To:
Pinnacle Bank
P. O. Box 1388
Jasper, AL 35502-1388