

STATE OF ALABAMA
COUNTY OF SHELBY

FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS, that, whereas, heretofore on to-wit: the 4th day of February, 1998, Richard E. Rushing, Sr. and Sonja M. Rushing, did execute a certain mortgage on property herein described to National Bank of Commerce of Birmingham, n/k/a First American Bank, which said mortgage is recorded as Instrument Number 1998-09413 in the Office of the Judge of Probate 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 of the City of Columbiana, County of Shelby, State of Alabama, after giving notice of same of the time place and terms of said sale in some newspaper published 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 said mortgage provided that in case of sale under the power and authority contained in said mortgage, 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 the Mortgagee might bid at the sale and purchase the said property if the highest bidder therefore; and,

WHEREAS, default was made in the payment of the indebtedness secured by said mortgage and the said First American Bank did declare all of the indebtedness secured by said mortgage due and payable and said mortgage subject to the foreclosure as therein provided and did give due and proper notice of the foreclosure of said mortgage by publication in the Shelby County Record, a newspaper of local circulation, published in Shelby County, Alabama, in its issues of October 10, October 17, and October 24, 2007; and,

WHEREAS, on the 31st day of October, 2007, the day on which the foreclosure sale was to be held under the terms of said notice between the legal hours of sale, said foreclosure was duly and properly conducted and First American Bank did offer for sale and sell at public outcry in front of the Courthouse door in Shelby County, Alabama, the property hereinafter described:

WHEREAS, Robert Wolfe, was the Auctioneer who conducted the said foreclosure sale and was the person conducting the sale for First American Bank and First American Bank, was the best and highest bidders in the amount of Two Hundred Fifty-One Thousand, Six Hundred Twenty-Eight and 23/100 (\$251,628.23) which sum of money is offered as credit on the indebtedness secured by said mortgage; and said property was thereunto sold to First American Bank.

NOW, THEREFORE, in consideration of the premises and a credit in the amount of Two Hundred Fifty-One Thousand, Six Hundred Twenty-Eight and 23/100 (\$251,628.23) on the indebtedness secured by said mortgage, the said Richard E. Rushing, Sr. and Sonja M. Rushing, and the said First American Bank both acting by and through the undersigned as their duly constituted and appointed attorney-in-fact and auctioneer at said sale, do hereby grant, bargain, sell and convey unto the said First American Bank, all its right, title, and interest in the following described property situated in Shelby County, Alabama, to-wit:

Part of the NW 1/4 of the NW 1/4 of Section 5, Township 20 South, Range 3 West, Shelby County, more particularly described as follows:

Begin at the Northwest corner of said section and proceed south along west line of said forty to point 761.58 feet which is also the point of intersection with the south boundary of road right of way, this point also being called the point of beginning; thence turn left 57°18' for a distance of 197 feet; thence turn left 90° for a distance of 215.99 feet; thence turn left again 90° for a distance of 197 feet to a point of intersection with highway right of way; thence turn left and travel westerly along said right of way to the point of beginning.

Situated in Shelby County, Alabama.

TO HAVE AND TO HOLD the above described property unto First American Bank, their successors 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 of the State of Alabama, and further subject to Federal Tax Liens, Special Assessments, if any, any and all matters of record and the mortgage hereinabove mentioned.

IN WITNESS WHEREOF, First American Bank, has caused this instrument to be executed by and through Robert Wolfe, as Auctioneer and the person conducting said sale for the Mortgagee or Transferee of the Mortgagee and in witness whereof has hereunto set his hand and seal on this the 31st day of October, 2007.

Richard E. Rushing, Sr. and Sonja M. Rushing,
Mortgagors

BY: First American Bank
Mortgagee or Transferee of Mortgagee

BY: _____
Robert Wolfe, as Auctioneer and the person
conducting said sale for Mortgagee
or Transferee of the Mortgagee

First American Bank
Mortgagee or Transferee of Mortgagee

BY: _____
Robert Wolfe, as Auctioneer and the person
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STATE OF ALABAMA

COUNTY OF Jefferson

I, the undersigned, a Notary Public, in and for said County and State, hereby certify that Robert Wolfe, whose name as Auctioneer and the person conducting said sale for Mortgagee or Transferee of the Mortgagee, First American Bank and whose name is signed to the foregoing conveyance in this capacity and who is known to me and acknowledged before me on this date, that, being informed of the contents of said conveyance, he executed the same voluntarily on the day the same bears date, as the action on himself as Auctioneer and the person conducting the same for First American Bank with full authority and as the actions First American Bank as Mortgagee, in the mortgage referred to in the foregoing deed.

Given under my hand and official seal, this the 31st day of October, 2007.

Kare N. O'Hea
Notary Public

My Commission Expires: Feb 7, 2011

This instrument Prepared by:

Wolfe, Jones, Boswell,

Wolfe, Hancock & Daniel, L.L.C.

BY: Gary P. Wolfe

905 Bob Wallace Avenue, Suite 100

Huntsville, Alabama 35801

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