

THIS INSTRUMENT WAS PREPARED BY:
FOSTER D. KEY, ATTORNEY AT LAW
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BIRMINGHAM, ALABAMA 35236-0345

STATE OF ALABAMA
SHELBY COUNTY

MORTGAGE FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS, that whereas, heretofore, on, to-wit: on April 23, 1998, Norris Donald Allen executed a certain mortgage on property hereinafter described to First National Bank of Shelby County, which mortgage is recorded in Real Book 1998, Page 14730, in the Office of the Judge of Probate of Shelby, County, Alabama; and

WHEREAS, in and by said mortgage, the mortgagee was authorized and empowered in the case of default in the payment of the indebtedness thereby secured, according to the terms thereof, to sell said property before the Courthouse door in the City of Columbiana, Shelby County, Alabama, after giving notice of the time, place and terms of said sale in some newspaper publishing in said county by publication once a week for three consecutive weeks prior to said sale at public outcry for cash, to the highest bidder; and

WHEREAS, default was made in the payment of the indebtedness secured by said mortgage, and First National Bank of Shelby County, did declare all of the indebtedness secured by said mortgage 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 January 8, 2003, January 15, 2003, and January 22, 2003; and

WHEREAS, on January 30, 2003, 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 conducted and First National Bank of Shelby County did offer for sale and sell at public outcry in front of the Courthouse door in Columbiana, Shelby County, Alabama, the property hereinafter described; and

WHEREAS, Foster D. Key was the auctioneer who conducted said foreclosure sale and was the person conducting the sale for said First National Bank of Shelby County and whereas RISE & SHINE PROPERTIES, INC., was the highest bidder and best bidder, in the amount of Forty-Nine Thousand and 00/100 Dollars (\$49,000.00) on the indebtedness secured by said mortgage, said First National Bank of Shelby County, by and through Foster D. Key as auctioneer conducting said sale and as attorney-in-fact for Norris Donald Allen, does hereby grant, bargain, sell and convey unto **RISE & SHINE PROPERTIES, INC.**, the following-described property situated in Shelby County, Alabama, to-wit:

Lot 295 of Alabama Power Company Recreational Cottage Site Sector 5 as recorded in Plat Book 23, Pages 29A - 29B, in the Office of the Judge of Probate of Shelby County, Alabama.

Joe Curlette
3308 Meadow Garden Circle
Bham 35242

Together with a non-exclusive access easement for ingress and egress by pedestrian and vehicular traffic, and for underground utility lines, on, over and under the Access Easements shown on the above reference plat(s).

TO HAVE AND TO HOLD the above-described property unto its heirs and assigns forever; subject, however, to the statutory rights of redemption from said foreclosure sale on the part of those entitled to redeem as provided by the laws in the State of Alabama.

IN WITNESS WHEREOF, First National Bank of Shelby County has caused this instrument to be executed by and through Foster D. Key as Auctioneer Conducting the Said Sale and as Attorney-in-Fact, and Foster D. Key as Auctioneer Conducting Said Sale has hereto set his hand and seal on this January 30, 2003.

NORRIS DONALD ALLEN

By: Foster D. Key
FOSTER D. KEY, ATTORNEY-IN-FACT

FIRST NATIONAL BANK OF SHELBY COUNTY

By: Foster D. Key
FOSTER D. KEY
AUCTIONEER AND ATTORNEY-IN-FACT

By: Foster D. Key
FOSTER D. KEY
AUCTIONEER CONDUCTING SAID SALE

STATE OF ALABAMA
COUNTY OF SHELBY

I, the undersigned a Notary Public in and for said County, in said State, hereby certify that Foster D. Key, whose name as Attorney-in-Fact for Norris Donald Allen, and as Auctioneer and Attorney-in-Fact for First National Bank of Shelby County and who is known to me, acknowledged before me on this date, that being informed of the contents of the conveyance, he executed the same voluntarily on the day the same bears date.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on this January 30, 2003.

Peggie S. Vandigrift
Peggie S. Vandigrift, Notary Public
My Commission expires November 3, 2004