



20040923000525180 Pg 1/2 15.00
Shelby Cnty Judge of Probate, AL
09/23/2004 11:12:00 FILED/CERTIFIED

This instrument was prepared by:
Walter F. McArdle, Esq.
SPAIN & GILLON, L.L.C.
2117 2nd Avenue North
Birmingham, AL 35203

STATE OF ALABAMA)

MORTGAGE FORECLOSURE DEED

JEFFERSON COUNTY)

KNOW ALL MEN BY THESE PRESENTS, That whereas heretofore on to-wit: Allan L. Armstrong and Samantha G. Armstrong, executed a certain mortgage on the property hereinafter described to The Bank as recorded in Instrument Number: 2001/33543 in the Probate Office of Shelby County, Alabama.

WHEREAS, in and by said mortgage the mortgagee was authorized and empowered in 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 a newspaper published 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, and said mortgage provided that in case of sale under the power and authority contained in same, the mortgagee or any person conducting said sale for the mortgagee was authorized to execute title to the purchaser at said sale; and it was further provided in and by said mortgage that the mortgagee may bid at the sale and purchase said property if the highest bidder therefor; and

WHEREAS, default was made in the payment of the indebtedness secured by said mortgage, and the said The Bank did declare all of the indebtedness secured by said mortgage due and payable and 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 The Shelby County Reporter, a newspaper published in Shelby County, Alabama, and of general circulation in Shelby County, Alabama, in its issues of August 25, 2004, September 1, 2004 and September 8, 2004; and

WHEREAS, on the 17th day of September, 2004, the day on which the foreclosure was due to be held under the terms of said notice, between legal hours of sale, said foreclosure was duly and properly conducted, and The Bank did offer for sale and sell at public outcry in front of the Courthouse at Shelby County, Alabama, the property hereinafter described; and

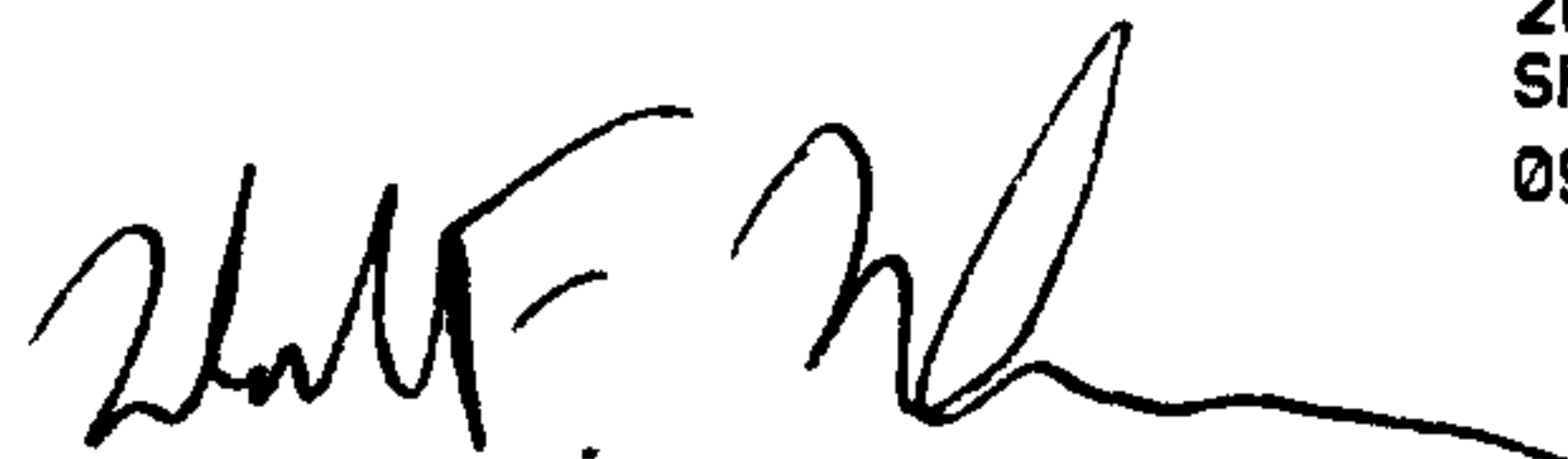
WHEREAS, Walter F. McArdle, Esq., was the Auctioneer who conducted said foreclosure sale and was the person conducting said sale for the said The Bank; and

WHEREAS, the highest and best bid for the property described in the aforementioned mortgage was the bid of The Bank in the amount of Three Hundred Sixty-Two Thousand Dollars (\$362,000.00) which sum of money The Bank offered to credit on the indebtedness secured by said mortgage, the said The Bank by and through Walter F. McArdle, Esq., as Auctioneer conducting said sale and as attorney in fact for The Bank and the said Walter F. McArdle, Esq., as Auctioneer conducting said sale, does hereby GRANT, BARGAIN, SELL AND CONVEY unto the said The Bank the following described property situated in Shelby County, Alabama, to-wit:

Lot 130, According to the Final Record Plat of Greystone Farms,
Milner's Crescent Sector-Phase 2, as recorded in Map Book 21, Page
33, in the Probate Office of Shelby County, Alabama.

TO HAVE AND TO HOLD the above described property to The Bank subject, however, to the statutory right of redemption on the part of those entitled to redeem as provided by the laws of the State of Alabama.

IN WITNESS WHEREOF, The Bank has caused this instrument to be executed by and through Walter F. McArdle, Esq., as Auctioneer conducting said sale, and as Attorney in Fact, and Walter F. McArdle, Esq., as Auctioneer conducting said sale has hereto set his hand and seal on this the 21st day of September, 2004.

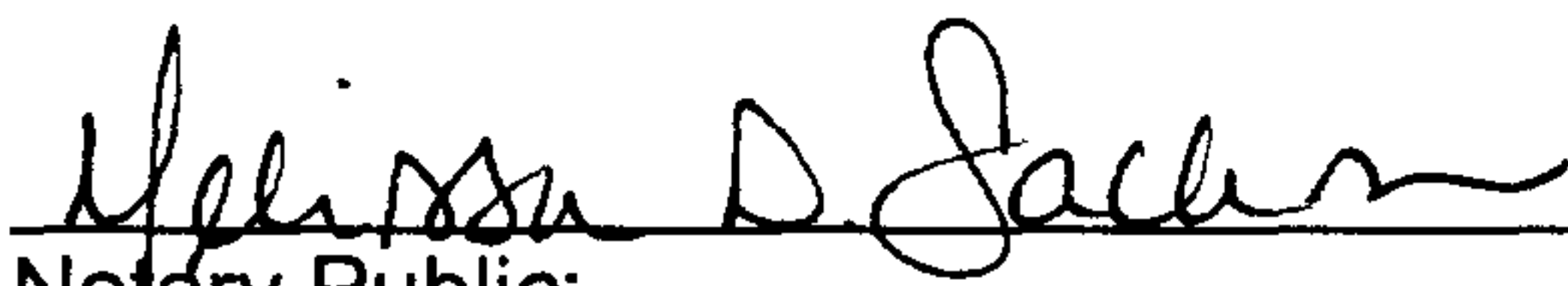


Walter F. McArdle
as Auctioneer and Attorney in Fact

STATE OF ALABAMA)
COUNTY OF JEFFERSON)

I, the undersigned, a Notary Public for the State of Alabama, and said County, hereby certify that Walter F. McArdle, Esq. whose name as Auctioneer and Attorney in Fact for The Bank 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 said Auctioneer and Attorney in Fact, with full authority, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 21st day of September, 2004.



Notary Public: _____

My Commission Expires: 1/16/06