

This instrument was prepared by:
Harold H. Goings
Spain & Gillon, LLC
2117 2nd Avenue North
Birmingham, AL 35203

STATE OF ALABAMA)

MORTGAGE FORECLOSURE DEED

SHELBY COUNTY)

KNOW ALL MEN BY THESE PRESENTS, That whereas heretofore on to-wit: the 2nd day of August, 2001, Allen L. Phillips, Sr., and Anita F. Phillips, husband and wife, executed a certain mortgage on the property hereinafter described to Mortgage Electronic Registration Systems, Inc., solely as nominee for Lender RBMG, Inc., as recorded in Instrument #2001-33758 in the Probate Office of Shelby County, Alabama.

WHEREAS, in and by said mortgage the mortgagee was authorized and empowered in 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 published in said city by publication once a week for three 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 in same, the mortgagee or any person conducting said sale for the mortgagee was authorized to execute title to the purchaser at said sale; and it was further provided in and by said mortgage that the mortgagee may bid at the sale and purchase said property if the highest bidder therefor; and

WHEREAS, default was made in the payment of the indebtedness secured by said mortgage, and the said Mortgage Electronic Registration Systems, Inc., did declare all of the indebtedness secured by said mortgage due and payable and 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 published in Shelby County, Alabama, and of general circulation in Shelby County, Alabama, in its issues of February 12, February 19 and February 26, 2003; and

WHEREAS, on the 10th day of March, 2003, the day on which the foreclosure was due to be held under the terms of said notice, between legal hours of sale, said foreclosure was duly and properly conducted, and Mortgage Electronic Registration Systems, Inc., did offer for sale and sell at public outcry in front of the Courthouse at Shelby County, Alabama, the property hereinafter described; and

WHEREAS, Harold H. Goings was the Auctioneer who conducted said foreclosure sale and was the person conducting said sale for the said Mortgage Electronic Registration Systems, Inc.; and

WHEREAS, the highest and best bid for the property described in the aforementioned mortgage was the bid of Compass Bank in the amount of One Hundred Sixty-Five Thousand Four Hundred Sixty-Nine and 42/100 Dollars (\$165,469.42), the receipt of which is hereby acknowledged, the said Mortgage Electronic Registration Systems, Inc., by and through Harold H. Goings as Auctioneer conducting said sale and as attorney in fact for Mortgage Electronic Registration Systems, Inc., and the said Harold H. Goings as Auctioneer conducting said sale, does hereby GRANT, BARGAIN, SELL AND CONVEY unto the said Compass Bank the following described property situated in Shelby County, Alabama, to-wit:

Plot 3 according to Survey made of Lee Street Estate by Alton Young in March, 1932, as shown by map record in Map Book 4, page 80, in the Probate Office of Shelby County, Alabama, which said Plot 3 is more particularly described as follows:

From the Northeast corner of Section 22, Township 19 South, Range 2 West run Westerly along the North boundary line of the said Section 22, Township 19 South, Range 2 West for 943.09 feet to a point in the center of a County Road; thence turn an angle of 94°13' to the left and run Southeasterly along the center of said County Road for 200.0 feet; thence turn an angle of 08°11'

to the right and continue Southwesterly along the center of said County Road for 100.0 feet to the point of beginning of the land herein described; thence turn an angle of 93°32' to the right and run Northwesterly along the center line of a dedicated Roadway for 666.49 feet; thence turn an angle of 79°56' to the left and run Southwesterly for 277.73 feet; thence turn an angle of 96°30'30" to the left and run Southeasterly 701.56 feet, more or less to a point in the center of said County Road; thence turn an angle of 81°26'30" to the left and run Northeasterly along the center of said County Road for 18.0 feet; thence turn an angle of 07°12' to the left and continue Northeasterly along the center of County Road for 200.0 feet; thence turn an angle of 08°27' to the left and continue Northeasterly along the center of said County Road for 100.0 feet, more or less to point of beginning.

LESS AND EXCEPT THE FOLLOWING:

A part of Plot 3, according to Survey made of Lee Street Estate by Alton Young in march, 1963, as shown by Map recorded in Map Book 4, page 80, in the Probate Office of Shelby County, Alabama, which said portion is more particularly described as follows:

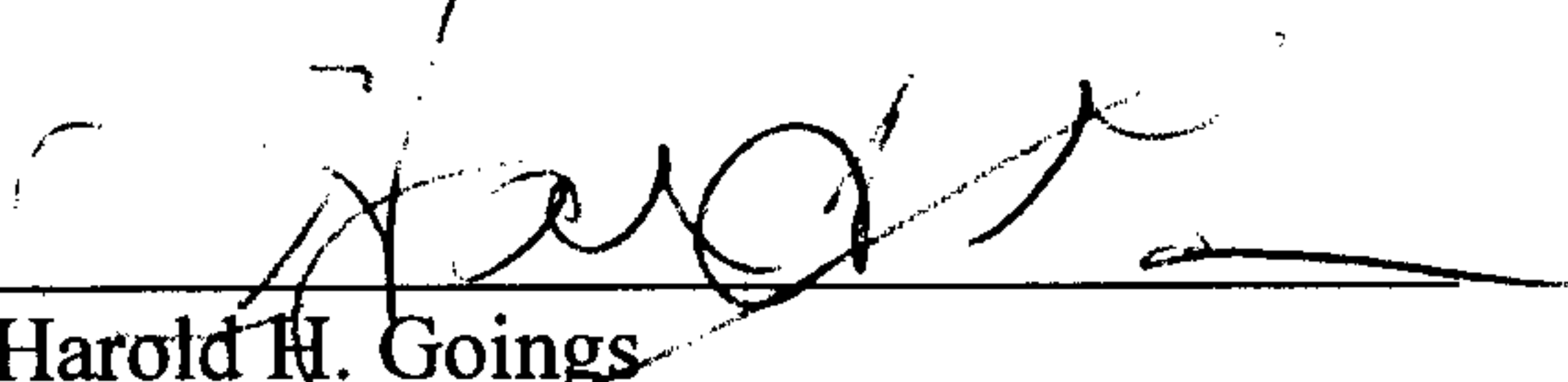
From the Northeast corner of Section 22, Township 19 South, Range 2 West, run Westerly along the North boundary line of the said Section 22, Township 19 South, Range 2 West for 943.09 feet to a point in the center of a County Road; thence turn an angle of 94°13' to the left and run southeasterly along the center of said County Road for 200.0 feet; thence turn an angle of 08°11' to the right and continue Southwesterly along the center of said County road for 100.0 feet; thence turn an angle of 93°32' to the right and run Northwesterly along the center line of a dedicated roadway for 353.285 feet to the point of beginning of the lot herein described; thence continue in the same Northwesterly direction 313.205 feet; thence turn an angle of 79°56' to the left and run 277.73 feet; thence turn an angle of 96°30'30" to the left and run Southeasterly 330.56 feet; thence run Northeasterly 277.73 feet, more or less to the point of beginning.

EXCEPT from the above described land the right of way for the dedicated roadway being 25 feet in width.

This land being a part of the N ½ of the NE 1/4 of Section 22, Township 19, South, Range 2, West.

TO HAVE AND TO HOLD the above described property to Compass Bank 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, Mortgage Electronic Registration Systems, Inc., has caused this instrument to be executed by and through Harold H. Goings as Auctioneer conducting said sale, and as Attorney in Fact, and Harold H. Goings, as Auctioneer conducting said sale has hereto set his hand and seal on this the 10th day of March, 2003.


Harold H. Goings
as Auctioneer and Attorney in Fact

STATE OF ALABAMA)
COUNTY OF SHELBY)

I, the undersigned, a Notary Public for the State of Alabama, and said County, hereby certify that Harold H. Goings whose name as Auctioneer and Attorney in Fact for Mortgage Electronic Registration Systems, Inc., 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 said Auctioneer and Attorney in Fact, with full authority, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 10th day of March, 2003.


Notary Public
My Commission Expires: February 5, 2007

Grantee's Address:
9710 Two Notch Road
Columbia, SC 29223