

STATE OF ALABAMA                )  
  )  
COUNTY OF SHELBY            )

**CORRECTIVE FORECLOSURE DEED**

THIS CORRECTIVE FORECLOSURE DEED IS BEING FILED SOLELY TO ADD THE NOTARIZATION OF THE SIGNATURES WHICH WAS OMITTED FROM ORIGINAL FORECLOSURE DEED WHICH WAS RECORDED IN MORTGAGE BOOK 20040209 PAGE 65240 IN THE OFFICE OF THE JUDGE OF PROBATE, SHELBY COUNTY, ALABAMA, ON FEBRUARY 9, 2004.

**WHEREAS**, JOE S. CRIBBS, and wife, VERNESSA CRIBBS, did on the 11th day of February, 2000, execute a mortgage conveyance in favor of HERITAGE BANK, a banking corporation, which is recorded in Book 2000, Page 04960 in the Office of the Judge of Probate of Shelby County, Alabama; and

**WHEREAS**, in and by the terms of said mortgage, the mortgagee, HERITAGE BANK, and its assigns, or any person conducting said sale for mortgagee, were authorized and empowered to sell the hereinafter described property upon default in the payment of the principal sum secured by said mortgage and the interest thereon, at auction for cash at the Shelby County Courthouse, in the City of Columbiana, Alabama, after having given notice thereof for three weeks by publication once a week in any newspaper then published in the said City, and execute the proper conveyance to the purchaser and further, that the auctioneer or person making the sale was empowered and directed to make and execute a deed to the purchaser in the names of the mortgagors; and

**WHEREAS**, there was default in the payment of the principal sum secured by said mortgage and the interest thereon and said default continuing, and after said default notice was given as required in said mortgage of the time, place, and terms of said sale, together with a description of said property to be sold and the purpose of such sale by publication once a week for three successive weeks; namely, January 14, 21 and 28, 2004, in the SHELBY COUNTY REPORTER, a newspaper, then and now published in the City of Columbiana, Alabama; and

**WHEREAS**, pursuant to said notice, said property was offered for sale during the legal hours of sale by William J. Gibbons, Jr., as attorney-in-fact for the mortgagor and as attorney-in-fact for said mortgagee, and William J. Gibbons, Jr. as auctioneer and person making the sale, at the Morgan County Courthouse, in Huntsville, Alabama, on February 4, 2004, and at said sale HERITAGE BANK was the highest bidder for the said property at and for the sum of Two Hundred Sixty Four Thousand, Two Hundred and no one-hundredths Dollars (\$264,200.00), which said sum the mortgagee offered to credit to the indebtedness secured by said mortgage and said property was thereupon sold to the said HERITAGE BANK; 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.

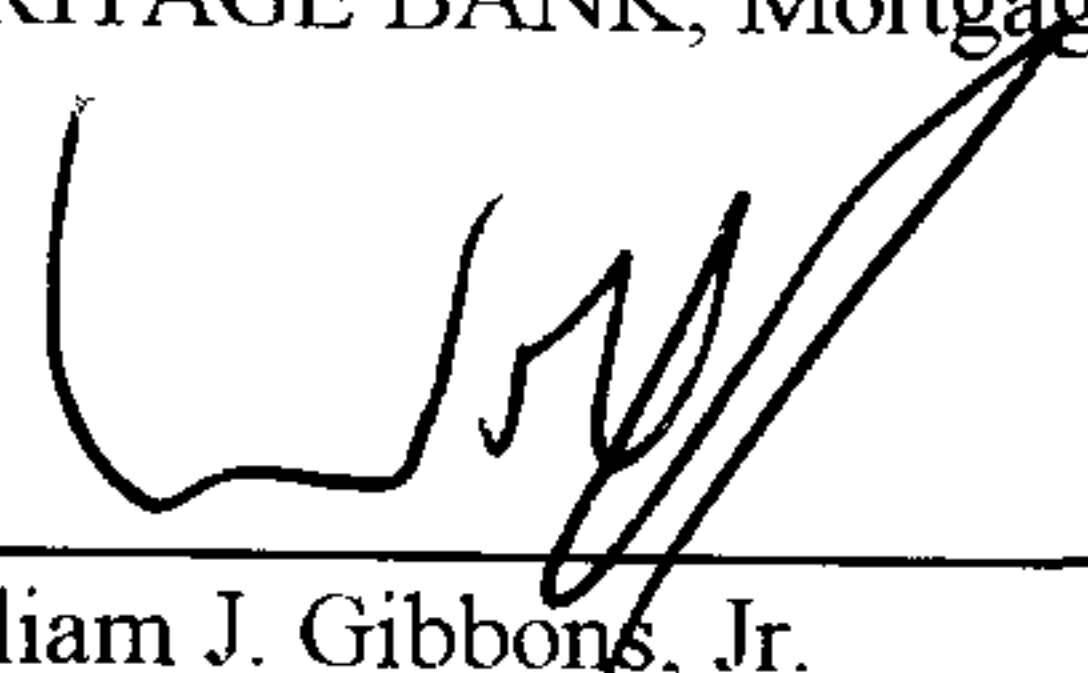
**NOW, THEREFORE**, the premises considered, the said mortgagee, HERITAGE BANK, by and through its attorney-in-fact, William J. Gibbons, Jr., duly authorized as aforesaid, and William J. Gibbons, Jr. as auctioneer and person making the sale, by virtue of and in execution of the powers contained in said mortgage conveyance as aforesaid for and in consideration of the highest bid by HERITAGE BANK in the amount of Two Hundred Sixty Four Thousand, Two Hundred and no one-hundredths Dollars (\$264,200.00), which amount shall be credited on the indebtedness secured by said Mortgage, William J. Gibbons, Jr., as auctioneer, hereby does GRANT, BARGAIN, SELL and CONVEY unto the said HERITAGE BANK the following described real estate lying and being situated in the County of Shelby, State of Alabama, to-wit:

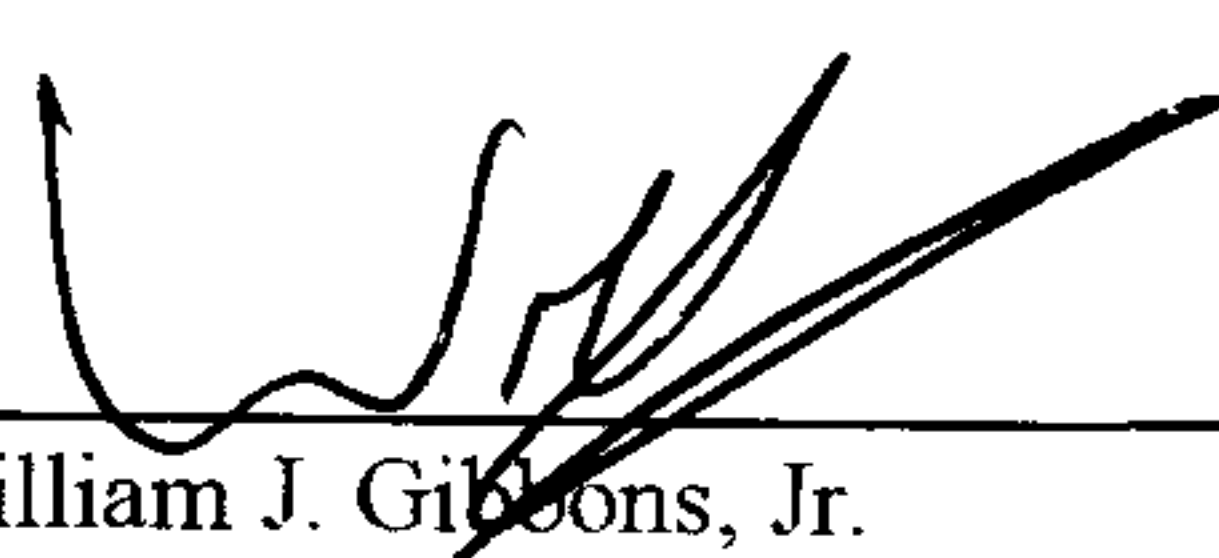
Lot 856, according to the map and survey of Eagle Point, 8<sup>th</sup> Sector, as recorded in Map Book 24, page 127, A & B, in the Probate Office of Shelby County, Alabama.

**TO HAVE AND TO HOLD** unto the said HERITAGE BANK, and its successors and assigns, FOREVER.

IN WITNESS WHEREOF, the mortgagee, HERITAGE BANK, by and through its attorney-in-fact, William J. Gibbons, Jr., and the said William J. Gibbons, Jr., as auctioneer and person making the sale, have hereunto set our hands and seals this 17<sup>th</sup> day of February, 2004.

HERITAGE BANK, Mortgagee

  
\_\_\_\_\_  
William J. Gibbons, Jr.  
Attorney-in-fact

  
\_\_\_\_\_  
William J. Gibbons, Jr.  
Auctioneer

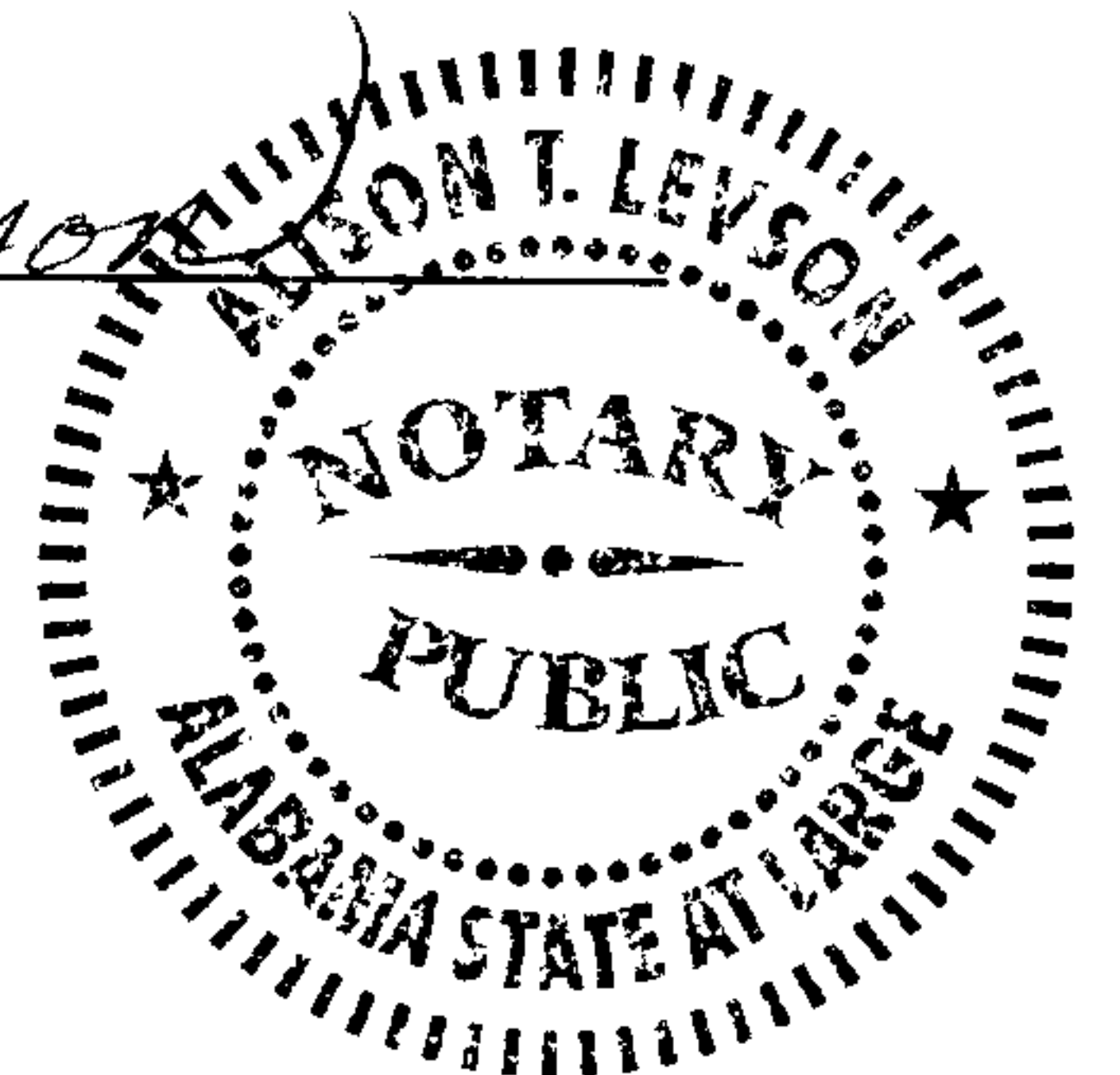
State of Alabama  
County of Madison

I, the undersigned Notary Public, in and for said County and State, hereby certify that William J. Gibbons, Jr., whose name as attorney-in-fact for HERITAGE BANK, and William J. Gibbons, Jr., whose name as auctioneer and person making the said sale, is signed to the foregoing conveyance, and who is known to me acknowledged before me on this date, that being informed of the contents of this document, that he, in his capacity as such attorney-in-fact, and with full authority, executed the same voluntarily for and as the act of said HERITAGE BANK, and that he, in his capacity as auctioneer, being informed of the contents of this document and with full authority executed the same voluntarily on the day the same bears date.

Sworn and subscribed this the 17<sup>th</sup> day of February, 2004.

Commission Exp. 2-2-08

  
\_\_\_\_\_  
NOTARY PUBLIC



PREPARED BY:

William J. Gibbons, Jr.  
117 Jefferson Street, N.  
Huntsville, Alabama 35801