


This Instrument Prepared by:
Timothy D. Davis, Esq.
Sirote & Permutt, P.C.
2311 Highland Avenue South
Birmingham, Alabama 35203
(205) 930-5100


20081203000456060 1/3 \$18.00
Shelby Cnty Judge of Probate, AL
12/03/2008 03:09:25PM FILED/CERT

MORTGAGE FORECLOSURE DEED

STATE OF ALABAMA)
 :
SHELBY COUNTY)

KNOW ALL MEN BY THESE PRESENTS: That Michael J. Barry, a married person ("Mortgagor") did on, to-wit, August 1, 2005, execute a Real Estate Mortgage in favor of Union State Bank, an Alabama banking corporation ("Union State Bank" or "Mortgagee"), which instrument was filed for record on August 2, 2005, in Instrument No. 20050802000390470 in the Office of the Judge of Probate of Shelby County, Alabama (the "Mortgage"); and

WHEREAS, default was made in the payment of the indebtedness secured by said Mortgage and said Mortgagee did declare all of the indebtedness secured by said Mortgage due and payable 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 published in Shelby County, Alabama, in its issues of November 5, 2008, November 12, 2008, and November 19, 2008; and

WHEREAS, on December 3, 2008, the day on which the foreclosure sale was due to be held under the terms of said notice, between the legal hours of sale, said foreclosure sale was duly and properly conducted, and Mortgagee did offer for sale and did sell at public outcry in front of the main entrance of the Shelby County, Alabama Courthouse in the City of Columbiana, Alabama, the property hereinafter described; and

WHEREAS, the highest and best bid for cash obtained for the property described in the aforementioned Mortgage was the bid of the Mortgagee in the amount of Two Hundred Twenty Thousand and No/100 Dollars (\$220,000.00), which sum the said Mortgagee offered to credit on the indebtedness secured by said Mortgage, and said property was thereupon sold to the said Mortgagee; and

WHEREAS, said Mortgage expressly authorized the Mortgagee to bid at the sale and purchase said property, if the highest bidder therefor, and authorized the Mortgagee or Auctioneer or any person conducting said sale for the Mortgagee to execute to the purchaser at said sale a deed to the property purchased.

NOW, THEREFORE, in consideration of the premises and a credit of Two Hundred Twenty Thousand and No/100 Dollars (\$220,000.00) on the indebtedness secured by said Mortgage, the said Mortgagee, acting by and through Cheryl H. Oswalt, as Auctioneer and the person conducting the said sale for the Mortgagee or Transferee of Mortgagee, does hereby grant, bargain, sell and convey unto Union State Bank, an Alabama banking corporation, all of Mortgagee's right, title and interest in and to the following described real estate situated in Shelby County, Alabama, to-wit:

Commence at the Northwest corner of the Southeast 1/4 of Southeast 1/4, Section 15, Township 21 South, Range 3 West, thence run easterly along the north line thereof for 221.32 feet to the point of beginning; thence continue last described course for 217.38 feet; thence 88 degrees 34 minutes 09 seconds right run southerly 1301.84 feet to the northerly R/W of Shelby County Highway #12, thence 91 degrees 28 minutes 04 seconds right run westerly along said R/W for 251.90 feet; thence 88 degrees 47 minutes 35 seconds right run northerly 119.62 feet; thence 90 degrees 42 minutes 30 seconds right run easterly 5.52 feet; thence 90 degrees 45 minutes 14 seconds left run northerly 198.18 feet; thence 87 degrees 45 minutes 52 seconds right run easterly 24.57 feet; thence 87 degrees 47 minutes 44 seconds left run northerly 982.10 feet to the point of beginning, containing 6.75 acres including all easements that may exist.

Also a variable easement for ingress and egress described as follows:

Commence at the NW corner of the SE 1/4 of the SE 1/4 of Section 15, Township 21 South, Range 3 West; thence run easterly along the north line thereof for 221.32 feet; thence 88 degrees 45 minutes 11 seconds right 982.10 feet; to the point of beginning; thence 87 degrees 47 minutes 44 seconds right for 24.57 feet; thence 87 degrees 45 minutes 52 seconds left run southerly 198.18 feet; thence 90 degrees 45 minutes 14 seconds right for 5.52 feet; thence 90 degrees 42 minutes 30 seconds left run southerly 119.62 feet to the northerly R/W of Shelby County Highway #12; thence 88 degrees 47 minutes 35 seconds left run easterly along said R/W for 44.0 feet; thence 88 degrees 20 minutes 25 seconds left run northerly 120.08 feet; thence 7 degrees 39 minutes 37 seconds left for 133.10 feet; thence 8 degrees 46 minutes 16 seconds right 67.93 feet; thence 96 degrees 15 minutes 31 seconds left for 13.69 feet to the point of beginning.

Together with all rights, privileges, easements, tenements, interests, improvements, and appurtenances thereunto belonging and all fixtures now attached to and used in connection with the premises herein described.

TO HAVE AND TO HOLD the above-described property unto the said Union State Bank, its successors and assigns, forever; subject, however to any and all prior liens and encumbrances, the rights of way, easements and restrictions of record in the Office of the Judge of Probate of Shelby County, Alabama, existing assessments, the statutory rights of redemption on the part of those entitled to redeem as provided by the laws of the State of Alabama, and any taxes which may be due.

IN WITNESS WHEREOF, the said Mortgagee has caused this instrument to be executed by Cheryl H. Oswalt, as Auctioneer and the person conducting said sale for the Mortgagee or Transferee of Mortgagee, and in witness whereof the said Cheryl H. Oswalt has executed this instrument in her capacity as such Auctioneer on the 3rd day of December, 2008.

UNION STATE BANK
Mortgagee or Transferee of Mortgagee

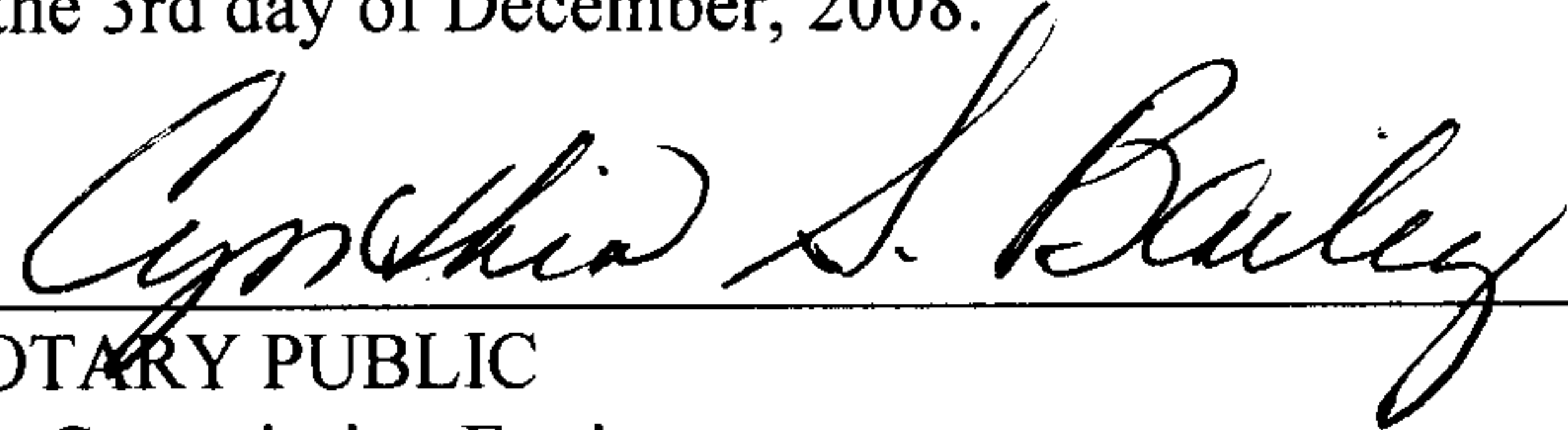
By: Cheryl H. Oswalt
Cheryl H. Oswalt, as Auctioneer and the person
conducting said sale for the Mortgagee or Transferee of
Mortgagee

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STATE OF ALABAMA)
 :
COUNTY OF JEFFERSON)

I, Cynthia S. Bailey, a Notary Public in and for said State and County, hereby certify that Cheryl H. Oswalt, whose name as Auctioneer and the person conducting said sale for the Mortgagee or Transferee of Mortgagee, 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, she, in her capacity as such Auctioneer and the person conducting said sale for the Mortgagee or Transferee of Mortgagee, and with full authority, executed said conveyance voluntarily on the day the same bears date.

Given under my hand and official seal this the 3rd day of December, 2008.



NOTARY PUBLIC

My Commission Expires: _____ MY COMMISSION EXPIRES JANUARY 24, 2012

GRANTEE'S ADDRESS:

Union State Bank
3437 Lorna Road
Hoover, Alabama 35216