

✓ **THIS INSTRUMENT WAS PREPARED BY:**
FOSTER D. KEY, ATTORNEY AT LAW
POST OFFICE BOX 360345
BIRMINGHAM, ALABAMA 35236-0345

STATE OF ALABAMA
COUNTY OF SHELBY

MORTGAGE FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS, that whereas, heretofore, on, to-wit: on October 16, 1998, Tommie Lou Higgins and husband, Charles Bruce Higgins, executed a certain mortgage on property hereinafter described to Mutual Savings Credit Union which mortgage is recorded as Instrument Number 1998/42043 in the Record of Mortgages, 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 Mutual Savings Credit Union 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 17, 2003, December 24, 2003, and December 31, 2003; and

WHEREAS, on January 8, 2004, 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 Mutual Savings Credit Union 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 Mutual Savings Credit Union and whereas Mutual Savings Credit Union was the highest bidder and best bidder, in the amount of Fifty-five Thousand and 00/100 Dollars (\$55,000.00) on the indebtedness secured by said mortgage, said Mutual Savings Credit Union, by and through Foster D. Key as Auctioneer Conducting Said Sale and as Attorney-in-Fact for Tommie Lou Higgins and husband, Charles Bruce Higgins, does hereby grant, bargain, sell and convey unto **MUTUAL SAVINGS CREDIT UNION** the following described property situated in Shelby County, Alabama, to-wit:

Lots 1 and 2, in Block 255 of and according to the Map and Survey of J.M. Dunstons of the Town of Calera, Alabama. Situated in Shelby County, Alabama.

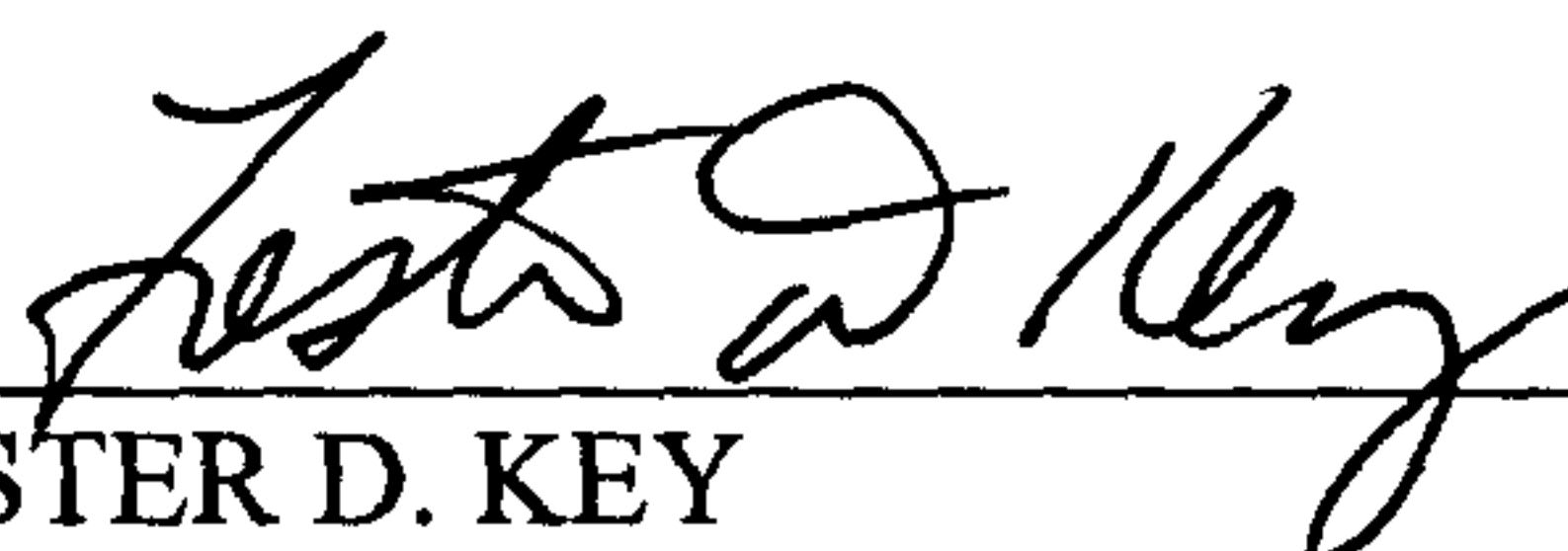
TO HAVE AND TO HOLD the above-described property unto its heirs and assigns forever, subject, however, to the statutory rights of redemption from said foreclosure sale on the part of those entitled to redeem as provided by the laws in the State of Alabama.

IN WITNESS WHEREOF, Mutual Savings Credit Union 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 8, 2004.

**TOMMIE LOU HIGGINS and
Husband, CHARLES BRUCE HIGGINS**

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

MUTUAL SAVINGS CREDIT UNION


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

By: 
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 Tommie Lou Higgins and husband, Charles Bruce Higgins, and as Auctioneer and Attorney-in-Fact for Mutual Savings Credit Union 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 8, 2004.


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

NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: Nov 3, 2004
BONDED THRU NOTARY PUBLIC UNDERWRITERS