

**THIS INSTRUMENT WAS PREPARED BY:**  
**JAMES H. GREER, ATTORNEY AT LAW**  
**P.O. BOX 360345**  
**BIRMINGHAM, ALABAMA 35236-0345**

STATE OF ALABAMA           )  
SHELBY COUNTY            )

**MORTGAGE FORECLOSURE DEED**

KNOW ALL MEN BY THESE PREMISES, that whereas, heretofore, on, to-wit: on 01/30/1998, John A. Moore and wife, Susan L. Moore executed a certain mortgage on property hereinafter described to Union State Bank which mortgage is recorded in Instrument # 1998-03872 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 city by publication once a week for three consecutive weeks prior to said sale at public outcry for cash, to the highest bidder;

WHEREAS, default was made in the payment of the indebtedness secured by said mortgage, and Union State Bank, 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 December 3, 2003, December 10, 2003 and December 17, 2003; and

WHEREAS, on Friday, the 9<sup>th</sup> day of December, 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 the person conducting the sale on behalf of the mortgagee did offer for sale and sell at public outcry, in front of the Courthouse door in Columbiana, Alabama, Shelby County, Alabama, the property hereinafter described; and

WHEREAS, James H. Greer was the auctioneer who conducted said foreclosure sale and was the person conducting the sale for said Union State Bank and whereas said was the highest bidder and best bidder, in the amount of TWO HUNDRED FIFTY THOUSAND DOLLARS AND 00/100 (\$ 250,000.00) on the indebtedness secured by said mortgage, said by and through James H. Greer as auctioneer conducting said sale, does hereby grant, bargain, sell and convey unto Union State Bank the following described property situated in Jefferson County, Alabama, to-wit:

**Lot 161, according to the Survey of Brook Highland, an Eddleman Community, 5<sup>th</sup> Sector, as recorded in Map Book 13, Page 36 A & B, in the Probate Office of Shelby County, Alabama.**

WHEREAS, James H. Greer, Esq. conducted said sale and acted as auctioneer thereat, under and pursuant to an appointment as such by the mortgagee.

WHEREAS, said mortgage expressly authorized the mortgagee or auctioneer or any person conducting said sale to execute to the purchaser at said sale a deed to the property so purchased.

TO HAVE AND TO HOLD the above described property unto Union State Bank, 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, Union State Bank has caused this instrument to be executed by and through James H. Greer as auctioneer conducting the said sale and as Attorney-in-Fact, and James H. Greer as auctioneer conducting said sale has hereto set his hand and seal on this Friday, January 9, 2004.

Union State Bank

By: James H. Greer  
JAMES H. GREER  
AUCTIONEER AND ATTORNEY IN FACT

By: James H. Greer  
JAMES H. GREER  
AUCTIONEER CONDUCTING SAID SALE

STATE OF ALABAMA)  
SHELBY COUNTY)

I, the undersigned a Notary Public in and for said County, in said State, hereby certify that James H. Greer, whose name as auctioneer and Attorney In Fact for Union State Bank 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 Friday, January 9, 2004.

Monie G. Cannon  
Notary Public

My Commission Expires: 10-23-04

NOTARY PUBLIC STATE OF ALABAMA AT LARGE  
MY COMMISSION EXPIRES: Oct 23, 2004  
BONDED THRU NOTARY PUBLIC UNDERWRITERS