

STATE OF ALABAMA)
)
SHELBY COUNTY)

MORTGAGE FORECLOSURE DEED

KNOW ALL MEN BY THESE PRESENTS

THAT, WHEREAS, heretofore, on to-wit, Mark D. Jones and Erin Nicole Jones, husband and wife, executed a certain mortgage on property hereinafter described to First Federal Bank f/k/a First Federal Savings Bank, which said mortgage is recorded in Inst. # 1998-18728; said mortgage being assigned to Bank of Oklahoma, N.A. by instrument dated 3/15/00 and filed for record 03/20/00 in Inst. # 2000-10144 and further assigned to First Federal Bank, a Federal Savings Bank by instrument dated 10/18/05 and filed for record 10/27/05 in Inst. # 20051027000559520, in the Office of the Probate Judge in Shelby County, Alabama; and

WHEREAS, in and by said mortgage, the mortgagee, its successors or assigns were authorized and empowered in the event of default, according to the terms thereof, to sell said property before the Courthouse door in the City of Columbiana, Shelby County, Alabama, after giving notice of the time, place and terms of said sale in some newspaper published in said County by publication once a week for three (3) 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 same, the mortgagee or any person conducting said sale for the mortgagee was authorized to execute the proper conveyance to the purchaser at said sale; and it was further provided in and by said mortgage that the mortgagee may bid at the sale and purchase said property if the highest bidder therefor; and

WHEREAS, default was made in the payment of the indebtedness secured by said mortgage, and the same First Federal Bank f/k/a First Federal Savings 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 foreclosure of said mortgage, by U. S. Mail and by publication in Shelby County Reporter a newspaper of general circulation, published in Shelby County, Alabama, in its issues of the April 8, 2009, April 15, 2009 and April 22, 2009; and

WHEREAS, on April 29, 2009, the day on which said foreclosure sale was due to be held under the terms of said notice between the legal hours of sale, said foreclosure was duly and properly conducted and W. Marcus Brakefield as Attorney-in-Fact for the said First Federal Bank f/k/a First Federal Savings Bank did offer for sale and sell at public outcry, at the Courthouse in Shelby County, Alabama, the property hereinafter described; and

WHEREAS, W. Marcus Brakefield was the Auctioneer who conducted said foreclosure sale for the said First Federal Bank f/k/a First Federal Savings Bank; and

WHEREAS, the said first Federal Bank was the highest bidder in the amount of Seventy Thousand Six Hundred Seventy and no/100 (\$70,670.00) Dollars, which sum of money First Federal Bank f/k/a First Federal Savings Bank offered to apply to the costs of foreclosure and credit the remaining balance on the indebtedness secured by said mortgage, and said property was thereupon sold to first Federal Bank.

NOW, THEREFORE, IN CONSIDERATION OF THE PREMISES, and of a credit in the amount of Seventy Thousand Six Hundred Seventy and no/100 (\$70,670.00) Dollars, on the indebtedness secured by said mortgage, the said Mark D. Jones and Erin Nicole Jones, and First Federal Bank f/k/a First Federal Savings Bank by and through W. Marcus Brakefield, the person acting as auctioneer and conducting said sale as their duly authorized agent and Attorney-in-Fact and as Auctioneer does hereby GRANT, BARGAIN, SELL AND CONVEY unto the said first Federal Bank the following described property situated in Shelby County, Alabama, as is where is to wit:

A parcel of land in the E ½ of the SE ¼ of the NE ¼ of Section 4, Township 20 South, Range 1 West, being the same land described as Lot 4, Block 1 of Gilbert Estates, in a deed to Edna C. and Wilford A. Moore recorded in Deed Book 234, at page 685 of the Real Property Records of Shelby county, Alabama and being more particularly described as follows: Commencing at a 1 inch square tubing found at the NW corner of the E ½ of the SE ¼ of the NE ¼ of said Section; thence South 1 deg. 18 min. 35 sec. East along the West line of the E ½ of said 1/16 Section, a distance of 39.52 feet, to a ½ inch pipe found and the point of beginning; thence South 1 deg. 18 min. 35 sec. East, along the West line of the E ½ of said 1/16 Section a distance of 25.00 feet, to a ½ inch pipe; thence South 27 deg. 34 min. 38 sec. East a distance of 607.86 feet, to a ¾ inch bar found on the NE right of way line of County Highway 39; thence along a curve in said right of way, concave to the NW and having a radius of 1405.80 feet and a chord bearing of North 37 deg. 08 min. 14 sec. East, an arc length of 180.02 feet, to a ½ inch rebar, set with a cap stamped S. Wheeler RPLS 16165; thence North 42 deg. 53 min. 24 sec. West, a distance of 573.80 feet to the point of beginning; being situated in Shelby County, Alabama.
Mineral and mining rights excepted.

Together with the hereditaments and appurtenances thereunto belonging and all fixtures now attached to and used in connection with the premises herein described, subject to right of way easements and restrictions of record in the Probate Office of Shelby County, Alabama, and existing special assessments, if any, which might adversely affect the title to the above described property.

TO HAVE AND TO HOLD the above described property unto the said first Federal Bank, its successors and assigns forever; subject, however, to the statutory right of redemption on the part of those entitled to redeem as provided by the laws of the State of Alabama and the United States of America.

IN WITNESS WHEREOF, the said Mark D. Jones and Erin Nicole Jones and First Federal Bank f/k/a First Federal Savings Bank have caused this instrument to be executed by and through W. Marcus Brakefield, as Auctioneer conducting said sale and as Attorney-in-Fact for all parties separately, has hereto set his hand and seal on this the April 30, 2009.

Mark D. Jones and Erin Nicole Jones

BY:

W. Marcus Brakefield
Attorney-in-Fact

First Federal Bank f/k/a First Federal Savings Bank

BY:

W. Marcus Brakefield as Attorney-In-Fact and Agent

W. Marcus Brakefield as the Auctioneer
and person making said sale

STATE OF ALABAMA

SHELBY COUNTY

I, the undersigned, a Notary Public in and for said County, in said State of Alabama, hereby certify that W. Marcus Brakefield whose name as Attorney-in-Fact for Mark D. Jones and Erin Nicole Jones, whose name as Attorney-in-Fact and agent for First Federal Bank f/k/a First Federal Savings Bank, and whose name as Auctioneer and person making 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 the conveyance, he, in his capacity as such Attorney-in-Fact, agent, and as such Auctioneer, executed the same voluntarily on the day the same bears date.

GIVEN under my hand and official seal this the April 30, 2009.

Bonnie Sutton

Notary Public in and for the State of Alabama at
Large

My Commission Expires: 6-16-2010

THIS INSTRUMENT PREPARED BY:

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