

STATE OF ALABAMA)

SHELBY COUNTY)

Send tax notice to:

Metro Bank

800 Martin Street South

Pell City, Alabama 35128

MORTGAGE FORECLOSURE DEED



20060308000108970 1/3 \$20.00
Shelby Cnty Judge of Probate, AL
03/08/2006 12:02:47PM FILED/CERT

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, R. D. Funderburg and Elizabeth L. Funderburg, did on June 11, 1998, August 15, 2000 and January 13, 2003, execute mortgages to Metro Bank, which mortgages are recorded as Instrument #1998-25396, 2000-33138 and 20030127000046030 pg. 1/7, respectively, in the Office of the Judge of Probate of Shelby County, Alabama; and

WHEREAS, default was made in the payment of said indebtedness secured by said mortgages, and Metro Bank did declare all of the indebtedness secured by said mortgages due and payable and did give due and proper notice of the foreclosure of said mortgages in accordance with the terms thereof by publication in the Shelby County Reporter, a newspaper of general circulation in Shelby County, Alabama, in its issues of February 8, 2006, February 15, 2006 and February 22, 2006; and

WHEREAS, on March 2, 2006, the day on which the foreclosure sale was due to be held, according to said notice, between the legal hours of sale, said foreclosure sale was duly and properly conducted, and Metro Bank did offer for sale and did sell at public outcry in front of the Main Entrance of the Shelby County Courthouse, Columbiana, Alabama, the property hereinafter described; and

WHEREAS, the highest and best bid obtained for the property described in the aforementioned mortgage was the bid of Metro Bank in the amount of Seventy-seven Thousand Nine-Hundred Sixty-five and 74/100 Dollars (\$77,965.74), which sum the said Metro Bank offered to credit to the indebtedness secured by said mortgage and said property was thereupon sold to the said Metro Bank; and

WHEREAS, Hugh E. Holladay conducted said sale on behalf of Metro Bank; and

WHEREAS, said mortgage expressly authorized the person conducting said sale to execute to the purchaser at said sale, a deed to the property so purchased;

NOW, THEREFORE, in consideration of the premises and of a credit in the amount of Seventy-seven Thousand Nine-Hundred Sixty-five and 74/100 Dollars (\$77,965.74), on the indebtedness secured by said mortgage, the said Hugh E. Holladay, the duly authorized attorney and auctioneer conducting said sale does hereby grant, bargain, sell and convey unto the said Metro Bank the following described property situated in Shelby County, Alabama, to-wit:

A parcel of land located in the north half of the northwest quarter of the northwest quarter of Section 15, Township 18 south, Range 1 East, Shelby County, Alabama, described as follows: commence at the southeast corner of said 20 acre tract; thence run north along the east quarter-quarter line a distance of 263.0 feet to the point of beginning; thence continue along the last course a distance of 152.0 feet (146.84 feet measured); thence turn left 93 degrees 45 minutes 15 seconds a distance of

254.01 feet to a point on a chert road (Shelby County Road 491); thence turn left 127 degrees 37 minutes 45 seconds a distance of 244.15 feet along said chert road; thence turn left 76 degrees 04 minutes (78 degrees 32 minutes 03 seconds measured) a distance of 103.73 feet (106.21 feet measured) to the point of beginning. This is that certain parcel recorded in instrument #1992-18534. According to the survey of Gary R. Smith, Al. Reg. No. 13199, dated April 15, 1998.

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

IN WITNESS WHEREOF, R. D. Funderburg and Elizabeth L. Funderburg, (Mortgagor) and Metro Bank, (Mortgagee) have caused this instrument to be executed by and through Hugh E. Holladay, as auctioneer conducting said sale and as Attorney-in-fact for all parties separately, and Hugh E. Holladay, as auctioneer conducting said sale and as Attorney-in-fact for each of said parties, has hereto set his hand and seal on this the 2nd day of March, 2006.

R. D. FUNDERBURG
R. D. Funderburg

BY: Hugh E. Holladay
Auctioneer & Attorney-in-fact

ELIZABETH L. FUNDERBURG
Elizabeth L. Funderburg

BY: Hugh E. Holladay
Auctioneer & Attorney-in-fact

METRO BANK
Metro Bank

BY: Hugh E. Holladay
Auctioneer & Attorney-in-fact

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STATE OF ALABAMA)

ST. CLAIR COUNTY)

I, the undersigned authority, a Notary Public in and for said county, in said State, hereby certify that Hugh E. Holladay, whose name is signed to the foregoing conveyance, and who signed the names of R. D. Funderburg and Elizabeth L. Funderburg, (Mortgagor) and also who signed the names of Metro Bank, (Mortgagee) to the foregoing conveyance, 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 same day the same bears date, as the action of himself as auctioneer and the person conducting the same for Metro Bank, (Mortgagee) and as the act of said Metro Bank, (Mortgagee) and as the actions of R. D. Funderburg and Elizabeth L. Funderburg, (Mortgagor) in the mortgage referred to in the foregoing Deed.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on this the 2nd day of March, 2006.



Notary Public

My commission expires: 1-25-2009

This instrument prepared by:
Hugh E. Holladay
Holladay, P.C.
12 Edwin Holladay Place
Pell City, AL 35125
(205) 884-1116