

**This instrument prepared by:**  
Robert W. Tapscott, Jr., Esq.  
Maynard, Cooper & Gale, P.C.  
1901 Sixth Avenue North  
2400 Regions/Harbert Plaza  
Birmingham, Alabama 35203-2618

**Send tax notice to:**  
First United Security Bank  
Attn. Mr. Richard Key  
8710 Highway 69 South  
Tuscaloosa, AL 35405

**FORECLOSURE DEED**

**STATE OF ALABAMA                    )**

**COUNTY OF SHELBY                    )**

**KNOW ALL MEN BY THESE PRESENTS, THAT:**

**WHEREAS**, heretofore on August 31, 2004 to-wit: Malcomb D. Graves Jr., mortgagor, executed a certain mortgage to First United Security Bank, which said mortgage is recorded in Instrument # 20040831000487330 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 First United Security 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 December 5, 12 & 19, 2007; and,

**WHEREAS**, on December 27, 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 First United Security 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 First United Security Bank in the amount of NINE HUNDRED THOUSAND AND NO/100 DOLLARS (\$900,00.00) which sum was offered to be credited to the indebtedness secured by said mortgage, and said property was thereupon sold to First United Security Bank; and,

**WHEREAS**, Robert W. Tapscott, Jr., agent and attorney-in-fact for First United Security 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 NINE HUNDRED THOUSAND AND NO/100 DOLLARS (\$900,00.00) Malcomb D. Graves Jr., mortgagor, by and through the said Robert W. Tapscott, Jr., agent and attorney-in-fact for First United Security Bank does grant, bargain, sell and convey unto the said First United Security Bank, all of its rights, title and interest in and to the following described real property, situated in Shelby County, Alabama, to-wit:

Part of the South 1/2 of Section 33, Township 21 South, Range 2 West Shelby County, Alabama, more particularly described as follows:

**PARCEL A**

Begin at the NE corner of Lot 13 of Summerchase Phase I, as recorded in Map Book 23, Page 7, in the Office of the Judge of Probate in Shelby County; thence S 33 degrees 49 minutes 4 seconds E along the Easterly line of said Summerchase a distance of 208.89 feet; thence N 73 degrees 0 minutes 0 seconds E a distance of 416.88 feet to the Westerly right-of-way of U.S. Hwy. 31; thence N 33 degrees 35 minutes 66 seconds W along said right-of-way a distance of 210.30 feet; thence S 72 degrees 46 minutes 59 seconds West and leaving said right-of-way a distance of 417.26 feet to the point of beginning.



**PARCEL B2**

Commence at the NE corner of Lot 2 of Summerchase Commercial Village Phase I, as recorded in Map Book 23, Page 138, in the Office of the Judge of Probate in Shelby County; thence S 55 degrees 3 minutes 25 seconds W along the North line of said Lot 2, a distance of 220.76 feet; thence N 34 degrees 56 minutes 35 seconds W a distance of 40.44 feet; thence S 55 degrees 3 minutes 25 seconds W a distance of 92.35 feet; thence N 34 degrees 56 minutes 35 seconds W a distance of 139.89 feet to the point of beginning; thence N 70 degrees 41 minutes 30 seconds E a distance of 327.39 feet to the Westerly right-of-way of U.S. Hwy. 31; thence N 33 degrees 35 minutes 56 seconds W along said right-of-way a distance of 29.37 feet; thence S 73 degrees 0 minutes 0 seconds W and leaving said right-of-way a distance of 332.12 feet; thence S 34 degrees 56 minutes 35 seconds E a distance of 43.44 feet to the point of beginning. Said parcel of land contains 0.26 acres, more or less.

**LESS AND EXCEPT THE FOLLOWING:**

**PARCEL B1**

Begin at the NE corner of Lot 2, of Summerchase Commercial Village Phase I, as recorded in Map Book 23, Page 138, in the Office of the Judge of Probate in Shelby County; thence S 55 degrees 3 minutes 25 seconds W along the North line of said Lot 2 a distance of 220.76 feet; thence N 34 degrees 56 minutes 35 seconds W a distance of 40.44 feet; thence S 55 degrees 3 minutes 25 seconds W a distance of 92.35 feet; thence N 34 degrees 56 minutes 35 seconds W a distance of 139.89 feet; thence N 70 degrees 41 minutes 30 seconds E a distance of 327.39 feet to the Westerly right-of-way of U.S. Hwy. 31; thence S 33 degrees 35 minutes 56 seconds E along said right-of-way a distance of 92.12 feet to the point of beginning. Said parcel of land contains 0.90 acres, more or less.

**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 First United Security 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 First United Security Bank by Robert W. Tapscott,

Jr., agent and attorney-in-fact for First United Security Bank as auctioneer conducting said sale,  
has caused these presents to be executed on this, the 27th day of December, 2007.


BY:   
Robert W. Tapscott, Jr., agent and attorney-in-fact  
for First United Security Bank

  
Robert W. Tapscott, Jr., 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 Robert W. Tapscott, Jr., whose name as agent and attorney-in-fact for First United Security 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 27th day of December, 2007.

  
Notary Public

My commission expires: January 25, 2011