

MORTGAGE FORECLOSURE DEED

\*and re-recorded in Instrument #2001/26503

STATE OF ALABAMA)  
COUNTY OF SHELBY)

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, Jason F. Gardner and wife, Kallie N. Gardner,  
did on the 31st day of May, 2001, , ~~XXXXX~~ execute a mortgage to  
Coats & Co., Inc.

, which mortgage is recorded in Instrument  
#2001/22604\* ~~XXXXXX~~ , in the Office of the Judge of Probate of  
Shelby County, Alabama; ~~xxx~~ which said mortgage was duly transferred and  
assigned to Hibernia National Bank by instrument recorded in Instrument #2001/22605 and  
re-recorded in Instrument #2001/26504, in said Probate Office; and

WHEREAS, default was made in the payment of said indebted-  
ness secured by said mortgage, and the said Hibernia National Bank, Transferee,

did declare all of the indebtedness secured by said mortgage due and  
payable and did give due and proper notice of the foreclosure of said  
mortgage in accordance with the terms thereof by publication in the  
Shelby County Reporter a newspaper of general circulation in  
Shelby County, Alabama, in its issues of June 12, 2002, June 19, 2002  
and June 26, 2002; and

WHEREAS, on July 8, 2002 , the day on which the  
foreclosure sale was due to be held, according to said notice, between  
the legal hours of sale, said foreclosure sale was duly and properly  
conducted, and the said Hibernia National Bank, Transferee,

did offer for sale and did sell at public outcry, in front of the  
Courthouse door of Shelby County, Alabama, the property here-  
inafter described; and

WHEREAS, the highest and best bid obtained for the property  
described in the aforementioned mortgage was the bid of the said  
Hibernia National Bank, Transferee,

in the amount of-----ONE HUNDRED TWENTY FIVE THOUSAND NINE HUNDRED NINE AND 27/100-----  
-----(\$125,909.27)-----Dollars, which sum the  
said Hibernia National Bank, Transferee,

offered to credit to the indebtedness secured by said mortgage and  
said property was thereupon sold to the said Hibernia National Bank, Transferee;  
and

WHEREAS, David J. Chastain conducted said sale on behalf of  
Hibernia National Bank, Transferee; and

WHEREAS, said mortgage expressly authorized the person con-  
ducting said sale to execute to the purchaser at said sale, a deed to  
the property so purchased;

NOW THEREFORE, in consideration of the premises and of a  
credit in the amount of---ONE HUNDRED TWENTY FIVE THOUSAND NINE HUNDRED NINE AND  
27/100-----(\$125,909.27)-----Dollars, on the  
indebtedness secured by said mortgage, the said Hibernia National Bank,  
Transferee,

by David J. Chastain, its duly authorized agent and auctioneer

THIS INSTRUMENT WAS PREPARED BY  
DAVID J. CHASTAIN, ATTORNEY  
FRANK NELSON BUILDING  
205 20TH STREET NORTH, SUITE 227  
BIRMINGHAM, ALABAMA 35203-3687

conducting said sale, does hereby grant, bargain, sell and convey unto the said Hibernia National Bank, Transferee,

the following described property situated in Shelby County, Alabama, to-wit:

Lot 163, according to the Survey of the Cottages of Stonehaven, Third Addition, as recorded in Map Book 26, Page 15, in the Probate Office of Shelby County, Alabama.

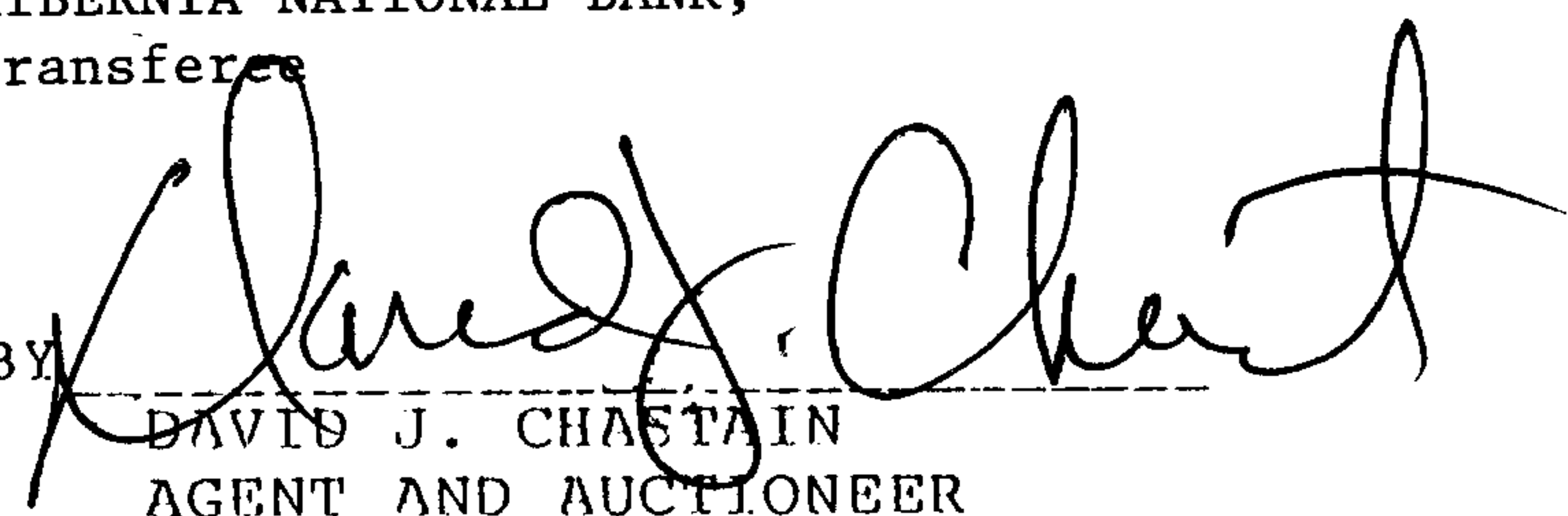
TO HAVE AND TO HOLD the above described property unto the said Hibernia National Bank, Transferee,

forever, subject, however, to the rights of redemption.

IN WITNESS WHEREOF, the said Hibernia National Bank, Transferee,

by David J. Chastain, as Auctioneer conducting said sale, caused these presents to be executed on this the 8th day of July, ~~XXX~~ 2002.

HIBERNIA NATIONAL BANK,  
Transferee


BY   
DAVID J. CHASTAIN  
AGENT AND AUCTIONEER

STATE OF ALABAMA)  
COUNTY OF JEFFERSON)

I, THE UNDERSIGNED, a Notary Public in and for said County, in said State, hereby certify that David J. Chastain, whose name as Auctioneer and Agent for Hibernia National Bank, Transferee,

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 and Agent, and with full authority, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 8th day of July, ~~XXX~~ 2002.

  
NOTARY PUBLIC  
MY COMMISSION EXPIRES: OCTOBER 29, 2004

ADDRESS OF TRANSFeree:  
P. O. Box 481  
Baton Rouge, Louisiana 70821