

This Instrument Prepared By:
Marvin E. Franklin
2125 Morris Avenue
Birmingham, AL 35203
18723-98474

Send Tax Notice To:
Citizens Bank
300 East Broad Street
Elizabethton, TN 37643

FORECLOSURE DEED

STATE OF ALABAMA

COUNTY OF SHELBY

KNOW ALL MEN BY THESE PRESENTS, THAT:

WHEREAS, heretofore on, to-wit: March 15, 2005, Ed Cates, a married man, mortgagor, executed a certain mortgage to Citizens Bank which said mortgage is recorded in Instrument # 20050323000131340, in the Office of the Judge of Probate of Shelby County, Alabama; and,

WHEREAS, default was made in the payment of the indebtedness secured by said mortgage, and the said Citizens 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, 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 March 07, 14 and 21, 2007; and,

WHEREAS, on March 30, 2007, the day on which the foreclosure sale was due to be held under the terms of said notice, during the legal hours of sale, said foreclosure was duly and properly conducted and the said Citizens Bank did offer for sale and sell at public outcry, in front of the main entrance of the Courthouse in Shelby County, Alabama, all of its rights, title and interest in the property hereinafter described; and,

WHEREAS, the highest and best bid obtained for the property described in the aforementioned mortgage was the bid of Citizens Bank in the amount of Eight Hundred Ninety-Five Thousand Five Hundred Eighty-Nine and 97/100 Dollars (\$895,589.97) which sum was offered to be credited to the indebtedness

secured by said mortgage, and said property was thereupon sold to Citizens Bank; and,

WHEREAS, J. Todd Miner, agent and attorney-in-fact for Citizens Bank, acted as auctioneer as provided in said mortgage and conducted the said sale; 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 the credit of Eight Hundred Ninety-Five Thousand Five Hundred Eighty-Nine and 97/100 Dollars (\$895,589.97), Ed Cates, a married man, mortgagor, by and through the said J. Todd Miner, agent and attorney-in-fact for Citizens Bank, do grant, bargain, sell and convey unto the said Citizens Bank, all of their rights, title and interest in and to the following described real property, situated in Shelby County, Alabama, to-wit:

A Parcel Of Land Situated In The N 1/2 Of The SE 1/4 Of Section 33, Township 21 South, Range 2 West, Shelby County, Alabama, And Being More Particularly Described As Follows:
Begin At The SE Corner Of The NE 1/4 Of The SE 1/4 Of Above Said Section, Township And Range, Said Point Being The Point Of Beginning; Thence N 01 Degrees 10 Minutes 03 Seconds E, A Distance Of 733.76 Feet; Thence N 86 Degrees 58 Minutes 33 Seconds W, A Distance Of 1925.18 Feet; Thence S 01 Degrees 25 Minutes 18 Seconds E, A Distance Of 761.29 Feet To A Point, Said Point Lying On The Northerly R.O.W. Line Of Alabama Highway #70 (115 Feet R.O.W.); Said Point Also Being The Beginning Of A Non Tangent Curve To The Right, Having A Radius Of 1707.11 Feet, A Central Angle Of 05 Degrees, 07 Minutes 52 Seconds And Subtended By A Chord Which Bears N 75 Degrees 47 Minutes 12 Seconds E, And A Chord Distance Of 152.83 Feet; Thence Along The ARC Of Said Curve And Said R.O.W. Line, A Distance Of 152.88 Feet To A Point, Said Point Being The Beginning Of A Non Tangent Curve To The Right, Having A Radius Of 1568.05 Feet, A Central Angle Of 24 Degrees 00 Minutes 03 Seconds, And Subtended By A Chord Which Bears S 89 Degrees 26 Minutes 07 Seconds E, And A Chord Distance Of 652.05 Feet; Thence Along The ARC Of Said Curve And Said R.O.W. Line, A Distance Of 656.85 Feet; Thence S 80 Degrees 27 Minutes 54 Seconds E And Along Said R.O.W. Line A Distance Of 1102.13 Feet; Thence N 01 Degrees 10 Minutes 03 Seconds And Leaving Said R.O.W. Line, A Distance Of 77.36 Feet To The Point Of Beginning. Containing 31.66 Acres, More Or Less. According To Survey Of Rodney Y. Shiflett, RLS #21784, Dated September 17, 2004.

SUBJECT TO ad valorem taxes.

SUBJECT TO any and all easements, restrictions, encumbrances or other interests of record.

SUBJECT TO the statutory right of redemption on the part of those entitled to redeem.

TO HAVE AND TO HOLD, the above described property unto the said Citizens Bank, its successors

and assigns forever; subject, however, to the statutory right of redemption on the part of those entitled to redeem.

IN WITNESS WHEREOF, the said Citizens Bank, by J. Todd Miner, agent and attorney-in-fact for Citizens Bank, as auctioneer conducting said sale, has caused these presents to be executed on this, the 30th day of March, 2007.

Citizens Bank

BY: 

J. Todd Miner, agent and attorney-in-fact for Citizens Bank,
as Auctioneer

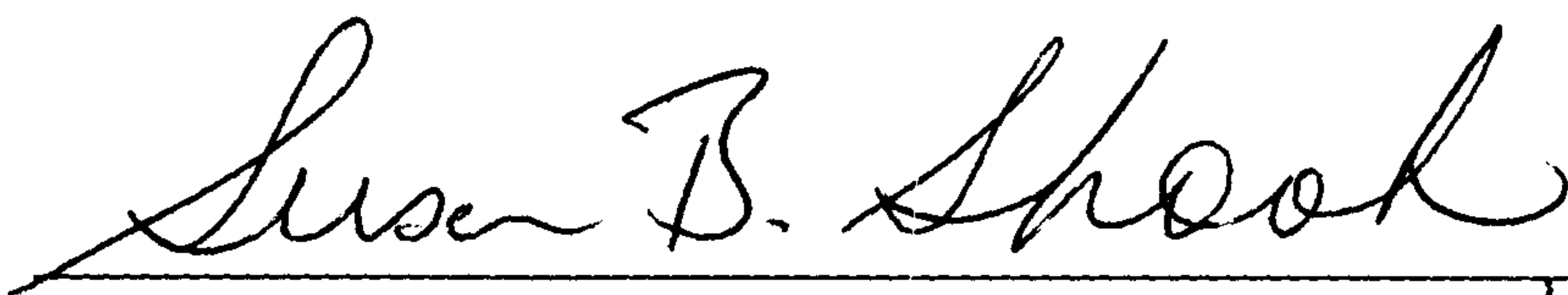

J. Todd Miner, as Auctioneer conducting said sale

THE STATE OF ALABAMA

JEFFERSON COUNTY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that J. Todd Miner, whose name as agent and attorney-in-fact for Citizens Bank as auctioneer conducting said sale, 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 this conveyance, he, in his capacity as such auctioneer, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this 30th day of March, 2007.


Notary Public

1/28/10