

STATE OF ALABAMA)
SHELBY COUNTY)

SEND TAX NOTICE TO:
National Bank of Commerce of Birmingham
1927 First Avenue North
Birmingham, Alabama 35203

MORTGAGE FORECLOSURE DEED

KNOW ALL PERSONS BY THESE PRESENTS: That Russell E. Jones, III and Deborah H. Jones did, to-wit, on May 15, 2001, execute a mortgage to National Bank of Commerce of Birmingham, a national banking association, which is recorded in the Office of the Judge of Probate of Shelby County, Alabama, as Instrument No. 2001-23183, as amended by that certain Amendment to Mortgage dated September 18, 2001, which is recorded in the Office of the Judge of Probate of Shelby County, Alabama, as Instrument No. 2001-42865 (as amended, the "Mortgage"); and

WHEREAS, default was made under the Mortgage securing the indebtedness to National Bank of Commerce of Birmingham and National Bank of Commerce of Birmingham 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 published in Shelby County, Alabama, in its issues of November 12, 19 and 26, 2003; and

WHEREAS, on December 3, 2003, the day on which the foreclosure sale was due to be held under the terms of said notice, between the legal hours of sale, said foreclosure sale was duly and properly conducted, and National Bank of Commerce of Birmingham did offer for sale and did sell at public outcry, in front of the courthouse door of Shelby County, Alabama, the property hereinafter described; and

WHEREAS, the highest and best bid for cash obtained for the property described in the aforementioned Mortgage was the bid of National Bank of Commerce of Birmingham, in the amount of THREE HUNDRED FORTY THOUSAND and 00/100 DOLLARS (\$340,000.00), which sum the said National Bank of Commerce of Birmingham offered to credit on the indebtedness secured by said Mortgage, and said property was thereupon sold to National Bank of Commerce of Birmingham; and

WHEREAS, said Mortgage authorized the Mortgagee or Auctioneer or any person conducting said sale for the Mortgagee to execute to the purchaser at the said sale a deed to the property so purchased;

NOW, THEREFORE, in consideration of the premises and of a credit of THREE HUNDRED FORTY THOUSAND and 00/100 DOLLARS (\$340,000.00), on the indebtedness secured by said Mortgage, the said Russell E. Jones, III and Deborah H. Jones, acting by and through the said National Bank of Commerce of Birmingham by Matthew W. Grill, as said auctioneer and the person conducting the said sale for the Mortgagee, and the said National Bank of Commerce of Birmingham, by Matthew W. Grill, as said auctioneer and the person conducting the said sale for the Mortgagee, and Matthew W. Grill, as said auctioneer and the person conducting said sale for the Mortgagee, do hereby grant, bargain, sell and convey unto National Bank of Commerce of Birmingham, a national banking association, the following described real estate situated in Shelby County, Alabama, to-wit:

Lot 20, according to the Survey of Eagle Point, First Sector, Phase I, as recorded in Map Book 14, page 114, in the Probate Office of Shelby County, Alabama.

The above-described real estate constitutes the homestead of the Mortgagor.

TO HAVE AND TO HOLD the above-described property unto National Bank of Commerce of Birmingham, a national banking association, forever; subject, however, to the statutory rights of redemption on the part of those entitled to redeem as provided by the laws of the State of Alabama.

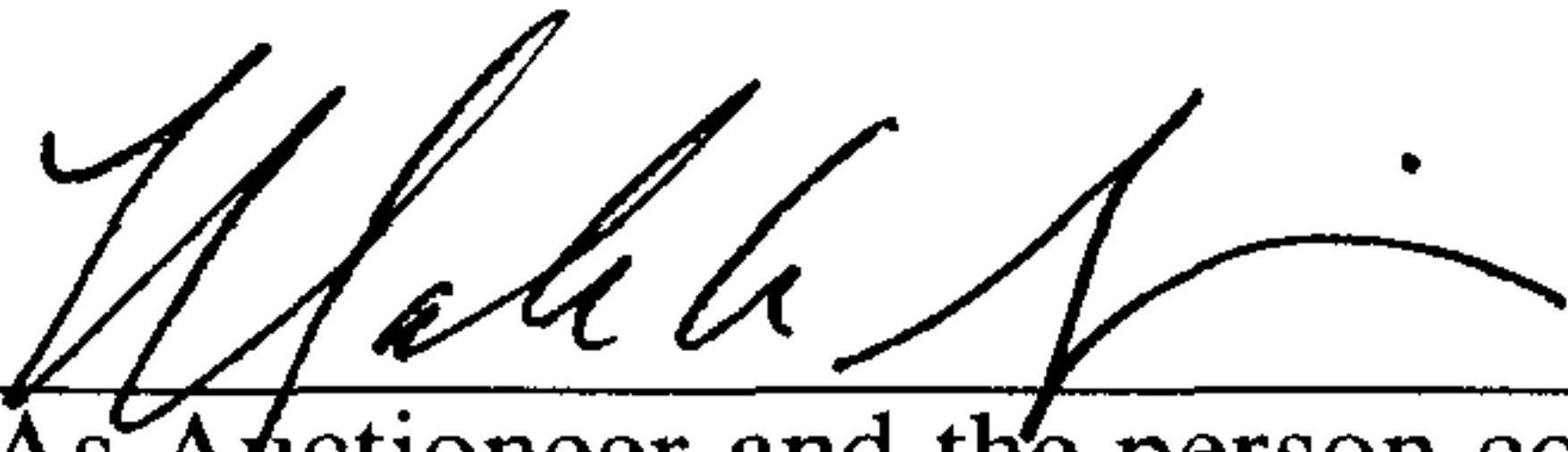
THIS PROPERTY WILL BE SOLD ON AN "AS-IS," "WHERE-IS" BASIS, AND WITH ALL FAULTS. THIS PROPERTY WILL ALSO BE SOLD SUBJECT TO ANY EASEMENTS, ENCUMBRANCES AND EXCEPTIONS REFLECTED IN THE MORTGAGE AND THOSE CONTAINED IN THE RECORDS OF THE OFFICE OF THE JUDGE OF PROBATE OF THE COUNTY IN WHICH THE ABOVE-DESCRIBED

PROPERTY IS LOCATED. THIS PROPERTY WILL BE SOLD WITHOUT WARRANTY OR RECOURSE, EXPRESSED OR IMPLIED AS TO TITLE, USE AND/OR ENJOYMENT AND WILL BE SOLD SUBJECT TO THE RIGHT OF REDEMPTION OF ALL PARTIES ENTITLED THERETO.

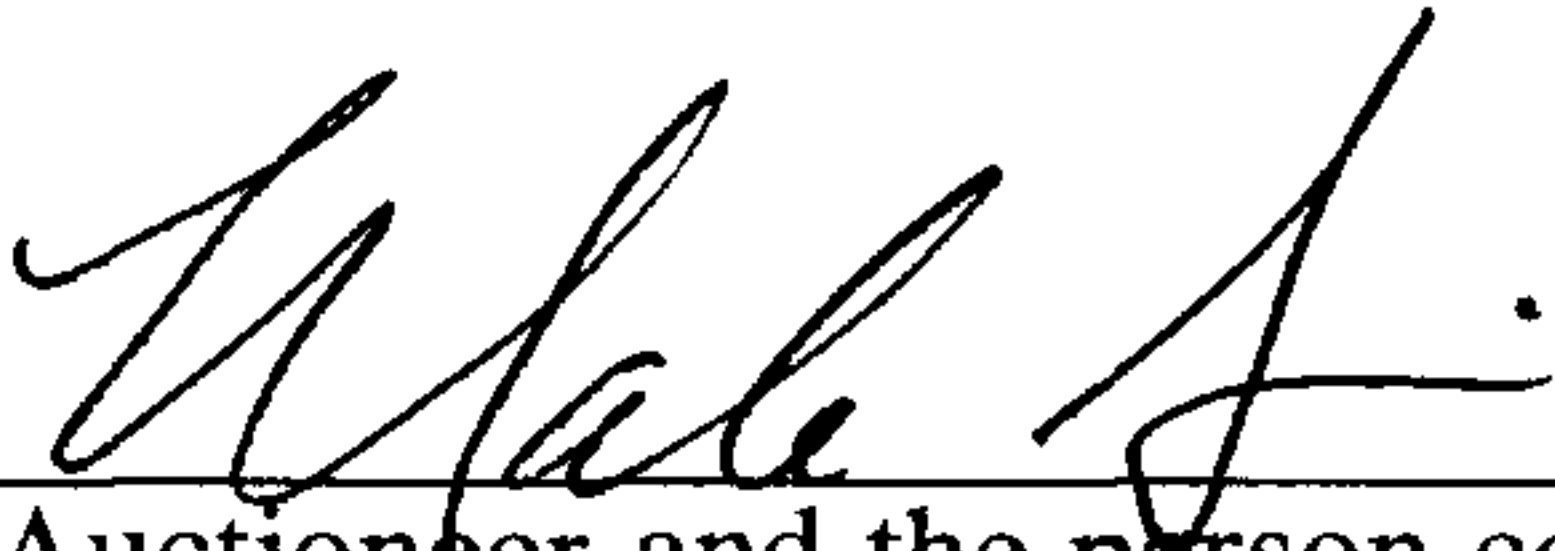
IN WITNESS WHEREOF, the said National Bank of Commerce of Birmingham has caused this instrument to be executed by Matthew W. Grill, as auctioneer and the person conducting said sale for the Mortgagee, and in witness whereof the said Matthew W. Grill has executed this instrument in his capacity as such auctioneer on this the 3rd day of December, 2003.

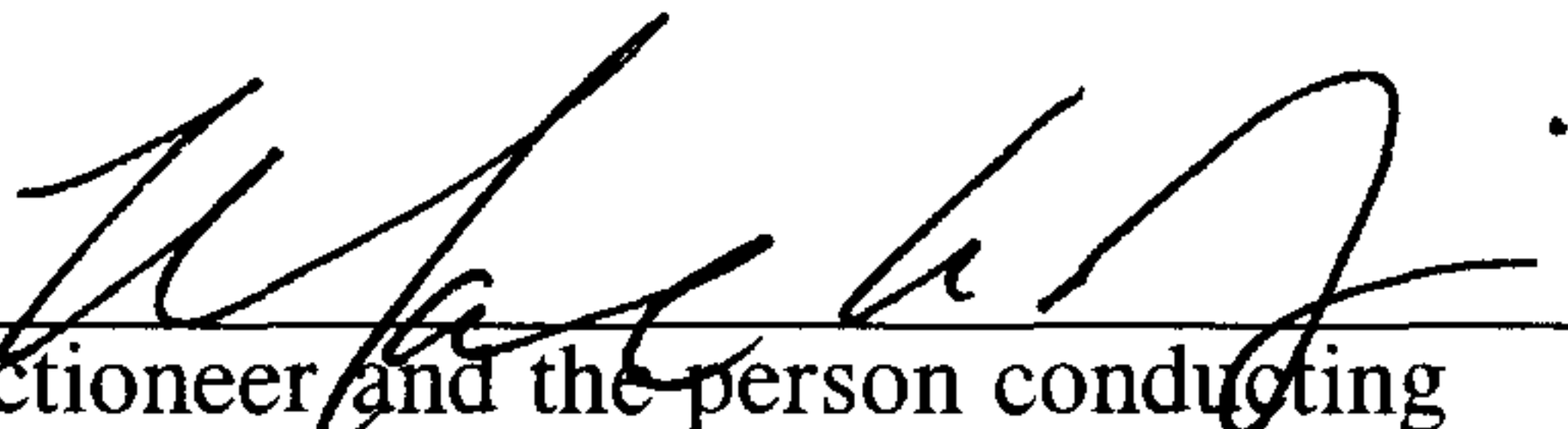
RUSSELL E. JONES, III and DEBORAH J. JONES
Mortgagors

By: NATIONAL BANK OF COMMERCE OF BIRMINGHAM
Mortgagee

By: 
As Auctioneer and the person conducting
said sale for the Mortgagee

NATIONAL BANK OF COMMERCE OF BIRMINGHAM
Mortgagee

By: 
As Auctioneer and the person conducting
said sale for the Mortgagee


As Auctioneer and the person conducting
said sale for the Mortgagee

STATE OF ALABAMA)

COUNTY OF JEFFERSON)

I, the undersigned, a Notary Public in and for said State and County, hereby certify that **Matthew W. Grill**, whose name as Auctioneer and the person conducting said sale for the Mortgagee, 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 the person conducting said sale for the Mortgagee, and with full authority executed this instrument voluntarily on the day the same bears date.

Given under my hand and official seal this 3rd day of December, 2003.


NOTARY PUBLIC

My commission expires:
8/22/04

THIS INSTRUMENT WAS PREPARED BY:

Matthew W. Grill
Maynard, Cooper & Gale, P.C.
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Birmingham, Alabama 35203
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