

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 **June 10, 2002**, **Henry O. Nation, III and Kimberly Kay Nation**, executed a certain mortgage on property hereinafter described to **First National Bank of Shelby County** which mortgage is recorded as **Instrument No. 20020611000275870**, 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 **First National Bank of Shelby County**, 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 **May 5, 2004, May 12, 2004, and May 19, 2004**; and

WHEREAS, on **June 1, 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 **First National Bank of Shelby County** 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 **First National Bank of Shelby County** and whereas **First National Bank of Shelby County**, were the highest bidders and best bidders, in the amount of **One Hundred Four Thousand, Five Hundred and 00/100 (\$104,500.00)** on the indebtedness secured by said mortgage, said **First National Bank of Shelby County**, by and through Foster D. Key as Auctioneer Conducting Said Sale and as Attorney-in-Fact for **Henry O. Nation, III and Kimberly Kay Nation**, does hereby grant, bargain, sell and convey unto **First National Bank of Shelby County**, the following described property situated in **Shelby County, Alabama**, to-wit:

From the Southeast corner of the SW 1/4 of the SE 1/4 of Section 33, Township 19 South, Range 1 East, run West along the South boundary of said section a distance of 194.04 feet to the point of beginning; thence continue in a straight line a distance of 274.09 feet; thence right 94 degrees 00 minutes 31 seconds a distance of 802.27 feet; thence right 52 degrees 30 minutes 06 seconds a distance of 277.93 feet, thence right 117 degrees, 08 minutes, 42 seconds a distance of 953.77 feet to the point of beginning; being situated in Shelby County, Alabama.

TO HAVE AND TO HOLD the above-described property unto their 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, First National Bank of Shelby County 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 **June 1, 2004**.

Henry O. Nation, III & Kimberly Kay Nation

By: *Foster D. Key*
FOSTER D. KEY, ATTORNEY-IN-FACT

First National Bank of Shelby County

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

By: *Foster D. Key*
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 **Henry O. Nation, III and Kimberly Kay Nation** and as Auctioneer and Attorney-in-Fact for **First National Bank of Shelby County** 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 **June 1, 2004**.



Donna L. Cannon
Notary Public
My Commission expires:

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